

SEVENTY-NINTH DAY

St. Paul, Minnesota, Friday, March 14, 1960

The Senate met at 12:00 o'clock noon and was called to order by the President.

CALL OF THE SENATE

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

Ashbach	Gearty	Menning	Renneke	Stokowski
Barrette	Gunderson	Merriam	Rued	Stumpf
Benedict	Hughes	Moe	Schaaf	Ueland, A.
Bernhagen	Humphrey	Nelson	Schmitz	Ulland, J.
Chmielewski	Keefe, J.	Ogdahl	Setzepfandt	Vega
Coleman	Keefe, S.	Omann	Sieloff	Willet
Dunn	Kirchner	Perpich	Sillers	
Engler	Kleinbaum	Pillsbury	Solon	
Frederick	Luther	Purfeerst	Stern	

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

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

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

Ashbach	Frederick	Knutson	Perpich	Staples
Bang	Gearty	Laufenburger	Pillsbury	Stern
Barrette	Gunderson	Luther	Purfeerst	Stokowski
Benedict	Hughes	Menning	Renneke	Strand
Bernhagen	Humphrey	Merriam	Rued	Stumpf
Brataas	Johnson	Moe	Schaaf	Tennessee
Chmielewski	Keefe, J.	Nelson	Schmitz	Ueland, A.
Coleman	Keefe, S.	Nichols	Setzepfandt	Ulland, J.
Davies	Kirchner	Ogdahl	Sieloff	Vega
Dieterich	Kleinbaum	Olhoft	Sillers	Wegener
Dunn	Knaak	Omann	Solon	Willet
Engler	Knoll	Penny	Spear	

The President declared a quorum present.

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

MEMBERS EXCUSED

Messrs. Anderson, Hanson, Lessard, Olson, Peterson and Sikorski were excused from the Session of today. Mr. Dieterich

was excused from the Session of today from 12:00 to 12:40 o'clock p.m. Mr. Johnson was excused from the Session of today from 12:00 to 12:30 o'clock p.m.

INTRODUCTION AND FIRST READING OF SENATE BILLS

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

Mr. Engler introduced—

S. F. No. 2378: A bill for an act relating to game and fish; restrictions upon the taking and possession of certain fur bearing animals; amending Minnesota Statutes 1978, Section 98.47, Subdivision 7; and Minnesota Statutes, 1979 Supplement, Section 100.27, Subdivisions 3 and 4.

Referred to the Committee on Agriculture and Natural Resources.

Mr. Engler introduced—

S. F. No. 2379: A bill for an act relating to taxation; providing an exclusion from gross income for certain interest and dividend income; amending Minnesota Statutes, 1979 Supplement, Section 290.01, Subdivision 20.

Referred to the Committee on Taxes and Tax Laws.

Mr. Engler introduced—

S. F. No. 2380: A bill for an act relating to game and fish; possession of firearms in a motor vehicle; amending Minnesota Statutes 1978, Section 100.29, Subdivision 5.

Referred to the Committee on Agriculture and Natural Resources.

Mrs. Staples introduced—

S. F. No. 2381: A bill for an act relating to traffic regulations; authorizing licensed tow truck operators to deliver vehicles picked up within the boundaries of the licensing unit of government to a destination anywhere within the state without penalty; superseding inconsistent local ordinances.

Referred to the Committee on General Legislation and Administrative Rules.

Mr. Nichols introduced—

S. F. No. 2382: A bill for an act relating to licensed occupations; removing license renewal requirements; setting license fees; providing for competency hearings; amending Minnesota Statutes

1978, Chapters 15, by adding a section; and 214, by adding a section; and Sections 60A.14, Subdivision 1; 60A.17, Subdivisions 2 and 7; 80A.04, Subdivision 4; 80A.05, Subdivision 1; 82.20, Subdivisions 7 and 11; 82.22, Subdivisions 3, 8 and 13; 82.34, Subdivisions 3 and 4; 125.08; 154.065, Subdivision 1; 154.10; 154.16; 154.17; 154.18; 154.24; 155.02, Subdivision 7a; 155.09, Subdivision 5; 155.15; 183.545; 326.10, Subdivision 1; 326.12, Subdivision 2; 326.15; 326.241, Subdivision 2; 326.242, Subdivisions 7, 8 and 9; 326.331; 326.334, Subdivision 6; 326.40, Subdivision 5; 326.42; 326.50; 326.544; 326.546; 326.62; 386.66 and 386.69; and Minnesota Statutes, 1979 Supplement, Sections 82.21, Subdivision 1; 326.20, Subdivisions 1 and 2; repealing Minnesota Statutes 1978, Sections 80A.05, Subdivision 2; 82.20, Subdivisions 8 and 14; 82.22, Subdivision 10; 154.15; 326.10, Subdivision 5; and 326.22, Subdivision 2.

Referred to the Committee on Governmental Operations.

Mr. Ashbach introduced—

S. F. No. 2383: A bill for an act relating to taxation; real property; exempting certain privately owned public airport property; amending Minnesota Statutes 1978, Chapter 273, by adding a section; and Minnesota Statutes, 1979 Supplement, Section 272.02, Subdivision 1.

