

FIFTIETH DAY

St. Paul, Minnesota, Wednesday, May 9, 1979

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

CALL OF THE SENATE

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

Benedict	Engler	Laufenburger	Perpich	Staples
Bernhagen	Gearty	Lessard	Peterson	Strand
Brataas	Gunderson	Luther	Pillsbury	Ueland, A.
Chmielewski	Jensen	McCutcheon	Purfeerst	Ulland, J.
Coleman	Johnson	Menning	Renneke	Vega
Davies	Kirchner	Nelson	Rued	Wegener
Dieterich	Kleinbaum	Olhoff	Schmitz	Willet
Dunn	Knutson	Penny	Spear	

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

Prayer was offered by the Chaplain, Monsignor Ambrose V. Hayden,

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

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

10:30 o'clock a.m. Mr. Frederick was excused from this morning's Session. Mr. Solon was excused from the Session of today from 9:00 to 10:00 o'clock a.m.

INTRODUCTION AND FIRST READING OF SENATE BILLS

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

Mrs. Staples, Messrs. Perpich and Nelson introduced—

S. F. No. 1554: A bill for an act relating to public welfare; establishing a code describing certain rights of recipients of mental health and developmental disabilities services; directing the commissioner of public welfare to promulgate rules to implement the code; amending Minnesota Statutes 1978, Section 246.15, Subdivision 1; repealing Minnesota Statutes 1978, Sections 253A.05; and 253A.17.

Referred to the Committee on Health, Welfare and Corrections.

Messrs. Keefe, S.; Johnson; Willet; Spear and Vega introduced—

S. F. No. 1555: A resolution memorializing the United States Congress to repeal the McCarron-Ferguson Act.

Referred to the Committee on Rules and Administration.

Messrs. Luther, Benedict and Dieterich introduced—

S. F. No. 1556: A bill for an act relating to natural resources; requiring sales of state timber land to be by sealed bid; amending Minnesota Statutes 1978, Section 90.101.

Referred to the Committee on Agriculture and Natural Resources.

Messrs. Luther, McCutcheon and Sikorski introduced—

S. F. No. 1557: A bill for an act relating to public safety; specifying the crime of fleeing from a peace officer by use of a motorized vehicle; providing that whoever flees a peace officer in a motorized vehicle shall be liable for any loss caused by such flight; prohibiting insurers from excluding such liability from their policies; prescribing penalties; amending Minnesota Statutes 1978, Chapter 609, by adding a section.

Referred to the Committee on Judiciary.

Messrs. Stumpf, Hughes, Mrs. Knaak, Messrs. Chenoweth and Dieterich introduced—

S. F. No. 1558: A bill for an act relating to welfare; defining purposes for which funds appropriated for the Lake Owasso Children's Home may be spent.

Referred to the Committee on Health, Welfare and Corrections.

EXECUTIVE AND OFFICIAL COMMUNICATIONS

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

April 4, 1979

The Honorable Edward J. Gearty
President of the Senate

Dear Sir:

The following appointments to the Education Commission of the States are hereby respectfully submitted to the Senate for confirmation as required by law:

Will Antell, 1605 West Pine Street, Stillwater, Washington County, has been appointed by me, effective April 4, 1979, for a term expiring the first Monday in January, 1983.

Marjory Luett Hamersly, Rural Route, Glenville, Freeborn County, has been appointed by me, effective April 4, 1979, for a term expiring the first Monday in January, 1983.

Van D. Mueller, 3609 Maplewood Drive, Minneapolis, Hennepin County, has been appointed by me, effective April 4, 1979, for a term expiring the first Monday in January, 1983.

Joseph T. O'Neill, 800 Northwestern National Bank Building, 55 East Fifth Street, St. Paul, Ramsey County, has been appointed by me, effective April 4, 1979, for a term expiring the first Monday in January, 1983.

(Referred to the Committee on Education.)

Sincerely,

Albert H. Quie, Governor

MESSAGES FROM THE HOUSE

Mr. President:

I have the honor to announce the passage by the House of the following Senate Files, herewith returned: S. F. Nos. 144 and 1392.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned May 8, 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. 276: A bill for an act relating to workers' compensation; prohibiting the refusal to cover under accident or health policy because of certain workers' compensation option; defining "closely

held corporation"; providing for coverage of certain business owners upon election; amending Minnesota Statutes 1978, Chapter 62A, by adding a section; Sections 176.011, by adding a subdivision; 176.012; and 176.041, Subdivision 1.

Senate File No. 276 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned May 8, 1979

CONCURRENCE AND REPASSAGE

Mr. Peterson moved that the Senate concur in the amendments by the House to S. F. No. 276 and that the bill be placed on its repassage as amended. The motion prevailed.

S. F. No. 276 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 42 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Dunn	Lessard	Pillsbury	Strand
Bang	Engler	Luther	Purfeerst	Ueland, A.
Benedict	Gearty	McCutcheon	Renneke	Ulland, J.
Bernhagen	Gunderson	Menning	Rued	Vega
Brataas	Jensen	Nelson	Schaaf	Wegener
Chmielewski	Johnson	Olhoft	Schmitz	Willet
Coleman	Keefe, J.	Penny	Setzepfandt	
Davies	Kirchner	Perpich	Spear	
Dieterich	Knutson	Peterson	Staples	

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 passage by the House of the following House Files, herewith transmitted: H. F. Nos. 143, 296, 492, 1563, 1123, 1167, 1206, 1236, 1465, 323, 874 and 1392.

Edward A. Burdick, Chief Clerk, House of Representatives

Transmitted May 8, 1979

FIRST READING OF HOUSE BILLS

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

H. F. No. 143: A bill for an act relating to taxation; inheritance tax; clarifying certain deductions; amending Minnesota Statutes 1978, Section 291.07, Subdivision 2.

Referred to the Committee on Taxes and Tax Laws.

H. F. No. 296: 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.

Referred to the Committee on Taxes and Tax Laws.

H. F. No. 492: A bill for an act relating to aeronautics; clarifying the property tax status of municipal airport property leased to private persons or entities; amending Minnesota Statutes 1978, Section 360.035.

Referred to the Committee on Taxes and Tax Laws.

H. F. No. 1563: A bill for an act relating to the organization and operation of state government; appropriating money for the department of transportation and for other purposes with certain conditions; amending Minnesota Statutes 1978, Sections 161.123; 174.24, Subdivision 3; 360.015, by adding a subdivision; and Laws 1973, Chapter 567, Section 8; repealing Minnesota Statutes 1978, Section 174.28.

Referred to the Committee on Rules and Administration for comparison with S. F. No. 1540, now on Special Orders.

H. F. No. 1123: A bill for an act relating to taxation; sales and use tax; clarifying the definition of a sale; specifying tax on food, meals, drinks, and lodging; providing methods of collecting unpaid taxes; amending Minnesota Statutes 1978, Sections 297A.01, Subdivision 3; 297A.14; 297A.33, Subdivision 1, and by adding a subdivision.

Referred to the Committee on Taxes and Tax Laws.

H. F. No. 1167: A bill for an act relating to taxation; lowering the excise tax on natural and artificial sparkling wines on a temporary basis.

Referred to the Committee on Taxes and Tax Laws.

H. F. No. 1206: A bill for an act relating to energy; encouraging municipalities to use diseased trees.

Referred to the Committee on Rules and Administration for comparison with S. F. No. 1427, now in the Subcommittee on Bill Scheduling.

H. F. No. 1236: A bill for an act relating to the town of Forest Lake; exempting it from certain tax levy limitations.

Referred to the Committee on Taxes and Tax Laws.

H. F. No. 1465: 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.

H. F. No. 323: A bill for an act relating to labor; requiring certain employers to provide employees with chest x-rays, hearing tests and lung tests; amending Minnesota Statutes 1978, Section 182.653, by adding a subdivision.

Referred to the Committee on Employment.

H. F. No. 874: A bill for an act relating to state government; changing certain administrative procedures; amending Minnesota Statutes 1978, Sections 15.0411, Subdivision 2; 15.0412, Subdivisions 2, 4, 5, and by adding subdivisions; 15.0413, Subdivisions 1 and 2; 15.0418; 15.0419, Subdivisions 1 and 4; 15.0422; 15.0424, Subdivision 6; and 15.052, Subdivisions 1, 2, 5, 7, 8 and 9; repealing Minnesota Statutes 1978, Sections 5.21, and 15.0423.

Referred to the Committee on Governmental Operations.

H. F. No. 1392: A bill for an act relating to labor; requiring operators of motor vehicles to stop and proceed with caution at certain entrances and exits; imposing a penalty.

Referred to the Committee on Rules and Administration for comparison with S. F. No. 1485, now in the Subcommittee on Bill Scheduling.

REPORTS OF COMMITTEES

Mr. Coleman moved that the Committee Reports at the Desk be now adopted, with the exception of reports pertaining to appointments. The motion prevailed.

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

H. F. No. 218: A bill for an act relating to public utilities; removing cooperative telephone associations from the rate jurisdiction of the public service commission; granting associations an option as to rate regulation; amending Minnesota Statutes 1978, Section 237.06.

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 237.075, is amended by adding a subdivision to read:

Subd. 9. For the purposes of this section, "telephone company" shall not include a cooperative telephone association organized under the provisions of chapter 308, or a municipal, unless the

cooperative telephone association or municipal makes the election provided in this subdivision.

A cooperative telephone association may elect to become subject to rate regulation by the commission pursuant to this section. The election shall be (a) approved by the board of directors of the association in accordance with the procedures for amending the articles of incorporation contained in section 308.15, subdivision 1, excluding the filing requirements; or (b) approved by a majority of members or stockholders voting by mail ballot initiated by petition of no fewer than five percent of the members or stockholders of the association. The ballot to be used for the election shall be approved by the board of directors and the department of public service. The department shall mail the ballots to the association's members who shall return the ballots to the department. The department will keep the ballots sealed until a date agreed upon by the department and the board of directors. On this date, representatives of the department and the association shall count the ballots. If a majority of the association's members who vote elect to become subject to rate regulation by the commission, the election shall be effective 30 days after the date the ballots are counted.

A municipal may elect to become subject to rate regulation by the commission pursuant to this section. The election shall be (a) approved by resolution of the governing body of the municipality; or (b) approved by a majority of the customers of the municipal voting by mail ballot initiated by petition of no fewer than 20 percent of the customers of the municipal. The ballot to be used for the election shall be approved by the governing body of the municipality and the department of public service. The department shall mail the ballots to the municipal's customers who shall return the ballots to the department. The department will keep the ballots sealed until a date agreed upon by the department and the governing body of the municipality. On this date, representatives of the department and the municipal shall count the ballots. If a majority of the customers of the municipal who vote elect to become subject to rate regulation by the commission, the election shall be effective 30 days after the date the ballots are counted.

Sec. 2. Minnesota Statutes 1978, Section 237.081, Subdivision 1, is amended to read:

Subdivision 1. Whenever the commission shall believe that any service is inadequate or cannot be obtained or that an investigation of any matter relating to any telephone service should for any reason be made, it may on its own motion summarily investigate the same with or without notice. Upon a complaint made against any telephone company by the governing body of any political subdivision, or by no fewer than five percent of the consumers of the particular telephone company that any of the rates, tolls, tariffs, charges or schedules or any regulation, measurement, practice, act or omission affecting or relating to the production, transmission, delivery or furnishing of telephone service or any service in connection therewith is in any respect unreasonable,

insufficient or unjustly discriminatory, or that any service is inadequate or cannot be obtained, the commission shall proceed to make an investigation as it may deem necessary. The commission may dismiss any complaint without a hearing if in its opinion a hearing is not in the public interest.

Sec. 3. Minnesota Statutes 1978, Section 237.081, Subdivision 4, is amended to read:

Subd. 4. Whenever the commission shall find that any service which can be reasonably demanded cannot be obtained, or that any of the rates, tolls, tariffs, charges or schedules or any regulation, measurement, practice, act or omission affecting or relating to the production, transmission, delivery or furnishing of telephone service or any service in connection therewith is in any respect unreasonable, insufficient or unjustly discriminatory, or that any service is inadequate, the commission shall determine and by order fix reasonable regulations, acts, practices or service to be furnished, imposed, observed and followed in the future in lieu of these found to be unreasonable, inadequate or otherwise unlawful and shall make such other an order, respecting such the rates, tolls, tariffs, regulation, act, omission, practice or service as shall be that is just and reasonable.

Sec. 4. [EFFECTIVE DATE.] *This act is effective on the day following final enactment. This act is effective in respect to applications for cooperative telephone association or municipal rate changes pending before the commission on the effective date and no refunds of increased cooperative telephone association or municipal rates ordered after the effective date shall be necessary, unless the cooperative telephone association or municipal elects to be subject to rate regulation on or before 60 days after the effective date."*

Amend the title as follows:

Delete the title in its entirety and insert

"A bill for an act relating to telephone companies; requiring telephone cooperatives and municipals to obtain prior approval of rates only if they elect to be so regulated by the public service commission; giving the public service commission the power to investigate and determine cases upon complaint against telephone companies; amending Minnesota Statutes 1978, Sections 237.075, by adding a subdivision; and 237.081, Subdivisions 1 and 4."

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. 1476: A bill for an act relating to banks; authorizing certain additional facilities for banks; amending Minnesota Statutes 1978, Section 47.52.

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

Page 2, line 14, delete "or walk-up"

Page 2, line 14, after "facility" insert "*, provided that such site of the main banking house or detached facility is so physically limited as to preclude the addition of a drive-in facility,*"

Page 2, line 16, delete "or walk-up"

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. 838: A bill for an act relating to privacy of communications; permissible monitoring; amending Minnesota Statutes 1978, Section 626A.02, Subdivision 2.

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

Page 1, line 21, delete "monotoring" and insert "monitoring"

Page 2, line 1, delete "monotoring" and insert "monitoring"

Page 2, after line 26, insert:

"The monitoring or observation of a telephone communication as authorized by this clause shall be accompanied by a beep or an electronic tone at 15 second intervals to inform parties of the interception, unless a party to the communication is a transportation common carrier, or an agent or employee thereof, engaged in providing reservation or informational services."

Amend the title as follows:

Page 1, line 3, delete "monotoring" and insert "monitoring"

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

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

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.