Referred to the Committee on Taxes and Tax Laws.

Mr. Kirchner introduced—

S. F. No. 2384: A bill for an act relating to taxation; changing the eligibility of the election by small business corporations; amending Minnesota Statutes 1978, Section 290.972, Subdivision 1.

Referred to the Committee on Taxes and Tax Laws.

Messrs. Pillsbury, Schaaf, Moe, Ashbach and Gearty introduced—

S. F. No. 2385: A bill for an act relating to the legislative auditor; clarifying access to data; amending Minnesota Statutes 1978, Section 3.97, by adding subdivisions.

Referred to the Committee on Governmental Operations.

EXECUTIVE AND OFFICIAL COMMUNICATIONS

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

February 25, 1980

The Honorable Edward J. Gearty
President of the Senate

Dear Sir:

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

Christine P. Fritsche, Box 79, Route 4, Marshall, Lyon County, has been appointed by me, effective February 25, 1980, for a term expiring the first Monday in January, 1983.

Charles A. Green, 1100 Aspen Drive, Burnsville, Dakota county, has been appointed by me, effective February 25, 1980, for a term expiring the first Monday in January, 1984.

Gene C. Loffler, II, 1108 Village Road, Chaska, Carver County, has been appointed by me, effective February 25, 1980, for a term expiring the first Monday in January, 1984.

(Referred to the Committee on Commerce.)

Sincerely,
Albert H. Quie, Governor

March 13, 1980

The Honorable Edward J. Gearty
President of the Senate

Dear Sir:

I have the honor of informing you that I have received, approved, signed and deposited in the Office of the Secretary of State, S. F. No. 54.

Sincerely,
Albert H. Quie, Governor

March 13, 1980

The Honorable Fred C. Norton
Speaker of the House of Representatives

The Honorable Edward J. Gearty
President of the Senate

I have the honor to inform you that the following enrolled Act of the 1980 Session of the State Legislature has been received from the Office of the Governor and is deposited in the Office of the Secretary of State for preservation, pursuant to the State Constitution, Article IV, Section 23:

S. F. No.	H. F. No.	Session Laws Chapter No.	Date Approved 1980	Date Filed 1980
54		351	March 13	March 13

Sincerely,
Joan A. Growe,
Secretary of State

MESSAGES FROM THE HOUSE

Mr. President:

I have the honor to announce that the House has adopted the recommendation and report of the Conference Committee on Senate File No. 273 and repassed said bill in accordance with the report of the Committee, so adopted.

S. F. No. 273: A bill for an act relating to commerce; providing a floating usury rate for contracts for deed on residential property; amending Minnesota Statutes 1978, Section 47.20, Subdivisions 2 and 4, and by adding a subdivision.

Senate File No. 273 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives
Returned March 13, 1980

Mr. President:

I have the honor to announce the passage by the House of the following Senate File, herewith returned: S. F. No. 920.

Edward A. Burdick, Chief Clerk, House of Representatives
Returned March 13, 1980

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. 364: A bill for an act relating to peace officers; requiring uniform colors and identification for law enforcement motor vehicles and uniforms of peace officers and security guards; amending Minnesota Statutes 1978, Section 169.98.

Senate File No. 364 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives
Returned March 13, 1980

Mr. Coleman moved that S. F. No. 364 be laid on the table. The motion prevailed.

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. 1296: A bill for an act relating to public welfare;

authorizing grants for community residential facilities; amending Minnesota Statutes 1978, Section 252.30.

Senate File No. 1296 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives
Returned March 13, 1980

CONCURRENCE AND REPASSAGE

Mr. Purfeerst moved that the Senate concur in the amendments by the House to S. F. No. 1296 and that the bill be placed on its repassage as amended. The motion prevailed.

S. F. No. 1296 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 48 and nays 0, as follows:

Those who voted in the affirmative were:

Barrette	Hughes	Moe	Renneke	Stokowski
Benedict	Humphrey	Nelson	Rued	Strand
Bernhagen	Keefe, J.	Nichols	Schaaf	Stumpf
Brataas	Kirchner	Ogdahl	Schmitz	Ueland, A.
Coleman	Kleinbaum	Olhoft	Setzepfandt	Ulland, J.
Dunn	Knoll	Omann	Sieloff	Vega
Engler	Knutson	Penny	Sillers	Wegener
Frederick	Luther	Perpich	Solon	Willet
Gearty	Menning	Pillsbury	Spear	
Gunderson	Merriam	Purfeerst	Stern	

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 Senate File, AS AMENDED by the House, in which amendments the concurrence of the Senate is respectfully requested:

S. F. No. 1755: A bill for an act relating to towns; permitting compensation and providing for mileage of deputy clerks; amending Minnesota Statutes 1978, Section 367.05, Subdivision 2.

Senate File No. 1755 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives
Returned March 13, 1980

CONCURRENCE AND REPASSAGE

Mr. Wegener moved that the Senate concur in the amendments by the House to S. F. No. 1755 and that the bill be placed on its repassage as amended. The motion prevailed.