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

Page 1, line 23, after "or" insert "*nonmaintenance and non-clerical*"

Page 2, delete lines 4 to 11

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

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

H. F. No. 340: A bill for an act relating to the town of Leota in Nobles county; authorizing the establishment of a detached banking facility.

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

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

H. F. No. 1018: 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 65B.44, Subdivision 3.

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

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

H. F. No. 546: A bill for an act relating to insurance; prohibiting discrimination in the sale of automobile insurance solely on the basis of a disability; amending Minnesota Statutes 1978, Section 65B.13; repealing Minnesota Statutes 1978, Section 65B.131.

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

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

H. F. No. 1235: A bill for an act relating to real estate; setting effective dates for provisions regulating the validation of foreclosure sales; amending Minnesota Statutes 1978, Section 582.27.

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

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

H. F. No. 99: A bill for an act relating to criminal procedure; providing immunity from liability for peace officers who make good faith domestic assault arrests; amending Minnesota Statutes 1978, Section 629.341.

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. 1314: A bill for an act relating to unemployment compensation; limiting benefits paid to certain owners of seasonal businesses; amending Minnesota Statutes 1978, Section 268.08, 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 268.07, Subdivision 3, is amended to read:

Subd. 3. [WHEN WAGE CREDITS ARE NOT AVAILABLE.]
(1) No individual may receive benefits in a benefit year unless, subsequent to the beginning of the next preceding benefit year during which he received benefits, he performed service in insured work as defined in section 268.04, subdivision 17, and earned remuneration for such service in an amount equal to not less than the minimum wage credits required to qualify for benefits.

(2) No employer who provided 90 percent or more of the wage credits in a claimant's base period shall be charged for benefits based upon earnings of such claimant during a subsequent base period unless he has employed such claimant in any part of such subsequent base period.

(3) *Wages paid by an employing unit may not be used for benefit purposes by any individual who (a) individually or jointly with a spouse, parent or child owns or controls directly or indirectly 25 percent or more interest in the employing unit; or (b) is the spouse, parent or minor child of any individual who owns or controls directly or indirectly 25 percent or more interest in the employing unit; and (c) is not permanently separated from employment.*

This clause shall be effective when the individual has been paid four times the individual's weekly benefit amount in the current benefit year.

Sec. 2. [EFFECTIVE DATE.] *This act is effective for new claims filed on or after July 1, 1979."*

Amend the title as follows:

Page 1, lines 3 and 4, delete "seasonal businesses" and insert "employing units"

Page 1, line 5, delete "268.08, by adding a subdivision" and insert "268.07, Subdivision 3"

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

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

S. F. No. 685: A bill for an act relating to energy; Minnesota energy assistance act; providing assistance for certain homeowners and renters for costs of energy needed to sustain life; providing a penalty; appropriating money; amending Minnesota Statutes 1978, Section 256.879, Subdivision 3, and by adding subdivisions; and Chapter 290A, by adding sections.

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

Mr. Moe from the Committee on Finance, to which was referred

H. F. No. 588: A bill for an act relating to the county of Anoka; authorizing the county to enter into agreements with the Anoka State Hospital for community mental health services.

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

Mr. Moe from the Committee on Finance, to which was re-referred

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

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

Mr. Moe from the Committee on Finance, to which was re-referred

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

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

Page 2, line 10, reinstate the stricken language and delete the new language

Page 4, delete lines 12 to 14 and insert:

"Sec. 2. [APPROPRIATION.] The sums set forth in this section are appropriated from the general fund to the Indian affairs intertribal board for carrying out its duties relating to Indian burial grounds, to be available for the fiscal year ending June 30 in the years indicated.

1980	1981
\$15,000	\$15,000."

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

Mr. Moe from the Committee on Finance, to which was referred

S. F. No. 961: A bill for an act relating to retirement; volunteer firefighters' relief associations and independent nonprofit fire-fighting corporations; providing for a flexible statutory service pension maximum; revising the administration of the fire state aid program; transferring the financial examination, regulatory, supervisory and enforcement functions of the police and fire state aid program to the state auditor; providing a procedure for the recognition of a funding surplus in the calculation of the financial requirements of a relief association and the minimum obligation of a municipality; clarifying the calculation of the time period for the amortization of unfunded accrued liabilities of volunteer firefighters' relief associations; clarifying and updating various ambiguous and obsolete provisions regarding the fire state aid program, the authorization of retirement benefits for volunteer firefighters and the mandated guidelines for the financing of volunteer firefighters' relief associations; amending Minnesota Statutes 1978, Sections 69.011, Subdivisions 1, 2, 3 and 5; 69.021, Subdivisions 1, 2, 4, 5, 6, 7 and 9; 69.031, Subdivisions 1, 3, 4, 5 and 6; 69.051, Subdivisions 1, 2, 3 and 4; 69.77, Subdivision 1; 69.771; 69.772, Subdivisions 1, 2, 3, 4, 5, 6, and by adding a subdivision; 69.773; and 69.774; and Laws 1963, Chapter 429, Section 1; Laws 1967, Chapters 575, Sections 1, Subdivision 1; and 2; 829, Section 1; Laws 1969, Chapters 526, Section 2a, as added; 664, Section 1; Laws 1971, Chapters 114, Section 10; 127, Section 1; 140, Section 7; and 214, Sections 1, as amended, and 2; Laws 1973, Chapters 304, Section 4; and 472, Section 1, as amended; Laws 1975, Chapter 237, Sections 1 and 2; Laws 1976, Chapter 209, Section 1; Laws 1977, Chapter 374, Sections 41; 50, Subdivision 2; 51; and 57; Laws 1978, Chapter 685, Sections 1 and 4; repealing Minnesota Statutes 1978, Sections 69.011, Subdivision 4; 69.04; 69.055; 69.06; 69.22; 69.23; 69.24; 69.66; 69.67; 69.68; 69.691; 424.30; and 424.31; Laws 1959, Chapter 324; Laws 1965, Chapters 592, Section 1; and 598, Section 1; Laws 1967, Chapters 575, Section 1, Subdivision 2; 742, Section 1; 815, Sections 1 and 2, Subdivision 1; and 831; Laws 1969, Chapters 252, Section 1, Subdivisions 1 and 2; 526, Sections 1 and 2; 530; 644, Section 1; 714; 719, Section 1; 877; 1088, Section 2, Subdivision 1; and 1105, Sections 1, 2 and 3; Laws 1971, Chapters 2; 114, Section 3, Subdivision 2; 140, Section 1; 184, Section 1, Subdivisions 1 and 2; 200; and 233; Laws 1973, Chapters 30, Section 1, Subdivision 1; 33; 166; 170; 173; 175; 181; 182; 280; 283, Section 1; 288; 304, Section 1, Subdivision 2; 311; and 464; Laws 1974, Chapters 112; Laws 1975, Chapters 36; 43; 117; 118; 119; 124; 125; 178; 197; 229, Section 1; 306, Section 33, Subdivisions 1 and 2; and 367; Laws 1976, Chapters 71; 97; 100, Section 1, Subdivisions 1 and 3; 206; 208; 214; 267; 272, Section 2; and 288, Section 1; Laws 1977, Chapters 294; 295; and 374, Section 50, Subdivision 1; Laws 1978, Chapters

599, Section 1, Subdivisions 2 and 3; 606; 617, Section 1; 622; 631; 673; 683, Sections 1 and 2, Subdivision 1; 753, Section 2, Subdivisions 1 and 1a; and 754.

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

Pages 2 through 27, delete sections 1 to 21

Page 30, line 12, delete "33" and insert "12"

Page 30, line 16, delete "40" and insert "19"

Page 31, line 13, delete "33" and insert "12"

Page 33, line 14, delete "33" and insert "12"

Page 40, line 29, delete "33" and insert "12"

Page 48, line 9, delete "33" and insert "12"

Page 50, line 16, delete "32 to 40" and insert "11 to 19"

Page 50, line 18, delete "32 to 40" and insert "11 to 19"

Page 50, line 30, delete "32 to 40" and insert "11 to 19"

Page 58, line 14, delete "32 to 40" and insert "11 to 19"

Page 61, line 14, delete "36" and insert "15"

Page 67, line 24, delete "33" and insert "12"

Page 67, line 25, delete "32 to 40" and insert "11 to 19"

Page 68, line 27, delete "33" and insert "12"

Page 68, line 31, delete "32" and insert "11"

Page 68, line 32, delete "40" and insert "19"

Page 69, line 22, delete "32 to 40" and insert "11 to 19"

Page 70, line 7, delete "33" and insert "12"

Page 70, delete section 41

Page 73, line 18, delete "33" and insert "12"

Page 74, line 12, delete "36" and insert "15"

Page 74, line 19, delete "36" and insert "15"

Page 75, line 3, delete "32 to 40" and insert "11 to 19"

Page 76, line 12, delete "32 to 40" and insert "11 to 19"

Page 77, line 4, delete "36" and insert "15"

Page 78, line 8, delete "36" and insert "15"

Page 78, line 32, delete "36" and insert "15"

Page 79, line 8, delete "36" and insert "15"

Page 79, line 26, delete "36" and insert "15"

Page 80, line 23, delete "36" and insert "15"

Page 81, line 21, delete "36" and insert "15"

Page 82, line 3, delete "33" and insert "12"

Page 82, line 18, delete "35" and insert "14"

Page 83, line 23, delete "33" and insert "12"

Page 85, line 13, delete "36" and insert "15"

Page 87, line 6, delete "33" and insert "12"

Page 87, line 13, delete "69.011, Subdivision 4;"

Page 88, line 4, delete "EFFECTIVE DATE" and insert "TEMPORARY PROVISION"

Page 88, lines 4 and 5, delete the underlined language

Page 88, line 7, delete "26" and insert "5"

Page 88, line 10, delete "30" and insert "9"

Page 88, after line 25, insert:

"Sec. 45. [EFFECTIVE DATE.] *This act is effective July 1, 1979.*"

Renumber the sections in sequence

Amend the title as follows:

Page 1, delete lines 6 to 9

Page 1, line 10, delete "state auditor;"

Page 1, line 24, after "Sections" delete the balance of the line

Page 1, delete lines 25 to 27

Page 2, line 2, delete "69.011, Subdivision 4;"

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

Mr. Moe from the Committee on Finance, to which was referred

S. F. No. 996: A bill for an act relating to peace officers; regulating part-time and reserve officers; providing an appropriation; amending Minnesota Statutes 1978, Sections 626.84 and 626.841; and Chapter 626, by adding sections.

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

Pages 3 to 5, delete subdivisions 2 to 6

Page 5, line 23, delete "NEW"

Page 5, lines 24 and 25, delete "*after the effective date of this act*"

Page 6, line 2, delete *"successfully"*

Page 6, after line 3, insert:

"Subd. 3. [COMPETENCY REQUIREMENTS.] Part-time officer licensing examinations shall be designed to insure competency in the following areas reasonably achievable in courses of the indicated hourly maximums:

- (a) Law of arrest, including probable cause, 6 hours;*
- (b) Law of search and seizure, 6 hours;*
- (c) Confessions and interrogations, oral and written, 3 hours;*
- (d) Law and rules of evidence, 4 hours;*
- (e) Minnesota criminal code, 6 hours;*
- (f) Juvenile law, 7 hours;*
- (g) General principles of criminal investigations, 4 hours;*
- (h) Crime scene search and investigation, 8 hours;*
- (i) Preservation and collection of crime scene evidence, 4 hours;*
- (j) Traffic enforcement, including accident investigation, 6 hours.*

Upon request, the board shall provide to any sheriff or chief of police lesson plans and instructional materials reasonably necessary to conduct classes in the required areas of study in the indicated period of time. A local law enforcement agency may require more comprehensive training than that specified in this subdivision."

Page 6, line 5, delete *"utilize the services of"* and insert *"appoint or employ"*

Page 6, line 14, delete *"shall be"* and insert *"is"*

Renumber the subdivisions in sequence

Page 7, after line 1, insert:

"Sec. 4. [TEMPORARY PROVISION.] For a part-time officer appointed or employed before the effective date of this act, the deadlines imposed by section 3, subdivision 2, shall begin to run on the effective date of this act, rather than on the date the officer was appointed or employed."

Page 7, line 4, delete *"Notwithstanding any"*

Page 7, delete line 5

Page 7, line 6, delete *"contrary, no"* and insert *"A"*

Page 7, line 6, delete *"shall be"* and insert *"is not"*

Page 7, line 8, delete *"as may be"* and insert *"those"*

Renumber the sections in sequence

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

Mr. Moe from the Committee on Finance, to which was referred

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

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

Page 2, line 15, delete "the" and insert "World War II, Korean conflict, and"

Page 2, delete lines 16 and 17 and insert:

"Subd. 2. [WORLD WAR II.] Richard H. Janssen, 560 Simpson Street, St. Paul, Minnesota 55104.....\$270.00

Corbett W. Coil, 608 South Stevens, #207, Spokane, Washington 99204.....\$375.00

William J. Sullivan, 911 Park Avenue South, Box 9, Minneapolis, Minnesota 55404.....\$90.00

Thomas C. Sweeney, c/o Mrs. John Sadowski, 534 Ninth Avenue South, South St. Paul, Minnesota 55075.....\$210.00

Thomas J. Hansen, 152 Lincoln, #9, Redwood City, California 94061.....\$270.00

Subd. 3. [KOREAN CONFLICT.] Martin J. Fierro, 760 Edmund, St. Paul, Minnesota 55104.....\$127.50

Harold L. Fischer, P. O. Box 174, Good Thunder, Minnesota 56037.....\$60.00

Adrian L. Warren, 766 South Syndicate, St. Paul, Minnesota 55104.....\$37.50

Francis W. Benson, 108 West Old Mill Road, Corona, California 91720.....\$60.00

Blaine G. Austad, Lot #11, Edgewood Acres, Plainview, Minnesota 55964.....\$127.50

Bennie Boness, Box 722, Nett Lake, Minnesota 55772.....\$232.50

Subd. 4. [VIETNAM.] Gerald W. Kunz, 311 West Lombard, Davenport, Iowa 52806.....\$600.00

James A. Wiebusch, 1204 West Fourth Street, Red Wing, Minnesota 55066.....\$180.00

Keith J. Gilmore, 784 Edmund, St. Paul, Minnesota 55104.....\$600.00

George R. Shepard, Box 173, RD 1, Skillman, New Jersey 08558.....\$300.00

James L. Ross, 1632 West Naranja Avenue, Mesa, Arizona 85202
.....\$540.00

Alvin R. Boyd, Jr., 2214 Fourth Avenue South, Minneapolis,
Minnesota 55404.....\$600.00

Steven M. Hanson, 700 Irene Avenue, Willmar, Minnesota 56201
.....\$600.00

Jerome C. Girling, 2134 East Fourth Street, St. Paul, Minnesota
55119.....\$100.00

Timothy L. Nelson, Route 2, Isanti, Minnesota 55040.....
\$105.00

Bradley J. Prozinski, 1225 - 14th, North, #105, St. Cloud, Min-
nesota 56301.....\$300.00

Larry J. Hager, 501 Mill Street, Columbia Heights, Minnesota
55421.....\$100.00

Russel A. Van Vickle, Route 2, Box 152, Embarrass, Minnesota
55732.....\$75.00

John R. Arens, RFD 1, Box 67, Arco, Minnesota 56113.....
\$555.00

Morris N. Bindler, 1700-A Maplewood Drive, Columbia, South
Carolina 29205.....\$300.00

Daniel C. Brausen, 11 Edge Drive, Circle Pines, Minnesota 55113
.....\$600.00

Melvin J. Fischer, 2100 East Cliff Road, Burnsville, Minnesota
55337.....\$600.00

Robin J. Gondeck, 16474 Athol Avenue, Fontana, California
92335.....\$600.00

Blaze E. Savage, 5741 West Fleming Road, Atwater, California
95301.....\$300.00

Hal D. Meling, P. O. Box 94, Rose Creek, Minnesota 55970
.....\$240.00

Lawrence F. Carpenter, R.R. 1, Box 7C, Suisun, California 94585
.....\$600.00

James M. Scurrah, 223 Fairchild Circle, Offutt AFB, Nebraska
68113.....\$585.00

William R. Lindquist, 1727 West Second Street, Duluth, Min-
nesota 55806.....\$600.00

Oscar P. Krieg, 9101 Vancouver Drive, Sacramento, California
95826.....\$600.00

James L. Radman, 1433 East Seventh Street, #106, St. Paul,
Minnesota 55106.....\$165.00

Darrell J. Glomski, 818 West Fourth Street, Wabasha, Minne-
sota 55981.....\$300.00

Clare A. Keith, 619 Vine Street, Eau Claire, Wisconsin 54701
.....\$135.00

Donald L. McIvor, P. O. Box 55, Stillwater, Minnesota 55082
.....\$600.00

Dale J. Wawracz, 9108 Upton Avenue South, Minneapolis, Minnesota 55431.....\$180.00

Robert G. Hoffman, 3653 - 33rd Avenue South, Minneapolis, Minnesota 55406.....\$100.00

Vernon J. Marlin, 2420 "B" Avenue, #9, National City, California 92050.....\$600.00

Stephen J. Greenwood, 3641 Portland Avenue, Minneapolis, Minnesota 55407.....\$105.00

Richard J. Purdes, 8201 Lad Parkway, Brooklyn Park, Minnesota 55443.....\$600.00

Ronald L. Schorn, 2456 Elkhart Lane, St. Paul, Minnesota 55119
.....\$300.00

Joseph A. Reich, Route 4, Aitkin, Minnesota 56431.....
\$105.00

Jimmy D. Hines, 3020 Emerson Avenue North, Minneapolis, Minnesota 55411.....\$300.00

William A. Schoenke III, 14750 West Burnsville Parkway, Burnsville, Minnesota 55337.....\$100.00

Walter L. Freiberg, 104 Second Street, Madison, Minnesota 56256.....\$100.00

Albert W. Lidmark, 1012-1/2 East Seventh Street, Duluth, Minnesota 55805.....\$300.00

Gerald F. Koehler, 23 Third Street, Elk River, Minnesota 55330
.....\$100.00

Martin E. Lyons, 3133 Hampshire Avenue South, St. Louis Park, Minnesota 55426.....\$600.00

Michael A. Nihart, 901 Second Avenue, N.E., Austin, Minnesota 55912.....\$100.00

Robert L. Hince, PSC Box 1257, APO San Francisco, California 96328.....\$600.00

David B. Eckholdt, 4440 Edmund Boulevard, Minneapolis, Minnesota 55406.....\$100.00

Harold L. Paddock, 508 North High Street, Lake City, Minnesota 55041.....\$100.00

Loren G. Coalwell, 311 Eighth Street, Devils Lake, North Dakota 58301.....\$150.00

Bruce E. Harms, 5 North Sixth Street, Buffalo, Minnesota 55313.....\$100.00

Arthur A. Stangel, 502 Sixth Avenue, N.W., Grand Rapids, Minnesota 55744.....\$600.00

Randy G. Lahti, Box 322, New York Mills, Minnesota 56537.....\$100.00

James B. Grabow, 10748 Seventh Street, N.E., Blaine, Minnesota 55434.....\$210.00

David W. Juntunen, 1290 N.E. Cheri Lane, #8, Minneapolis, Minnesota 55421.....\$100.00

Patrick J. Boffa, 45 Fern Court, Babbitt, Minnesota 55706.....\$600.00

Emma A. Larson - Beneficiary, Route 2, Hanska, Minnesota 56041.....\$1,000.00

Burton L. Smith, 717 Third Avenue, Mendota Heights, Minnesota 55118.....\$300.00

Jerome E. Kellerman, 3950 Mount Albertine Way, San Diego, California 92111.....\$300.00

John C. Olson, 923 Baxter Avenue, Superior, Wisconsin 54880.....\$300.00

David E. Asmus, 3 EMS PSC #1, Box 2931, APO San Francisco, California 96286.....\$600.00

Randy L. Baxter, 619 Fourth Street South, Breckenridge, Minnesota 56520.....\$285.00

Roger G. Pederson, 1858 South Crescent Heights Boulevard, Los Angeles, California 90035.....\$600.00

Philip A. Justin, 25 Worden Avenue, North Kingstown, Rhode Island 02852.....\$300.00

Dennis G. Leary, Route 3, Paynesville, Minnesota 56352.....\$300.00

Gene E. Snowberg, 720 North Aurdal, Fergus Falls, Minnesota 56537.....\$300.00

Francis J. Lamote, 1390 Rudy Lane, R.R. 2, Box 81D, Windom, Minnesota 56101.....\$300.00

Nancy L. Campbell, 564 Esther Lane, Woodbury, Minnesota 55119.....\$195.00

John S. Koshuba, 751 - 58th Avenue, N.E., Fridley, Minnesota 55432.....\$100.00

William J. Schiebler, 4300 Linden Hills Boulevard, Minneapolis, Minnesota 55410.....\$600.00

Keith M. Moldenhauer, 541 - 105th Lane, N.W., Coon Rapids, Minnesota 55433.....\$100.00

Donald J. Phillips, 2409 Aldrich Avenue North, Minneapolis, Minnesota 55411.....\$100.00

Vincent C. Thellin, Route 2, Box 50, Big Lake, Minnesota 55309
.....\$225.00

Kathryn M. Capone, 1032 Cedarwood Drive, Woodbury, Minnesota 55119.....\$120.00

James M. Kellner, 1204 Second Avenue East, International Falls, Minnesota 56649.....\$100.00

Richard M. Koskie, 12815 Linde Lane, Minnetonka, Minnesota 55343.....\$100.00

Jerry D. Hinrichs, 3260 Rowena, Barberton, Ohio 44203.....\$300.00

Sandra S. Heredia, 6502-37th Avenue North, Minneapolis, Minnesota 55427.....\$100.00

Daniel H. Stenquist, 508 Cartway Road, Champlin, Minnesota 55316.....\$600.00

Margaret A. Herron, 729 Roseneath, Jackson, Missouri 39203
.....\$1,000.00

Andrea L. Ciulla, 12196 North Mississippi Drive, Champlin, Minnesota 55316.....\$100.00

Tom E. Johnson, 2082 Pleasant Hill Road, Marion, Ohio 43302
.....\$300.00

Richard D. Monte, 945 Margaret Street, St. Paul, Minnesota 55106.....\$600.00

Royal Mittendorff, 8260 Westwood Hills Curve, St. Louis Park, Minnesota 55426.....\$120.00

Ronald L. Brevig, 4045 Hodgson Road, #102, Shoreview, Minnesota 55112.....\$195.00

Ronald D. Gallmeier, 122 Monroe Street North, Prescott, Wisconsin 54021.....\$300.00

Dennis E. Gagnon, Route 3, Box 140, Bagley, Minnesota 56621
.....\$300.00

Roger A. Tucker, 416 North Hickory, #7, Escondido, California 92025.....\$100.00

Dennis C. Platz, R.R. 2, Springfield, Minnesota 56087.....\$100.00

Ralph A. Wise, 311 South Oak, Lake City, Minnesota 55041
.....\$100.00

Anthony A. Barnes, Hillcrest Park, c/o Pat Frank, Lot 23, Blue Earth, Minnesota 56013.....\$120.00

Claude D. Schultze, 26 Bradford Street, Hutchinson, Minnesota 55350.....\$600.00

William T. Theel, Route 2, Box 3998, Paynesville, Minnesota 56362.....\$600.00

Alvin R. Boyd, Jr., Box 395, Squaw Lake, Minnesota 56681
.....\$600.00

Scott A. Miller, 608 East Maryland Avenue, St. Paul, Minnesota 55101.....\$100.00

James Kingbird, Box 304, Redby, Minnesota 56670.....
\$300.00

John T. Woodman, P. O. Box 13, Madison Lake, Minnesota 56001.....\$165.00

Charles W. Winger, P. O. Box 339, Drayton, North Dakota 58225.....\$600.00

Lloyd F. LaFave, Jr., 3956-17th Avenue South, Minneapolis, Minnesota 55407.....\$585.00

Kenneth R. Johnson, 8127-49th Avenue South, Seattle, Washington 98118.....\$300.00

Tony E. Oak, P. O. Box 251, Sandstone, Minnesota 55072
.....\$135.00

Gerald L. Phillips, 1519 Nunaka Drive, Anchorage, Alaska 99504.....\$600.00

Robert R. Kelm, Route 4, Box 40, Austin, Minnesota 55912
.....\$210.00

Kenneth K. Hanson, 13245 Ardis Avenue, Downey, California 90242.....\$600.00

Edward O. Holman, 18210 East Mission, Greenacres, Washington 99016.....\$300.00

Patricia K. Hansen, 1406 Fifth Street North, #202, Fargo, North Dakota 58102.....\$300.00

Gerald D. Waage, 710 North Main, Roseau, Minnesota 56751
.....\$270.00

Gary F. Nowacki, P. O. Box 756, Alvarado, Minnesota 56710
.....\$600.00

Richard L. Werner, c/o Leonard Pelland, Guardian, Route 7, Box 65, International Falls, Minnesota 56649.....\$600.00

Allen M. Jostock, 7710 Penn Avenue South, Richfield, Minnesota 55423.....\$300.00

Bennie R. Thompson, 1568 East Cottage Avenue, St. Paul, Minnesota 55106.....\$300.00

Randall M. Cummings, 117-91st Lane, N.E., Blaine, Minnesota 55434.....\$100.00

Craig W. Bahr, Box 3265, St. Paul, Minnesota 55165.....
\$270.00

Synneva T. Durre, 2938-142nd Lane, N.W., Anoka, Minnesota 55303.....\$120.00

Richard H. Kjenstad, 1727-207th Lane, N.E., Cedar, Minnesota 55011.....\$300.00

Gerald H. Johnson, 5301 North 45th Street, Tacoma, Washington 98407.....\$210.00

David J. Ridgeway, 3844 Minnehaha Avenue South, Minneapolis, Minnesota 55406.....\$600.00

James D. Hanson, 26437 Finley Avenue, Wyoming, Minnesota 55092.....\$180.00

Robert A. Vickstrom, Box 243, Route 1, Bethel, Minnesota 55005.....\$100.00

Gregory D. Lewis, Route 4, Box 5B, Austin, Minnesota 55912.....\$180.00

Richard J. McSorley, P. O. Box 64, Battle Lake, Minnesota 56515.....\$100.00

Randall L. Eggen, 1406 Ninth Street North, Fargo, North Dakota 58102.....\$100.00

John A. Rodrigue, 12120-238th Street North, Scandia, Minnesota 55073.....\$195.00

Bruce W. Farmer, 16515 Temple Drive, Minnetonka, Minnesota 55343.....\$300.00"

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

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

H. F. No. 748: A bill for an act relating to retirement; actuarial reporting law; implementing a procedure to extend the period for the amortization of unfunded liabilities in the event of changes in actuarial assumptions or increases in annuities and benefits; amending Minnesota Statutes 1978, Sections 356.215, Subdivision 4; 356.22, Subdivision 2; 422A.08, Subdivision 2; and 422A.39, Subdivision 2.

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

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

S. F. No. 960: A bill for an act relating to retirement; providing for a proportionate annuity at age 65 or older with one year of service; increasing the maximum earnings amount for a re-employed annuitant; amending Minnesota Statutes 1978, Sections 352.115, Subdivision 10; 353.37, Subdivision 1; 354.44, Subdivision 5; and 356.32, Subdivision 1.

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

Page 3, after line 13, insert:

"Sec. 3. Minnesota Statutes 1978, Section 354.44, Subdivision 1a, is amended to read:

Subd. 1a. [MANDATORY RETIREMENT.] Notwithstanding the provisions of sections 43.30 or 197.45 to 197.48, a member shall terminate employment on August 31, 1976, or at the end of the academic year in which the member reaches the age of 65, whichever is later. For purposes of this subdivision, an academic year shall be deemed to end August 31. A member who terminates employment at any time during the academic year at the end of which such person ~~is required to terminate employment pursuant to this subdivision~~ *attains the age of 65 years* shall, for the purpose of determining eligibility for a proportionate retirement annuity, be considered to have been required to terminate employment at age 65 or earlier pursuant to this subdivision. Nothing contained in this subdivision shall preclude an employer unit covered by this chapter from employing a retired teacher as a substitute or part time teacher; provided, no teacher required to terminate employment by this subdivision shall resume membership in the retirement association by virtue of employment as a substitute or part time teacher; provided further that upon having earned \$3,000 \$4,500 in any academic year from employment as a substitute or part time teacher, any person over the age of 65 years shall terminate employment for the remainder of that academic year."

Page 3, after line 33, insert:

"Sec. 5. Minnesota Statutes 1978, Section 354A.21, is amended to read:

354A.21 [MANDATORY RETIREMENT; PROPORTIONATE ANNUITY.] Notwithstanding the provisions of sections 197.45 to 197.48 or 354A.05, a teacher subject to the provisions of this chapter shall terminate employment on August 31, 1976, or at the end of the academic year in which such teacher reaches the age of 65, whichever is later. For purposes of this section, an academic year shall be deemed to end August 31. A teacher who terminates employment at any time during the academic year at the end of which such person is required to terminate employment pursuant to this section and who has less than the minimum required number of years of service to otherwise qualify for a retirement annuity shall be entitled upon application to a proportionate retirement annuity based on service prior to termination. Nothing contained in this subdivision shall preclude a district from employing a retired teacher as a substitute teacher; provided, no teacher required to terminate employment by this section shall resume membership in the retirement association by virtue of employment as a substitute teacher; provided further that upon having earned \$3,000 \$4,500 in any academic year from employment as a substitute teacher, any person over the age of 65 years shall terminate employment for the remainder of that academic year."

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 8, delete the first "Subdivision" and insert "Subdivisions 1a and"

Page 1, line 8, after "5;" insert "354A.21;"

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. 959: A bill for an act relating to retirement; transferring the obligations and assets of the county and probate court judges survivors' account to the judges retirement fund; repealing Minnesota Statutes 1978, Section 490.12, Subdivisions 7 and 8.

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 490.121, Subdivision 2, is amended to read:

Subd. 2. "Court" means any court of this state established by the Minnesota Constitution and any municipal, county or probate court of record, *and shall include the conciliation court of the city of Duluth.*

Sec. 2. Minnesota Statutes 1978, Section 490.124, Subdivision 8, is amended to read:

Subd. 8. [EXCLUSIVE NORMAL RETIREMENT BENEFITS.] Any judge who retired after December 31, 1973, shall be entitled to a retirement pension, retirement compensation or other retirement payment under statutes applicable solely to judges pursuant to this section only, except that any such judge in office prior to January 1, 1974, who retires at or after normal retirement age may then elect to receive during his lifetime a normal retirement annuity computed on the basis of retirement compensation provided for such judge under statutes in effect on December 31, 1973, in lieu of the amount of normal retirement annuity otherwise computed under sections 490.121 to 490.132. *For purposes of this subdivision, the conciliation court of the city of Duluth shall be deemed to have been a court of record by the statutes in effect on December 31, 1973."*

Page 1, lines 11, 15 and 23, delete "this act" and insert "sections 3 to 6"

Page 2, line 4, delete "this" and insert "sections 3 to 6"

Page 2, line 5, delete "act"

Page 2, lines 14, 15, 29 and 32, delete "this act" and insert "sections 3 to 6"

Page 3, line 4, delete "this act" and insert "*sections 3 to 6*"

Renumber the sections in sequence

Underline all new language in the bill

Amend the title as follows:

Page 1, line 2, after "retirement;" insert "judges retirement fund; including the conciliation court of the city of Duluth in certain provisions governing judicial retirement;"

Page 1, line 5, after "fund;" insert "amending Minnesota Statutes 1978, Sections 490.121, Subdivision 2; and 490.124, Subdivision 8;"

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

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

H. F. No. 313: A bill for an act relating to public employees; reimbursing university systems for expenses of certain athletic leaves of absence; amending Minnesota Statutes 1978, Section 15.62, Subdivision 3.

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

Page 1, line 14, strike everything after the period

Page 1, strike lines 15 to 17

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

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

H. F. No. 1062: A bill for an act relating to the city of Windom; authorizing the purchase of annuity contracts for retiring firefighters.

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

Page 1, line 14, delete everything after the period

Page 1, delete lines 15 and 16

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

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

S. F. No. 787: A bill for an act relating to commerce; creating a business assistance center within the department of economic

development; appropriating money; amending Minnesota Statutes 1978, Sections 161.321, Subdivision 1; 362.42; and Chapter 362, by adding sections.

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

Page 2, line 29, after "a" insert "*small*"

Page 2, line 30, delete "*consist of (1) a bureau of small*"

Page 2, line 31, delete "*business which shall*"

Page 2, delete line 33

Page 3, line 1, delete "*obtaining state licenses and permits*"

Page 3, line 6, delete "BUREAU OF"

Page 3, line 6, after "BUSINESS" insert "ASSISTANCE CENTER"

Page 3, line 7, delete "*bureau of*"

Page 3, line 7, delete "*business within the*"

Page 3, line 11, delete "*bureau*" and insert "*center*"

Page 3, line 13, delete "*bureau of*"

Page 3, line 13, before the semicolon insert "*assistance center*"

Page 3, delete lines 18 to 22

Page 3, delete lines 26 to 28

Reletter the clauses in sequence

Page 4, lines 6, 16 and 17 delete "*bureau*" and insert "*center*"

Page 4, line 20, delete "*bureau of*"

Page 4, line 21, after "*business*" insert "*assistance center*"

Page 5, line 18, delete "BUREAU" and insert "STUDY"

Page 5, line 19, delete "*bureau of business licenses*" and insert "*commissioner of economic development*"

Page 5, lines 22 and 27, delete "*bureau*" and insert "*commissioner*"

Page 5, line 26, delete "*bureau of business licenses*" and insert "*commissioner*"

Page 6, lines 8, 11, 22, and 28, delete "*the bureau of business*" and insert "*a centralized bureau of*"

Page 6, lines 14, 18, and 33, delete "*the*" and insert "*a centralized*"

Page 6, line 19, delete "*business*"

Page 6, line 25, before "*The*" insert "*The commissioner shall prepare proposed legislation to transfer*"

Page 6, line 25, delete "all"

Page 6, line 27, delete "shall" and insert "*which the commissioner recommends*"

Page 6, line 29, delete "*unless otherwise provided by law*" and insert "*. No license shall be transferred to a centralized bureau of licensing unless the transfer is specifically required or authorized by the legislature*"

Page 7, line 1, delete "business"

Page 7, line 2, delete "the" and insert "a centralized"

Page 7, line 3, delete "business"

Amend the title as follows:

Page 1, line 2, after "a" insert "small"

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

H. F. No. 1353: A bill for an act relating to motor vehicles; establishing fees for motorized bicycle operator permits; excepting motorized bicycles from seat belt requirements; amending Minnesota Statutes 1978, Sections 169.223, Subdivision 1; 169.685, Subdivision 1; and 171.02, Subdivision 3.

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

H. F. No. 982: A bill for an act relating to transportation; authorizing an increase in the mileage of the municipal state-aid street system; amending Minnesota Statutes 1978, Section 162.09, Subdivision 1.

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

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

H. F. No. 515: A bill for an act relating to motor vehicles; defining the gross weight of a wrecker for the purposes of registration and taxation; amending Minnesota Statutes 1978, Sections 168.011, Subdivision 16; and 168.013, Subdivision 3.

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. 1485: A bill for an act relating to labor; requiring operators of motor vehicles to stop and proceed with caution at certain entrances and exits.

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

Delete everything after the enacting clause and insert:

"Section 1. [179.121] Any person who operates a motor vehicle which is entering or leaving a place of business or employment where there is a clear notice that a labor dispute is in progress, and who fails to bring the vehicle to a full stop at the entrance to or exit from that place, or who fails to exercise caution in entering or leaving that place, is guilty of a misdemeanor."

Amend the title as follows:

Page 1, line 4, before the period, insert "; imposing a penalty"

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

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

H. F. No. 534: A bill for an act relating to Murray County; allowing the county and local government units to participate in a federal railroad assistance program.

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

Page 1, delete lines 12 to 14

Renumber the sections in sequence

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

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

H. F. No. 59: A bill for an act relating to towns in Houston County; providing a method for determining whether to open or maintain certain town roads.

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

Page 1, line 20, delete "each" and insert "a"

Page 1, line 20, after "town" insert "named"

Page 1, line 22, after "supervisors" insert "of that town"

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

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

H. F. No. 123: A bill for an act relating to crimes; prohibiting solicitation or inducement concerning prostitution, promoting the prostitution of a person, receiving profit derived from prostitution, engaging in prostitution, and patronizing a prostitute; limiting defenses to prosecution; establishing rules of evidence; establishing immunity from prosecution for certain testimony; providing penalties; amending Minnesota Statutes 1978, Sections 626.556, Subdivision 2; and 626A.05, Subdivision 2; repealing Minnesota Statutes 1978, Section 609.32.

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

Page 1, line 16, delete "7" and insert "4"

Page 1, line 21, delete "7" and insert "4"

Page 1, line 23, delete "section 609.22" and insert "chapter 609"

Page 1, line 25, delete "a person" and insert "an individual"

Page 1, line 26, delete "person" and insert "individual"

Page 2, line 3, delete "or from which"

Page 2, line 4, delete "prostitution is promoted"

Page 2, line 6, delete "a person" and insert "an individual"

Page 2, line 9, delete "person" and insert "individual"

Page 2, delete lines 10 and 11

Renumber the subdivisions in sequence

Page 2, line 12, delete "a person" and insert "an individual"

Page 2, line 13, after "means" insert "any of the following where-
in the person knowingly"

Page 2, line 14, delete "person" and insert "prostitute"

Page 2, delete lines 15 and 16

Renumber the clauses in sequence

Page 2, line 19, delete "a person" and insert "an individual"

Page 2, line 22, delete "a person" and insert "an individual"

Page 2, line 26, delete "a person" and insert "an individual"

Page 2, line 28, delete "a person" and insert "an individual"

Page 2, line 29, delete "a person" and insert "an individual"

Page 2, line 31, delete "a person" and insert "an individual"

Page 2, line 32, delete "person" and insert "individual"

Page 2, line 32, delete "; or" and insert a period

Page 2, delete line 33

Page 3, delete line 1

Page 3, line 2, delete "*a person*" and insert "*an individual*"

Page 3, line 8, delete "*the acts can reasonably be construed as being*"

Page 3, line 10, delete "*a person*" and insert "*an individual*"

Page 3, line 11, after the semicolon insert "*or*"

Page 3, line 13, delete "*person's*" and insert "*individual's*"

Page 3, line 13, delete the semicolon and insert a period

Page 3, delete lines 14 to 16

Page 3, line 17, after "*means*" insert "*any of the following acts, if for the purpose of satisfying sexual impulses:*"

Page 3, line 20, delete "*a person's*" and insert "*an individual's*"

Page 3, line 20, delete "*person's*" and insert "*individual's*"

Page 3, after line 22, insert:

"Subd. 12. A "public place" means a public street or sidewalk, a pedestrian skyway system as defined in section 472A.02, subdivision 6, a hotel, motel, or other place of public accommodation, or a place licensed to sell intoxicating liquor, wine, non-intoxicating malt beverages, or food."

Page 3, line 29, delete "*a person*" and insert "*an individual*"

Page 3, line 31, delete "*a person*" and insert "*an individual*"

Page 4, line 1, delete "*a person*" and insert "*an individual*"

Page 4, line 2, delete "*a person*" and insert "*an individual*"

Page 4, line 4, delete "*person*" and insert "*individual*"

Page 4, line 5, delete "*person*" and insert "*individual*"

Page 4, line 8, delete "*person*" and insert "*individual*"

Page 4, line 14, delete "*a person*" and insert "*an individual*"

Page 4, line 16, delete "*a person*" and insert "*an individual*"

Page 4, delete lines 18 to 20

Renumber the clauses in sequence

Page 4, line 21, after "*to*" delete "*a*" and insert "*an*"

Page 4, line 22, delete "*person*" and insert "*individual*"

Page 4, line 24, delete "*a person*" and insert "*an individual*"

Page 4, line 26, delete "*person*" and insert "*individual*"

Page 4, line 28, delete "*person*" and insert "*individual*"

Page 4, line 31, delete "A person" and insert "An individual"

Page 4, line 32, delete "person" and insert "individual"

Page 5, line 6, delete "a person" and insert "an individual"

Page 5, delete lines 8 to 10

Renumber the clauses in sequence

Page 5, line 11, delete "a person" and insert "an individual"

Page 5, line 14, after the comma insert "not related by blood, adoption, or marriage to the prostitute,"

Page 5, line 16, after "profit" insert ", knowing it to be"

Page 5, line 17, delete "a person" and insert "an individual"

Page 5, line 21, after the comma insert "not related by blood, adoption, or marriage to the prostitute,"

Page 5, line 22, after "profit" insert ", knowing it to be"

Page 5, line 24, delete "a person" and insert "an individual"

Page 5, line 25, delete "(5)" and insert "(4)"

Page 5, line 28, after the comma insert "not related by blood, adoption, or marriage to the prostitute,"

Page 5, line 29, after "profit" insert ", knowing it to be"

Page 5, line 31, delete "a person" and insert "an individual"

Page 5, after line 33, insert:

"Subd. 4. This section does not apply to the sale of goods or services to a prostitute in the ordinary course of a lawful business."

Page 6, line 6, delete "a person" and insert "an individual"

Page 6, line 8, delete "a person" and insert "an individual"

Page 6, after line 10, insert:

"Subd. 2. Whoever solicits or accepts a solicitation to engage for hire in sexual penetration or sexual contact while in a public place may be sentenced to imprisonment for not more than one year or to payment of a fine of not more than \$1,000 or both."

Page 6, line 11, delete "2" and insert "3"

Page 6, line 15, delete "a person" and insert "an individual"

Page 6, line 17, delete "a person" and insert "an individual"

Page 6, line 25, after "that" delete "a" and insert "an"

Page 6, line 26, delete "person" and insert "individual"

Page 6, line 30, after "2" delete the comma and insert "or" and delete ", or 4"

Page 6, line 32, delete "person" and insert "individual"

Page 7, line 5, delete "1 through 7" and insert "2 or 3"

Page 7, line 6, delete "7" and insert "4"

Page 7, line 8, after "person" insert "or individual"

Page 7, delete section 7

Page 7, line 29, delete "7" and insert "4"

Page 8, line 32, delete "7" and insert "4"

Renumber the sections in sequence

Amend the title as follows:

Page 1, delete line 8

Page 1, line 9, delete "testimony;"

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

Mr. Gearty from the Committee on Elections, to which was referred the following appointment as reported in the Journal for May 2, 1979:

STATE ETHICAL PRACTICES BOARD

Robyn Lee Hansen

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

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

Mr. Gearty from the Committee on Elections, to which was referred the following appointment as reported in the Journal for March 29, 1979:

STATE ETHICAL PRACTICES BOARD

Karen J. Jensen

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

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

Mr. Willet from the Committee on Agriculture and Natural Resources, to which was referred the following appointment as reported in the Journal for March 8, 1979:

MINNESOTA POLLUTION CONTROL AGENCY

Duane Rappana

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

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

Mr. Willet from the Committee on Agriculture and Natural Resources, to which was referred the following appointment as reported in the Journal for March 29, 1979:

MINNESOTA POLLUTION CONTROL AGENCY

Virgil C. Herrick

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

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

Mr. Anderson from the Committee on Energy and Housing, to which was referred the following appointment as reported in the Journal for April 26, 1979:

MINNESOTA HOUSING FINANCE AGENCY

Shirley Van Dyck

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

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

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

H. F. Nos. 1444, 1433 for comparison with companion Senate Files, reports the following House Files were found not identical with their companion Senate Files as follows:

SPECIAL ORDERS CONSENT CALENDAR CALENDAR

H. F. No.	S. F. No.	H. F. No.	S. F. No.	H. F. No.	S. F. No.
1444	1393				
1433	1400				

Pursuant to Rule 49, the Committee on Rules and Administration recommends that H. F. No. 1444 be amended as follows:

Page 2, delete lines 2 to 12

Page 2, line 13, delete "Section 1 of"

Page 2, line 16, delete everything after the period

Page 2, delete line 17

Renumber the remaining section

Further, amend the title as follows:

Page 1, line 2, delete "cities" and insert "city" and delete "and Heron Lake"

Page 1, line 5, delete “; legalizing proceedings precedent to the issuance of certain general obligation bonds and excluding the bonds from the computation of net debt”

And when so amended H. F. No. 1444 will be identical to S. F. No. 1393, and further recommends that H. F. No. 1444 be given its second reading and substituted for S. F. No. 1393, and that the Senate File be indefinitely postponed.

Pursuant to Rule 49, the Committee on Rules and Administration recommends that H. F. No. 1433 be amended as follows:

Page 1, delete lines 23 and 24

Page 2, delete lines 1 to 7

Page 2, line 8, delete “Section 1 of this act is”

Page 2, line 9, delete “effective upon” and insert “This act is effective when” and delete “approval of” and insert “approved by”

Page 2, line 11, delete everything after the second period

Renumber the remaining section

Further, delete the title and insert:

“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.”

And when so amended H. F. No. 1433 will be identical to S. F. No. 1400, and further recommends that H. F. No. 1433 be given its second reading and substituted for S. F. No. 1400, 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. 1476, 838, 1314, 758, 975, 961, 996, 1041, 960, 959 and 1485 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. 1235, 982, 59, 1444 and 1433 were read the second time.

H. F. Nos. 218, 222, 340, 1018, 546, 99, 588, 748, 313, 1062, 1353, 515, 534 and 123 were read the second time and referred to the Subcommittee on Bill Scheduling of the Committee on Rules and Administration.

MOTIONS AND RESOLUTIONS

Mr. Chmielewski introduced—

Senate Concurrent Resolution No. 11: A Senate concurrent resolution relating to the observance of Vietnam Veterans' Awareness Week.

Referred to the Committee on Rules and Administration.

Mr. Perpich introduced—

Senate Resolution No. 31: A Senate resolution congratulating Mrs. Ana Logar on her selection as Slovenian Mother of the Year.

Referred to the Committee on Rules and Administration.

Mr. Schaaf moved that the name of Mr. Penny be added as co-author to S. F. No. 546. The motion prevailed.

CONFIRMATION

Mr. Laufenburger moved that the report from the Committee on Employment, reported May 8, 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 May 8, 1979, the Senate, having given its advice, do now consent to and confirm the appointment of:

OCCUPATIONAL SAFETY AND HEALTH REVIEW BOARD

Homer A. Childs, 8004 Pennsylvania Road, Bloomington, Hennepin County, effective March 26, 1979, for a term expiring the first Monday in January, 1983.

The motion prevailed. So the appointment was confirmed.

Remaining on the Order of Business of Motions and Resolutions, Mr. Coleman moved to take up the Consent Calendar. The motion prevailed.

CONSENT CALENDAR

H. F. No. 713: A bill for an act relating to banks and banking; providing for publication of certain bank reports; amending Minnesota Statutes 1978, Section 48.48, Subdivision 1.

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 49 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Dunn	Knutson	Perpich	Spear
Ashbach	Engler	Laufenburger	Peterson	Stokowski
Bang	Gearty	Lessard	Pillsbury	Strand
Benedict	Gunderson	Luther	Purfeerst	Tennessen
Bernhagen	Hughes	Menning	Renneke	Ueland, A.
Brataas	Jensen	Nelson	Rued	Ulland, J.
Chmielewski	Johnson	Nichols	Schaaf	Vega
Coleman	Keefe, J.	Ogdahl	Schmitz	Wegener
Davies	Kirchner	Olhoft	Setzepfandt	Willet
Dieterich	Knoll	Penny	Sillers	

So the bill passed and its title was agreed to.

H. F. No. 715: A bill for an act relating to interstate motor vehicle carriers; eliminating certain registration requirements for certain interstate carriers; amending Minnesota Statutes 1978, Section 221.62.

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 53 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Engler	Laufenburger	Perpich	Spear
Ashbach	Gearty	Lessard	Peterson	Stokowski
Bang	Gunderson	Luther	Pillsbury	Strand
Benedict	Hughes	Menning	Purfeerst	Tennessen
Bernhagen	Jensen	Moe	Renneke	Ueland, A.
Brataas	Johnson	Nelson	Rued	Ulland, J.
Chmielewski	Keefe, J.	Nichols	Schaaf	Vega
Coleman	Keefe, S.	Ogdahl	Schmitz	Wegener
Davies	Kirchner	Olhoft	Setzepfandt	Willet
Dieterich	Knoll	Olson	Sikorski	
Dunn	Knutson	Penny	Sillers	

So the bill passed and its title was agreed to.

H. F. No. 1052: A bill for an act relating to retirement; Eveleth joint retired police and firefighters retirement trust fund; providing for a post retirement adjustment.

With the unanimous consent of the Senate, Mr. Perpich moved to amend H. F. No. 1052 as follows:

Page 2, line 6, delete "This act" and insert "Section 1."

Page 2, after line 8, insert:

"Sec. 3. [CHISHOLM POLICE AND FIREFIGHTERS' RELIEF ASSOCIATION; POST RETIREMENT INCREASE FOR CERTAIN BENEFIT RECIPIENTS.] *Subdivision 1. Any surviving spouse retirement benefit payable to a surviving spouse from the Chisholm police relief association or from the Chisholm firefighters' relief association as of the effective date of this sec-*

tion shall be increased by an amount equal to \$50 per month, effective with the first monthly payment occurring after the effective date of this section. Notwithstanding Minnesota Statutes, Section 356.18, increases in surviving spouse retirement benefits pursuant to this section shall be made automatically unless the recipient files written notice with the board of trustees of the respective relief association requesting that the increase not be paid.

Subd. 2. This section shall be effective upon approval by the governing body of the city of Chisholm and upon compliance with Minnesota Statutes, Section 645.021."

Amend the title as follows:

Page 1, line 4, after "adjustment" insert "; providing post retirement increase for certain benefit recipients from the Chisholm police and firefighters' relief associations"

The motion prevailed. So the amendment was adopted.

H. F. No. 1052 was read the third time, as amended, and placed on its final passage.

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

The roll was called, and there were yeas 54 and nays 0, as follows:

Those who voted in the affirmative were:

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

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

H. F. No. 148: A bill for an act relating to the city of New Hope; firefighters' pension, disability and survival benefits; amending Laws 1971, Chapter 114, Sections 2, Subdivision 5; 3, Subdivisions 2, 3 and 4; 4; 5, Subdivisions 1 and 2; 6, Subdivision 2; and 7, Subdivisions 1 and 2.

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

The question was taken on the passage of the bill.

The roll was called, and there were yeas 56 and nays 0, as follows:

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

H. F. No. 192: A bill for an act relating to retirement; providing pension coverage for certain firefighters in the city of Cottage Grove in the public employees police and fire fund; authorizing a purchase of prior service; specifying that the employer is a political subdivision for purposes of certain employment benefit programs.

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 55 and nays 0, as follows:

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

H. F. No. 823: A bill for an act relating to Olmsted County; permitting the intermittent inundation by flood water and temporary closing of county and town roads.

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 55 and nays 0, as follows:

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

MOTIONS AND RESOLUTIONS—CONTINUED

CONFIRMATION

Mr. Hughes moved that the report from the Committee on Education, reported May 8, 1979, pertaining to appointments, be taken from the table. The motion prevailed.

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

Mr. Hughes moved that in accordance with the report from the Committee on Education, reported May 8, 1979, the Senate, having given its advice, do now consent to and confirm the appointments of:

STATE UNIVERSITY BOARD

Randy Roger Thomas, 107 Parkway Avenue, Mankato, Blue Earth County, effective March 6, 1979, for a term expiring the first Monday in January, 1981.

Paul O. Johnson, 115 Outer Drive, LeSueur, LeSueur County, effective March 26, 1979, for a term expiring the first Monday in January, 1983.

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

DEPARTMENT OF EDUCATION COMMISSIONER

Howard B. Casmey, 7519 Harold Avenue, Golden Valley, Hennepin County, effective January 2, 1979, for a term expiring the first Monday in January, 1983.

STATE BOARD OF EDUCATION

Mary Birmingham, 328 Pleasant Street, Mankato, Blue Earth County, effective May 12, 1978, for a term expiring January 5, 1981.

Patricia Weber, 3006 Linden Avenue, Slayton, Murray County, effective April 27, 1979, for a term expiring the first Monday in January, 1983.

Mr. Davies requested that the appointment of Mr. Howard B. Casmey as Commissioner of the Department of Education be divided out.

The question was taken on the confirmation of the appointments of

STATE UNIVERSITY BOARD

Randy Roger Thomas, 107 Parkway Avenue, Mankato, Blue Earth County, effective March 6, 1979, for a term expiring the first Monday in January, 1981.

Paul O. Johnson, 115 Outer Drive, LeSueur, LeSueur County, effective March 26, 1979, for a term expiring the first Monday in January, 1983.

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

STATE BOARD OF EDUCATION

Mary Birmingham, 328 Pleasant Street, Mankato, Blue Earth County, effective May 12, 1978, for a term expiring January 5, 1981.

Patricia Weber, 3006 Linden Avenue, Slayton, Murray County, effective April 27, 1979, for a term expiring the first Monday in January, 1983.

The motion prevailed. So the appointments were confirmed.

Mr. Tennessen moved that the appointment of Mr. Howard B. Casmey be laid on the table. The motion did not prevail.

CALL OF THE SENATE

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

Anderson	Engler	Knaak	Olhoft	Spear
Ashbach	Gearty	Knoll	Olson	Staples
Bang	Gunderson	Laufenburger	Penny	Stokowski
Benedict	Hughes	Lessard	Pillsbury	Strand
Chenoweth	Humphrey	Menning	Purfeerst	Tennessen
Chmielewski	Jensen	Merriam	Renneke	Ueland, A.
Coleman	Keefe, J.	Moe	Schaaf	Ulland, J.
Davies	Keefe, S.	Nelson	Sikorski	Vega
Dieterich	Kirchner	Nichols	Sillers	Wegener
Dunn	Kleinbaum	Ogdahl	Solon	Willet

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

The question was taken on the confirmation of Mr. Howard B. Casmey.

The roll was called, and there were yeas 41 and nays 17, as follows:

Those who voted in the affirmative were:

Ashbach	Jensen	Moe	Schaaf	Ueland, A.
Benedict	Johnson	Nichols	Schmitz	Ulland, J.
Chmielewski	Kirchner	Ogdahl	Setzepfandt	Vega
Dunn	Kleinbaum	Olhoft	Sikorski	Wegener
Engler	Knoll	Olson	Sillers	Willet
Gearty	Knutson	Penny	Solon	
Gunderson	Laufenburger	Peterson	Staples	
Hughes	Lessard	Pillsbury	Stokowski	
Humphrey	Menning	Renneke	Strand	

Those who voted in the negative were:

Anderson	Coleman	Keefe, S.	Merriam	Rued
Bang	Davies	Knaak	Nelson	Spear
Bernhagen	Dieterich	Luther	Purfeerst	Tennessee
Chenoweth	Keefe, J.			

The motion prevailed. So the appointment was confirmed.

MOTIONS AND RESOLUTIONS—CONTINUED

Mr. Schaaf moved that S. F. No. 779 be taken from the table. The motion prevailed.

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

CONCURRENCE AND REPASSAGE

Mr. Schaaf moved that the Senate concur in the amendments by the House to S. F. No. 779 and that the bill be placed on its repassage as amended. The motion prevailed.

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

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 53 and nays 0, as follows:

Those who voted in the affirmative were:

Ashbach	Engler	Kirchner	Nelson	Renneke
Bang	Gearty	Kleinbaum	Nichols	Rued
Benedict	Gunderson	Knaak	Ogdahl	Schaaf
Bernhagen	Hughes	Knoll	Olhoft	Schmitz
Chenoweth	Humphrey	Knutson	Olson	Setzepfandt
Chmielewski	Jensen	Lessard	Penny	Sikorski
Davies	Johnson	Luther	Peterson	Sillers
Dieterich	Keefe, J.	Menning	Pillsbury	Spear
Dunn	Keefe, S.	Moe	Purfeerst	Staples

Stokowski
StrandTennessee
Ueland, A.Ulland, J.
Vega

Wegener

Willet

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

SPECIAL ORDERS

Pursuant to Rule 10, Mr. Coleman, Chairman of the Subcommittee on Bill Scheduling, designated the following bills a Special Orders Calendar. H. F. Nos. 260, 519, 1268, 859, 772, 219, 191 and S. F. Nos. 439, 1258.

SPECIAL ORDER

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.

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 54 and nays 0, as follows:

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

SPECIAL ORDER

H. F. No. 1268: A bill for an act relating to state lands; authorizing the conveyance of certain lands in Otter Tail County to the city of Fergus Falls.

Mr. Sillers moved to amend H. F. No. 1268 as follows:

Page 2, after line 12, insert:

"Sec. 2. [CONVEYANCE OF LANDS; CLAY COUNTY.] The commissioner of banks, by quitclaim deed in the form approved by the attorney general, in the name of the state of Minnesota, and for a consideration of \$1, shall convey to George Hartke the following described land in the county of Clay, state of Minnesota:

The Southeast Quarter (SE $\frac{1}{4}$), the North Half of the Southwest Quarter (N $\frac{1}{2}$ of SW $\frac{1}{4}$), and the Southeast Quarter of the Southwest Quarter (SE $\frac{1}{4}$ of SW $\frac{1}{4}$) of Section Fourteen (14), in Township One Hundred Forty (140) North, of Range Forty-five (45) West, containing 280 acres, more or less, according to the Government Survey thereof."

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 4, before the period, insert "; directing the conveyance of certain lands in Clay County"

The motion prevailed. So the amendment was adopted.

H. F. No. 1268 was read the third time, as amended, and placed on its final passage.

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

The roll was called, and there were yeas 54 and nays 0, as follows:

Those who voted in the affirmative were:

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

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

CALL OF THE SENATE

Mr. Spear imposed a call of the Senate for the proceedings on S. F. No. 783. The following Senators answered to their names:

Anderson	Engler	Knoll	Penny	Spear
Ashbach	Gearty	Lessard	Perpich	Staples
Bang	Gunderson	Luther	Peterson	Stokowski
Benedict	Hughes	McCutcheon	Purfeerst	Strand
Bernhagen	Humphrey	Menning	Rued	Stumpf
Chmielewski	Jensen	Merriam	Schaaf	Tennessen
Coleman	Johnson	Nelson	Schmitz	Ulland, J.
Davies	Keefe, S.	Ogdahl	Setzepfandt	Vega
Dieterich	Kleinbaum	Olhoft	Sikorski	Wegener
Dunn	Knaak	Olson	Solon	Willet

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

RECONSIDERATION

Mr. Spear moved that the vote whereby S. F. No. 783 failed to pass the Senate on May 8, 1979, be now reconsidered. The motion prevailed.

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

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 29 and nays 32, as follows:

Those who voted in the affirmative were:

Anderson	Gearty	Lessard	Olson	Stokowski
Benedict	Hughes	Luther	Perpich	Stumpf
Chenoweth	Humphrey	Merriam	Schaaf	Tennessee
Coleman	Johnson	Moe	Sikorski	Vega
Davies	Keefe, S.	Nelson	Solon	Willet
Dieterich	Knoll	Nichols	Spear	

Those who voted in the negative were:

Ashbach	Gunderson	Menning	Renneke	Strand
Bang	Jensen	Ogdahl	Rued	Ueland, A.
Bernhagen	Kirchner	Olhoff	Schmitz	Ulland, J.
Brataas	Knaak	Penny	Setzepfandt	Wegener
Chmielewski	Knutson	Peterson	Sieloff	
Dunn	Laufenburger	Pillsbury	Sillers	
Engler	McCutcheon	Purfeerst	Staples	

So the bill failed to pass.

SPECIAL ORDER

S. F. No. 439: A bill for an act relating to aid to local units of government; providing payments in lieu of taxes to counties and townships in which certain natural resources lands are located; providing payments to local taxing districts containing reduced assessment property; appropriating money; amending Minnesota Statutes 1978, Section 275.51, Subdivision 3d; and Chapter 273, by adding a section.

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

The question was taken on the passage of the bill.

The roll was called, and there were yeas 57 and nays 0, as follows:

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

SPECIAL ORDER

S. F. No. 1258: A bill for an act relating to taxation; abolishing the inheritance tax; imposing an estate tax; repealing the gift tax; amending Minnesota Statutes 1978, Sections 291.005, Subdivision 1; 291.01; 291.03; 291.05; 291.051; 291.06; 291.065; 291.07, Subdivision 1; 291.08; 291.09, Subdivisions 5 and 7, and by adding subdivisions; 291.11, Subdivision 1; 291.111, Subdivision 1; 291.132; 291.14; 291.19, Subdivision 3; 291.20, Subdivision 1; 291.27; 291.33, Subdivision 1; 352.15, Subdivision 1; 353.15; 354.10; 354A.11; 524.3-706; 524.3-916; 524.3-1001; 525.091, Subdivisions 1 and 2; 525.312; 525.71; 525.74; and 525.841; and Chapter 291, by adding sections; repealing Minnesota Statutes 1978, Sections 3A.08; 291.02; 291.07, Subdivisions 2 and 2a; 291.09, Subdivisions 1, 2, 3 and 4; 291.10; 291.11, Subdivisions 2, 3, 4, 5, 6, 7, 8, and 9; 291.12, Subdivision 4; 291.20, Subdivision 3; 291.22; 291.23; 291.24; 291.25; 291.26; 291.29, Subdivisions 1, 2, 3 and 4; 291.30; 291.34; 291.35; 291.36; 291.37; 291.38; 291.39; 291.40; 292.01; 292.02; 292.03; 292.031; 292.04; 292.05; 292.06; 292.07; 292.08; 292.09; 292.105; 292.111; 292.112; 292.12; 292.125; 292.14; and 292.15.

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 57 and nays 0, as follows:

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

RECESS

Mr. Coleman moved that the Senate do now recess until 12:35 o'clock p.m. The motion prevailed.

The hour of 12:35 o'clock p.m. having arrived, the President called the Senate to order.

MEMBERS EXCUSED

Messrs. Ashbach and Coleman were excused from the Session of today from 12:05 to 1:00 o'clock p.m. Mr. Keefe, J. was excused from the Session of today from 12:35 to 3:15 o'clock p.m. Mr. McCutcheon was excused from this evening's Session until 9:00 o'clock p.m. Mr. Laufenburger was excused from this evening's Session at 8:30 o'clock p.m.

CALL OF THE SENATE

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

Anderson	Engler	Laufenburger	Perpich	Spear
Benedict	Frederick	Luther	Peterson	Staples
Bernhagen	Gearty	McCutcheon	Purfeerst	Stumpf
Chenoweth	Gunderson	Menning	Schmitz	Tennessee
Chmielewski	Humphrey	Merriam	Setzepfandt	Ulland, J.
Davies	Johnson	Moe	Sieloff	Wegener
Dieterich	Keefe, S.	Nelson	Sikorski	
Dunn	Kirchner	Olson	Sillers	

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

SPECIAL ORDER

S. F. No. 42: A bill for an act relating to taxation; sales tax; reducing the tax rate on certain farm machinery; amending Minnesota Statutes 1978, Sections 297A.01, by adding a subdivision; 297A.02; 297A.14; and 297A.24.

CALL OF THE SENATE

Mr. McCutcheon imposed a call of the Senate for the balance of the proceedings on S. F. No. 42. The following Senators answered to their names:

Anderson	Gearty	Menning	Pillsbury	Staples
Benedict	Humphrey	Merriam	Purfeerst	Stumpf
Bernhagen	Johnson	Moe	Rued	Tennessee
Chenoweth	Keefe, S.	Nelson	Schaaf	Wegener
Chmielewski	Kirchner	Olhoff	Schmitz	Willet
Davies	Knutson	Olson	Setzepfandt	
Dunn	Lessard	Penny	Sikorski	
Engler	Luther	Perpich	Sillers	
Frederick	McCutcheon	Peterson	Spear	

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

S. F. No. 42 was read the third time and placed on its final passage.

The question was taken on the passage of the bill.

The roll was called, and there were yeas 44 and nays 10, as follows:

Those who voted in the affirmative were:

Anderson	Gearty	Laufenburger	Penny	Sillers
Benedict	Gunderson	McCutcheon	Peterson	Staples
Bernhagen	Jensen	Menning	Pillsbury	Stokowski
Brataas	Johnson	Merriam	Purfeerst	Strand
Chmielewski	Keefe, S.	Moe	Rued	Ulland, J.
Davies	Kirchner	Nelson	Schmitz	Vega
Dunn	Kleinbaum	Nichols	Setzepfandt	Wegener
Engler	Knaak	Olhoft	Sieloff	Willet
Frederick	Knutson	Olson	Sikorski	

Those who voted in the negative were:

Chenoweth	Humphrey	Luther	Schaaf	Stumpf
Dieterich	Knoll	Perpich	Spear	Tennessee

So the bill passed and its title was agreed to.

SPECIAL ORDER

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.

Mrs. Staples moved to amend H. F. No. 260, as amended pursuant to Rule 49, adopted by the Senate April 23, 1979, as follows:

(The text of the amended House File is identical to S. F. No. 477.)

Page 1, lines 22 and 23, delete "and health maintenance organizations"

Page 4, line 24, before the semicolon insert "et seq."

Page 6, line 6, delete "USC" and insert "U.S.C."

Page 12, lines 26 and 27, delete "or health maintenance organization"

Page 13, line 12, delete everything after "functions" and insert ", but only if the hospitals terminate all acute care services;"

Page 13, delete lines 13 to 18

Page 14, line 32, delete "14" and insert "7"

Page 15, lines 2 and 3, delete ", or health maintenance organization"

Page 15, line 22, delete "USC" and insert "U.S.C."

Page 17, line 29, delete ", health maintenance organization"

Page 18, line 16, after "violation" insert a period

Page 19, line 11, after "shall" insert a comma

Page 19, line 12, after "agency" insert a comma

The motion prevailed. So the amendment was adopted.

Mr. Nelson moved to amend H. F. No. 260, as amended pursuant to Rule 49, adopted by the Senate April 23, 1979, as follows:

(The text of the amended House File is identical to S. F. No. 477.)

Page 20, after line 8, insert:

"Sec. 15. Minnesota Statutes 1978, Chapter 144, is amended by adding a section to read:

[144.7021] [EXEMPT HOSPITALS.] *Subdivision 1. The commissioner of health shall establish a percentage figure for an acceptable increase in hospital gross acute care charges. Any hospital whose anticipated percentage increase in annual gross acute care charges is less than the figure established by the commissioner shall be exempt from the rate review required by sections 144.701 and 144.702.*

Subd. 2. 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. If any hospital exempted from rate review by this section exceeds the figure established by the commissioner, it shall promptly file a rate review request pursuant to section 144.701 or 144.702."

Renumber the sections in sequence

Underline all new language in the bill

Amend the title as follows:

Page 1, line 6, after the semicolon insert "providing exemption from rate review for certain hospitals; amending Minnesota Statutes 1978, Chapter 144, by adding a section;"

The question was taken on the adoption of the amendment.

The roll was called, and there were yeas 49 and nays 6, as follows:

Those who voted in the affirmative were:

Anderson	Frederick	Lessard	Perpich	Staples
Bang	Gearty	Luther	Peterson	Stokowski
Benedict	Gunderson	Menning	Purfeerst	Strand
Bernhagen	Humphrey	Moe	Renneke	Stumpf
Chenoweth	Jensen	Nelson	Schaaf	Tennessee
Chmielewski	Johnson	Nichols	Schmitz	Ueland, A.
Davies	Keefe, S.	Ogdahl	Setzepfandt	Vega
Dieterich	Kirchner	Olhoft	Sieloff	Wegener
Dunn	Kleinbaum	Olson	Sikorski	Willet
Engler	Laufenburger	Penny	Spear	

Those who voted in the negative were:

Brataas	Knutson	Merriam	Pillsbury	Rued
Knaak				

The motion prevailed. So the amendment was adopted.

Mrs. Staples moved to amend H. F. No. 260, as amended pursuant to Rule 49, adopted by the Senate April 23, 1979, as follows:

(The text of the amended House File is identical to S. F. No. 477).

Page 14, line 31, delete "4" and insert "3"

The motion prevailed. So the amendment was adopted.

Mr. Renneke moved to amend H. F. No. 260, as amended pursuant to Rule 49, adopted by the Senate April 23, 1979, as follows:

(The text of the amended House File is identical to S. F. No. 477.)

Page 19, line 11, after "MEMBERSHIP" insert ", REQUIREMENTS"

Page 19, line 11, before "The" insert "Subdivision 1."

Page 19, line 32, before "No" insert "Subd. 2."

Page 20, after line 8, insert:

"Health systems agencies shall not solicit contributions of funds such as cash, bonds, or securities, from any private individual or entity."

The motion did not prevail. So the amendment was not adopted.

H. F. No. 260 was read the third time, as amended, and placed on its final passage.

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

The roll was called, and there were yeas 46 and nays 14, as follows:

Those who voted in the affirmative were:

Anderson	Engler	Knaak	Peterson	Stumpf
Ashbach	Frederick	Knoll	Pillsbury	Tennessen
Bang	Gearty	Laufenburger	Purfeerst	Ulland, J.
Benedict	Gunderson	Luther	Schaaf	Vega
Brataas	Hughes	Merriam	Sieloff	Wegener
Chenoweth	Humphrey	Moe	Sikorski	Willet
Chmielewski	Johnson	Nelson	Sillers	
Davies	Keefe, S.	Ogdahl	Spear	
Dieterich	Kirchner	Olhoff	Staples	
Dunn	Kleinbaum	Perpich	Stokowski	

Those who voted in the negative were:

Bernhagen	Lessard	Olson	Rued	Strand
Jensen	Menning	Penny	Schmitz	Ueland, A.
Knutson	Nichols	Renneke	Setzepfandt	

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

SPECIAL ORDER

H. F. No. 859: A bill for an act relating to banks and other financial institutions; regulating open end loan accounts; remov-

ing certain restrictions; providing for computation of finance charges; requiring banks which offer a certain credit card program to offer another program with a specified finance charge; amending Minnesota Statutes 1978, Section 48.185, Subdivisions 2, 3 and by adding a subdivision.

CALL OF THE SENATE

Mr. Tennesen imposed a call of the Senate for the proceedings on H. F. No. 859. The following Senators answered to their names:

Ashbach	Gunderson	Luther	Rued	Stumpf
Bernhagen	Hughes	McCutcheon	Schaaf	Tennesen
Chenoweth	Humphrey	Merriam	Schmitz	Ueland, A.
Chmielewski	Jensen	Moe	Setzepfandt	Ulland, J.
Davies	Keefe, S.	Nelson	Sieloff	Vega
Dieterich	Kirchner	Olhoft	Sikorski	Wegener
Dunn	Kleinbaum	Olson	Sillers	
Engler	Knaak	Penny	Solon	
Frederick	Knoll	Pillsbury	Spear	
Gearty	Knutson	Purfeerst	Staples	

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

Mr. Tennesen moved that the amendment made to H. F. No. 859 by the Committee on Rules and Administration in the report adopted May 7, 1979, pursuant to Rule 49, be stricken.

The question was taken on the adoption of the motion.

The roll was called, and there were yeas 56 and nays 1, as follows:

Those who voted in the affirmative were:

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

Mr. Schaaf voted in the negative.

The motion prevailed. So the amendment was stricken.

Mr. Chenoweth moved to amend H. F. No. 859 as follows:

Page 2, line 5, delete "if"

Page 2, delete line 6

Page 2, line 7, delete "clause (a),"

Page 2, line 7, delete "one-half" and insert "one-third"

Page 2, after line 17, insert:

"Sec. 3. Minnesota Statutes 1978, Section 48.185, is amended by adding a subdivision to read:

Subd. 3a. If a credit plan, agreement or arrangement provides that if full payment is made within a certain time a finance charge will not be imposed, and if full payment is not made within that time, then the calculation of the average daily balance for the purpose of the limitation on rates imposed by subdivision 3 shall be made by excluding from the daily balances the amount of each credit extension from the date of the credit extension until the last day of the regular billing cycle during which the credit extension was made.

Sec. 4. Minnesota Statutes 1978, Section 48.185, Subdivision 4, is amended to read:

Subd. 4. No charges other than those provided for in subdivision 3 shall be made directly or indirectly for any credit extended under the authority of this section, except that there may be charged to the debtor:

(a) Annual charges, not to exceed \$15 per annum, payable in advance, for the privilege of using a bank credit card which entitled the debtor to purchase goods or services from merchants, under an arrangement pursuant to which the debts resulting from the purchases are paid or satisfied by the bank or savings bank and charged to the debtor's open end loan account with the bank or savings bank;

(b) Charges for premiums on credit life and credit accident and health insurance if:

(1) The insurance is not required by the bank or savings bank and this fact is clearly disclosed in writing to the debtor; and

(2) The debtor is notified in writing of the cost of the insurance and affirmatively elects, in writing, to purchase the insurance."

Page 3, line 3, 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 amount permitted by laws existing immediately preceding the effective date of this act*"

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 5, after the semicolon, insert "prohibiting service charges;"

Page 1, line 9, before "and" insert ", 4"

Page 1, line 9, delete "a subdivision" and insert "subdivisions"

The motion did not prevail. So the amendment was not adopted.

Mr. Johnson moved to amend H. F. No. 859 as follows:

Page 2, line 7, delete "one-half" and insert "one-third"

Page 2, after line 17, insert:

"Sec. 2. Minnesota Statutes 1978, Section 48.185, is amended by adding a subdivision to read:

Subd. 3a. If a credit plan, agreement or arrangement provides that if full payment is made within a certain time a finance charge will not be imposed, and if full payment is not made within that time, then the calculation of the average daily balance for the purpose of the limitation on rates imposed by subdivision 3 shall be made by excluding from the daily balances the amount of each credit extension from the date of the credit extension until the last day of the regular billing cycle during which the credit extension was made."

Page 2, line 22, delete "1-½" and insert "1-⅓"

Amend the title as follows:

Page 1, line 9, delete "a subdivision" and insert "subdivisions"

The question was taken on the adoption of the amendment.

The roll was called, and there were yeas 18 and nays 35, as follows:

Those who voted in the affirmative were:

Benedict	Hughes	Menning	Schaaf	Stumpf
Chenoweth	Johnson	Nelson	Sikoraki	Vega
Chmielewski	Lessard	Olhoft	Spear	Willet
Dieterich	Luther	Perpich		

Those who voted in the negative were:

Bang	Garty	Knaak	Penny	Solon
Bernhagen	Gunderson	Knutson	Peterson	Staples
Brataas	Humphrey	Laufenburger	Pillsbury	Strand
Davies	Jensen	Merriam	Purfeerst	Tennessen
Dunn	Keefe, S.	Moe	Renneke	Ueland, A.
Engler	Kirchner	Ogdahl	Rued	Ulland, J.
Frederick	Kleinbaum	Olson	Sieloff	Wegener

The motion did not prevail. So the amendment was not adopted.

H. F. No. 859 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 46 and nays 13, as follows:

Those who voted in the affirmative were:

Bang	Gunderson	Lessard	Peterson	Staples
Benedict	Humphrey	McCutcheon	Pillsbury	Strand
Bernhagen	Jensen	Merriam	Purfeerst	Tennessen
Brataas	Keefe, S.	Moe	Renneke	Ueland, A.
Coleman	Kirchner	Nelson	Rued	Ulland, J.
Davies	Kleinbaum	Nichols	Schmitz	Wegener
Dunn	Knaak	Ogdahl	Setzepfandt	
Engler	Knoll	Olhoft	Sieloff	
Frederick	Knutson	Olson	Solon	
Gearty	Laufenburger	Penny	Spear	

Those who voted in the negative were:

Chenoweth	Hughes	Menning	Sikorski	Vega
Chmielewski	Johnson	Perpich	Stumpf	Willet
Dieterich	Luther	Schaaf		

So the bill passed and its title was agreed to.

SPECIAL ORDER

H. F. No. 772: A bill for an act relating to highways; allowing private landowners to install drainage tiles in highway right-of-way; amending Minnesota Statutes 1978, Section 160.20, by adding a subdivision.

Mr. Penny moved to amend H. F. No. 772, as amended pursuant to Rule 49, adopted by the Senate May 3, 1979, as follows:

(The text of the amended House File is identical to S. F. No. 940.)

Page 2, after line 32, insert:

"Sec. 2. [EFFECTIVE DATE.] *This act is effective the day following final enactment.*"

The motion prevailed. So the amendment was adopted.

H. F. No. 772 was read the third time, as amended, and placed on its final passage.

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

The roll was called, and there were yeas 53 and nays 1, as follows:

Those who voted in the affirmative were:

Ashbach	Frederick	Lessard	Perpich	Staples
Bang	Gearty	Luther	Peterson	Strand
Benedict	Gunderson	McCutcheon	Pillsbury	Stumpf
Bernhagen	Hughes	Menning	Purfeerst	Tennessen
Brataas	Jensen	Merriam	Renneke	Ueland, A.
Chenoweth	Johnson	Moe	Rued	Ulland, J.
Chmielewski	Kirchner	Nelson	Schaaf	Vega
Coleman	Knaak	Ogdahl	Schmitz	Wegener
Davies	Knoll	Olhoff	Setzepfandt	Willet
Dunn	Knutson	Olson	Sikorski	
Engler	Laufenburger	Penny	Solon	

Mr. Dieterich voted in the negative.

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

SPECIAL ORDER

H. F. No. 219: A bill for an act relating to electricians; establishing an additional class of installers license; amending Minnesota Statutes 1978, Sections 326.01, Subdivision 6b; and 326.242, Subdivision 3.

Mr. Dunn moved to amend H. F. No. 219 as follows:

Page 2, after line 33, insert

"Sec. 3. This act is effective the day following its final enactment."

The motion prevailed. So the amendment was adopted.

H. F. No. 219 was read the third time, as amended, and placed on its final passage.

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

The roll was called, and there were yeas 53 and nays 0, as follows:

Those who voted in the affirmative were:

Bang	Gearty	Luther	Peterson	Staples
Benedict	Gunderson	McCutcheon	Pillsbury	Strand
Bernhagen	Hughes	Menning	Purfeerst	Stumpf
Brataas	Jensen	Merriam	Renneke	Tennessen
Chenoweth	Johnson	Moe	Rued	Ueland, A.
Coleman	Kirchner	Nelson	Schaaf	Ulland, J.
Davies	Knaak	Ogdahl	Schmitz	Vega
Dieterich	Knoll	Olhoft	Setzepfandt	Wegener
Dunn	Knutson	Olson	Sieloff	Willet
Engler	Laufenburger	Penny	Sillers	
Frederick	Lessard	Perpich	Solon	

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

SPECIAL ORDER

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

Mr. Johnson moved to amend H. F. No. 191, as amended by the Committee on Agriculture and Natural Resources, adopted by the Senate April 30, 1979, as follows:

Page 2, after line 5, insert:

"Sec. 2. The governor, upon the recommendation of the commissioner of administration, shall transfer and convey, without monetary consideration, by quitclaim deed in a form the attorney general approves, to the city of Ely, Minnesota, a tract of state-owned land now under the control of but no longer needed for the operation of Vermillion Community College, which tract is described as follows:

Commencing at the southeast corner of the southwest quarter of the southwest quarter (SW $\frac{1}{4}$ SW $\frac{1}{4}$) of Section Twenty-six (26) Township Sixty-three (63) north, Range Twelve (12) west of the Fourth Principal Meridian, thence west along the south line of the said southwest quarter of the southwest quarter (SW $\frac{1}{4}$ SW $\frac{1}{4}$) a distance of thirty-three (33) feet, thence north parallel to the east line of the said southwest quarter of the southwest quarter (SW $\frac{1}{4}$ SW $\frac{1}{4}$) a distance of sixty-seven (67) feet to the point of beginning of the tract to be conveyed; thence west parallel to the south line of the said southwest quarter of the southwest quarter (SW $\frac{1}{4}$ SW $\frac{1}{4}$) a distance of one hundred sixty (160)

feet; thence north parallel to the east line of the said southwest quarter of the southwest quarter (SW $\frac{1}{4}$ SW $\frac{1}{4}$) a distance of two hundred fifty (250) feet; thence east parallel to the south line of the said southwest quarter of the southwest quarter (SW $\frac{1}{4}$ SW $\frac{1}{4}$) a distance of one hundred sixty (160) feet; thence south parallel to the east line of the said southwest quarter of the southwest quarter (SW $\frac{1}{4}$ SW $\frac{1}{4}$) a distance of two hundred fifty (250) feet to the point of beginning, comprising .92 acres more or less, except minerals and mineral reservations as reserved by prior grantors."

Amend the title as follows:

Page 1, line 4, before the period, insert "; providing for the conveyance of certain land to the city of Ely"

The motion prevailed. So the amendment was adopted.

H. F. No. 191 was read the third time, as amended, and placed on its final passage.

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

The roll was called, and there were yeas 37 and nays 21, as follows:

Those who voted in the affirmative were:

Benedict	Johnson	Menning	Schaaf	Strand
Bernhagen	Keefe, S.	Moe	Schmitz	Tennessen
Chenoweth	Kleinbaum	Nelson	Setzepfandt	Vega
Chmielewski	Knoll	Penny	Sikorski	Wegener
Dieterich	Laufenburger	Perpich	Solon	Willet
Engler	Lessard	Peterson	Spear	
Gearty	Luther	Purfeerst	Staples	
Hughes	McCutcheon	Rued	Stokowski	

Those who voted in the negative were:

Ashbach	Frederick	Knaak	Olhoft	Sillers
Bang	Gunderson	Knutson	Pillsbury	Stumpf
Brataas	Jensen	Merriam	Renneke	Ueland, A.
Davies	Kirchner	Ogdahl	Sieloff	Ulland, J.
Dunn				

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

RECESS

Mr. Coleman moved that the Senate do, now recess until 8:00 o'clock p.m. The motion prevailed.

The hour of 8:00 o'clock p.m. having arrived, the President called the Senate to order.

MEMBERS EXCUSED

Mr. Knoll was excused from this evening's Session until 8:45 o'clock p.m. Mr. Solon was excused from this evening's Session at 9:30 o'clock p.m. Mr. Pillsbury was excused from this evening's Session at 9:40 o'clock p.m.

CALL OF THE SENATE

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

Anderson	Engler	Laufenburger	Penny	Solon
Ashbach	Frederick	Lessard	Perpich	Staples
Bernhagen	Gerty	Luther	Pillsbury	Stokowski
Brataas	Gunderson	Merriam	Purfeerst	Strand
Chenoweth	Humphrey	Moe	Schmitz	Stumpf
Chmielewski	Johnson	Nelson	Setzepfandt	Tennessee
Davis	Keefe, S.	Nichols	Sieloff	Ulland, J.
Dieterich	Kirchner	Olhoff	Sikorski	Vega
Dunn	Knaak	Olson	Sillers	

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

Pursuant to Rule 10, Mr. Keefe, S., for Mr. Coleman, Chairman of the Subcommittee on Bill Scheduling, designated the General Orders Calendar a Special Orders Calendar to be heard immediately.

SPECIAL ORDER

S. F. No. 1193: A bill for an act relating to housing rehabilitation; permitting members of the city council of a city to serve as commissioners of the housing and redevelopment authority in and for the city; expanding housing rehabilitation loan and grant programs; amending Minnesota Statutes 1978, Sections 462.425, Subdivision 6; 462.445, Subdivision 9; and 462.581.

Mr. Luther moved to amend S. F. No. 1193 as follows:

Pages 2 to 4, delete section 2

Amend the title as follows:

Page 1, line 5, after "9" delete "; and 462.581"

The motion prevailed. So the amendment was adopted.

S. F. No. 1193: A bill for an act relating to housing rehabilitation; permitting members of the city council of a city to serve as commissioners of the housing and redevelopment authority in and for the city; expanding housing rehabilitation loan and grant programs; amending Minnesota Statutes 1978, Sections 462.425, Subdivision 6; 462.445, Subdivision 9.

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

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

The roll was called, and there were yeas 44 and nays 11, as follows:

Those who voted in the affirmative were:

Anderson	Bernhagen	Chmielewski	Engler	Gunderson
Ashbach	Brataas	Dieterich	Frederick	Hughes
Benedict	Chenoweth	Dunn	Gerty	Humphrey

Johnson	Lessard	Olhoft	Sikorski	Ueland, A.
Keefe, J.	Luther	Penny	Spear	Ulland, J.
Keefe, S.	Menning	Pillsbury	Staples	Vega
Kirchner	Merriam	Schaaf	Stokowski	Wegener
Knaak	Nelson	Schmitz	Strand	Willet
Laufenburger	Nichols	Setzepfandt	Stumpf	

Those who voted in the negative were:

Bang	Olson	Peterson	Rued	Sillers
Davies	Perpich	Purfeerst	Sieloff	Tennessee
Knutson				

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

SPECIAL ORDER

H. F. No. 455: A bill for an act relating to education; providing equal opportunity for members of both sexes to participate in certain athletics; modifying the coverage and terms of the current law providing for equal opportunity in certain athletics; requiring the state board of education to promulgate certain rules and giving it exclusive jurisdiction over certain sex discrimination charges; providing for the rights of certain parties in the case of certain sex discrimination charges; amending Minnesota Statutes 1978, Sections 126.21 and 363.02, Subdivision 3.

Mr. Merriam moved to amend the amendment placed on H. F. No. 455 by the Committee on Education, adopted by the Senate May 3, 1979, as follows:

In Section 1, Subd. 3, line 8, strike "provided"

Line 12, delete the new language and insert "*whose athletic opportunities have previously been limited.*"

Delete lines 13 to 18

Line 19, strike "(2)"

Line 20, reinstate "or substantially separated"

Line 27, after the period, insert

"If two teams are provided in the same sport, one of these teams may be restricted to members of a sex whose athletic opportunities have previously been limited and members of either sex shall be permitted to try out for the other team."

Mrs. Staples moved that H. F. No. 455, No. 92 on Special Orders be stricken and re-referred to the Committee on Judiciary.

The question was taken on the adoption of the motion.

The roll was called, and there were yeas 31 and nays 31, as follows:

Those who voted in the affirmative were:

Ashbach	Davies	Humphrey	Keefe, S.	Luther
Bang	Dieterich	Jensen	Knaak	Moe
Benedict	Engler	Johnson	Knoll	Nelson
Brataas	Gunderson	Keefe, J.	Knutson	Ogdahl

Perpich
Pillsbury
Sieloff

Sikorski
Sillers

Spear
Staples

Stumpf
Tennessen

Ueland, A.
Ulland, J.

Those who voted in the negative were:

Anderson
Bernhagen
Chenoweth
Chmielewski
Dunn
Frederick
Gearty

Hughes
Kirchner
Kleinbaum
Lessard
McCutcheon
Menning
Merriam

Nichols
Olhoft
Olson
Penny
Peterson
Purfeerst
Renneke

Rued
Schaaf
Schmitz
Setzepfandt
Solon
Stokowski
Strand

Vega
Wegener
Willet

The motion did not prevail.

The question recurred on the Merriam amendment.

The motion prevailed. So the amendment to the amendment was adopted.

Mr. Hughes moved to amend the amendment placed on H. F. No. 455 by the Committee on Education, adopted by the Senate May 3, 1979, as follows:

In section 1, subdivision 3:

Lines 3 and 4, reinstate the stricken language

In section 1, after the stricken subdivision 3, insert:

"Subd. 6. Nothing in this section or chapter 363 shall be construed so as to prohibit separation of events according to sex in coeducational competition or special teams and activities designed to improve the skills of participants in athletics who would otherwise be unable or unwilling to participate in the athletic program."

The motion prevailed. So the amendment to the amendment was adopted.

Mr. Dieterich moved to amend the amendment placed on H. F. No. 455 by the Committee on Education, adopted by the Senate May 3, 1979, as follows:

Before section 2, insert:

"Sec. 2. Minnesota Statutes 1978, Section 129.121, is amended by adding a subdivision to read:

Subd. 1a. In the sports of cross country, gymnastics, skiing, swimming, track and field, tennis and golf, all tournaments conducted by the league in the traditional season for that sport shall be conducted on a coeducational basis but with events separate according to sex. All coeducational tennis tournaments shall include mixed doubles.

Nothing in this section shall be construed so as to require the league to conduct tournaments in these sports or to prevent the league from conducting tournaments in these sports in more than one season.

If all league tournaments in a sport are conducted in the same season, the traditional season shall be designated by the league. If the league conducts tournaments in a sport in more than one season, the traditional season for the sport shall be that season in which the league has conducted the largest number of state championship tournaments throughout its history."

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 12, before "and" insert "129.121, by adding a subdivision;"

The motion prevailed. So the amendment to the amendment was adopted.

Mr. Stumpf moved to amend the amendment placed on H. F. No. 455 by the Committee on Education, adopted by the Senate May 3, 1979, as follows:

In section 1, subdivision 5:

Line 3, delete "Notwithstanding any dele-"

Delete lines 4 to 11

Delete section 2 and insert:

"Sec. 2. Minnesota Statutes 1978, Chapter 129, is amended by adding a section to read:

[129.14] [STATE BOARD OF INTERSCHOLASTIC ATHLETICS AND EXTRACURRICULAR ACTIVITIES.] *Subdivision 1. There is established a state board of high school interscholastic athletics and extracurricular activities, henceforth referred to in this section as "the state activities board." The state activities board shall consist of nine representative citizens of the state, at least one of whom shall reside in each congressional district of the state. These members shall be appointed by the governor and their terms, compensation and removal shall be as provided in section 15.0575. The commissioner of education, or his representative, shall serve as member of the state activities board.*

Subd. 2. The state activities board may employ staff and expend money as necessary to carry out its duties.

Subd. 3. The governing board of any high school may delegate to the state activities board the control, supervision and regulation of interscholastic athletics and other cocurricular and extracurricular activities as defined in section 123.38. This delegation shall be certified in writing to the commissioner of education. Any school board may expend moneys for and pay participation fees to the state activities board.

Subd. 4. The state activities board shall exercise the control and supervision and regulation of high school interscholastic athletic, musical, dramatic and other contests, and other extracurricular and cocurricular activities, delegated to it pursuant to sub-

division 3. The state activities board shall promote interscholastic activities for Minnesota high schools and shall conduct interscholastic contests and tournaments for high schools which delegate control, supervision and regulation to it pursuant to subdivision 3.

Subd. 5. The state activities board shall adopt rules according to chapter 15 in order to carry out its duties pursuant to subdivision 4. Except as provided in this subdivision, these rules shall not apply to the behavior or activities of students outside of time periods when they are participating in or traveling to and from school, co-curricular or extracurricular activities or interscholastic contests conducted by the state activities board. These rules may prohibit a participating student from competing on more than one team in a given sport during a single season. The state activities board may establish a policy or guidelines without following the procedures in chapter 15 to guide high schools in the voluntary formation or alteration of athletic or other cocurricular or extracurricular conferences.

Subd. 6. No rule adopted by the state activities board shall be effective without approval by the state board of education. If the state board of education disapproves any proposed rule from the state activities board, it shall give written notice of its disapproval and its reasons within 60 days after the receipt of the proposed rule. Any proposal disapproved by the state board of education may be resubmitted by the state activities board at any time after the expiration of 45 days after the date of disapproval.

Subd. 7. The state activities board may charge participation fees to schools which delegate control, supervision and regulation to it pursuant to subdivision 3, and may charge for admission to tournaments and contests which it conducts. These amounts and any other income of the state activities board shall be deposited in the general fund. There is annually appropriated to the state activities board for the purposes of carrying out its duties all amounts received by it pursuant to this subdivision."

Before the title amendment, insert:

"Sec. 4. Minnesota States 1978, Section 129.121 is repealed."

Renumber the sections in sequence

Amend the title amendment as follows:

Delete the amendment to page 1, line 12

Amend the title as follows:

Page 1, line 13, before the period, insert "; and Chapter 129, by adding a section; and repealing Minnesota Statutes 1978, Section 129.121"

Mr. Merriam questioned whether the amendment was germane.

The President ruled that the amendment was not germane.

Mr. Knutson moved to amend the amendment placed on H. F. No. 455 by the Committee on Education, adopted by the Senate May 3, 1979, as follows:

In section 1, subdivision 5:

Line 1, delete "*state board of education*" and insert "*commissioner of human rights*"

Line 2, delete "*commissioner of human rights*" and insert "*state board of education*"

Amend the title amendment as follows:

Delete the amendment to page 1, line 7

Amend the title of the bill as follows:

Page 1, line 6, after "the" insert "*commissioner of human rights and the*"

The motion did not prevail. So the amendment to the amendment was not adopted.

Mr. Stumpf moved to amend the amendment placed on H. F. No. 455 by the Committee on Education, adopted by the Senate May 3, 1979, as follows:

In section 2, subdivision 5:

Line 1, after "5." insert "*The Minnesota state high school league shall be deemed to be an agency for the purposes of sections 15.041 to 15.052 and*"

Mr. Merriam questioned whether the amendment was germane.

The President ruled that the amendment was germane.

The question was taken on the adoption of the amendment.

The roll was called, and there were yeas 15 and nays 31, as follows:

Those who voted in the affirmative were:

Benedict	Humphrey	Knoll	Sikorski	Stokowski
Coleman	Johnson	Luther	Spear	Stumpf
Dieterich	Keefe, S.	Schaaf	Staples	Tennessee

Those who voted in the negative were:

Anderson	Gearty	Menning	Renneke	Ueland, A.
Bernhagen	Gunderson	Merriam	Rued	Wegener
Brataas	Hughes	Moe	Schmitz	Willet
Chmielewski	Kirchner	Nelson	Setzepfandt	
Dunn	Kleinbaum	Olhoff	Sieloff	
Engler	Knutson	Penny	Sillers	
Frederick	Lessard	Peterson	Strand	

The motion did not prevail. So the amendment was not adopted.

H. F. No. 455 was read the third time, as amended, and placed on its final passage.

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

The roll was called, and there were yeas 56 and nays 0, as follows:

Those who voted in the affirmative were:

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

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

Without objection, the Senate reverted to the Order of Business of Messages from the House and First Reading of House Bills.

MESSAGES FROM THE HOUSE

Mr. President:

I have the honor to announce the passage by the House of the following House File, herewith transmitted: H. F. No. 223

Edward A. Burdick, Chief Clerk, House of Representatives

Transmitted May 9, 1979

FIRST READING OF HOUSE BILLS

The following bill was read the first time.

H. F. No. 223: A bill for an act relating to education; providing for aids to education, aids to libraries, tax levies and the distribution of tax revenues; granting certain powers and duties to teachers, school bus drivers, school boards, school districts, educational cooperative service units, the Minnesota educational computing consortium, courts, the commissioner of education, the commissioner of health, the department of education, the state board of education and the state board for vocational education and other state agencies; creating a legislative school finance study commission; changing the method of computing foundation aid and levy limitations; providing aid for sparsely populated school districts, basic skills programs, new jobs programs and programs for gifted and talented students; changing procedures for decisions concerning the education of handicapped children; increasing tuition at area vocational-technical institutes; appropriating money; amending Minnesota Statutes 1978, Sections 3.9271, Subdivision 1, and by adding a subdivision; 3.9272; 16.93; 120.075; 120.17, Subdivisions 3b and 7a; 121.912, by adding a subdivision; 121.92, Subdivision 2; 123.34, Subdivision 8; 123.35, by adding a subdivision; 123.58, Subdivision 6, and by adding a subdivision; 123.702, Subdivision 1, and by adding a subdivision; 123.703, Subdivisions 1 and 3; 123.705; 123.741, Subdivision 1; 123.937; 124.01; 124.11, Subdivision 4; 124.17, Subdivision 1; 124.212, Subdivisions 1, 6c, 7c, 11, 20, and by adding subdivisions; 124.222,

Subdivisions 1a, 1b, 2a, 2b and 6; 124.223; 124.245, Subdivisions 1 and 2; 124.26, Subdivision 3; 124.271, Subdivisions 2, 5, and by adding a subdivision; 124.32, Subdivisions 1, 1a, 5, 7 and 10; 124.561, Subdivision 3a; 124.562, Subdivisions 1 and 2; 124.563, Subdivision 1; 124.565, Subdivisions 3, 4, and by adding a subdivision; 124.572, Subdivision 2; 124.574, Subdivision 2; 124.646, Subdivision 1; 125.60, Subdivisions 1, 2, 3, 4, and by adding subdivisions; 125.61, Subdivisions 1, 2, 3, 4, and by adding subdivisions; 126.39, Subdivision 10; 126.40, Subdivision 3; 126.41, Subdivision 1; 126.52, Subdivision 10; 126.53, Subdivision 3; 126.54, Subdivision 1; 128A.02, Subdivision 6; 134.30, by adding a subdivision; 134.32, Subdivision 5; 134.33, Subdivision 1; 134.34, Subdivisions 1 and 2; 134.35, Subdivisions 1 and 2; 169.44, Subdivisions 1, 2, and by adding subdivisions; 275.125, Subdivisions 1, 2a, 2b, 8, 11a, and by adding subdivisions; 354.094, Subdivisions 3 and 6; 354.66, Subdivisions 1, 2, 3, 8, and by adding subdivisions; 354A.091, Subdivisions 1, 3, 6, and by adding a subdivision; 354A.22, Subdivisions 1, 2, 3, 8, and by adding subdivisions; 471.61, Subdivision 1b; and Chapters 124, by adding sections; and 134, by adding sections; repealing Minnesota Statutes 1978, Sections 120.171; 124.212, Subdivisions 6b and 7b; 124.241; 126.16; 126.18; 134.33, Subdivision 2; 169.44, Subdivisions 5 and 7; and 275.125, Subdivisions 6 and 7.

Mr. Merriam moved that H. F. No. 223 be laid on the table. The motion prevailed.

MOTIONS AND RESOLUTIONS—CONTINUED

Mr. Coleman moved that the Senate do now adjourn until 9:00 o'clock a.m., Thursday, May 10, 1979. The motion prevailed.

Patrick E. Flahaven, Secretary of the Senate