S. F. No. 1755 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 55 and nays 0, as follows:

Those who voted in the affirmative were:

Bang	Gearty	Luther	Pillsbury	Staples
Barrette	Gunderson	Menning	Purfeerst	Stern
Benedict	Hughes	Merriam	Renneke	Stokowski
Bernhagen	Humphrey	Moe	Rued	Strand
Brataas	Johnson	Nelson	Schaaf	Stumpf
Chmielewski	Keefe, J.	Nichols	Schmitz	Tennessen
Coleman	Kirchner	Ogdahl	Setzepfandt	Ueland, A.
Davies	Kleinbaum	Olhoff	Sieloff	Ulland, J.
Dunn	Knoll	Omann	Sillers	Vega
Engler	Knutson	Penny	Solon	Wegener
Frederick	Laufenburger	Perpich	Spear	Willet

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 that the House has acceded to the request of the Senate for the appointment of a Conference Committee, consisting of three members of the House, on the amendments adopted by the House to the following Senate File:

S. F. No. 1584: A bill for an act relating to transportation; providing for specific information signing for resorts and recreational camping areas along certain highways.

There has been appointed as such committee on the part of the House:

Ainley, Kroening and Battaglia.

Senate File No. 1584 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned March 13, 1980

Mr. President:

I have the honor to announce the passage by the House of the following House Files, herewith transmitted: H. F. Nos. 1795, 1798, 1823, 1844, 1846, 942, 1349, 1577, 1765, 1774, 1892, 1895, 1931, 1995, 2051, 2119, 2122, 2187 and 2222.

Edward A. Burdick, Chief Clerk, House of Representatives

Transmitted March 13, 1980

Mr. President:

I have the honor to announce the passage by the House of the following House Files, herewith transmitted: H. F. Nos. 1795, 1798, 1823, 1844, 1846, 942, 1349, 1577, 1765, 1774, 1892, 1895, 1931, 1995, 2051, 2119, 2122, 2187 and 2222.

Edward A. Burdick, Chief Clerk, House of Representatives

Transmitted March 13, 1980

Mr. President:

I have the honor to announce the passage by the House of the following House Files, herewith transmitted: H. F. Nos. 593, 1796, 1814, 2153, 2198, 2295, 2075, 2135, 2141, 2142, 1090, 1769, 1824, 2287, 2302, 1816, 2374, 1451, 1699, 1742 and 1779.

Edward A. Burdick, Chief Clerk, House of Representatives

Transmitted March 13, 1980

FIRST READING OF HOUSE BILLS

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

H. F. No. 1795: A bill for an act relating to historic sites; designating the Canadian National Depot in Warroad as an historic site; requiring notice to the Minnesota historical society when the state or a political subdivision of the state acquires certain property; amending Minnesota Statutes 1978, Section 138.59.

Referred to the Committee on General Legislation and Administrative Rules.

H. F. No. 1798: A bill for an act relating to courts; second judicial district; providing for the appointment of the juvenile court clerk; amending Laws 1951, Chapter 653, Section 1, as amended.

Referred to the Committee on Rules and Administration for comparison with S. F. No. 1836 now on the Consent Calendar.

H. F. No. 1823: A bill for an act relating to transportation; permitting informational notations on recorded maps and plats; simplifying correction of errors on them; amending Minnesota Statutes 1978, Section 160.085, Subdivision 1, and by adding a subdivision.

Referred to the Committee on Transportation.

H. F. No. 1844: A bill for an act relating to health; authorizing the commissioner of health to investigate complaints under certain circumstances; amending Minnesota Statutes 1978, Section 214.13, by adding subdivisions.

Referred to the Committee on Governmental Operations.

H. F. No. 1846: A bill for an act relating to highway traffic regulations; authorizing certain identification rights on motor

vehicles operated by certificated volunteer ambulance drivers; amending Minnesota Statutes 1978, Section 169.58, by adding a subdivision.

Referred to the Committee on Rules and Administration for comparison with S. F. No. 1914 now on General Orders.

H. F. No. 942: A bill for an act relating to pollution control; authorizing state use of up to two percent of federal construction grant funds to administer the federal water pollution control act; amending Minnesota Statutes 1978, Section 116.16, Subdivision 10.

Referred to the Committee on Rules and Administration for comparison with S. F. No. 2354.

H. F. No. 1349: A bill for an act relating to natural resources; authorizing the commissioner of natural resources to convey the interests of the state in certain lands in Kandiyohi county for the purpose of correcting conveyancing errors.

Referred to the Committee on Rules and Administration for comparison with S. F. No. 2307.

H. F. No. 1577: A bill for an act relating to real property; empowering the commissioner of banks to clear certain title defects involving a defunct state agency.

Referred to the Committee on Judiciary.

H. F. No. 1765: A bill for an act relating to financial institutions; excluding certain loans made by credit unions in calculating outstanding loans and risk assets for reserve fund purposes; amending Minnesota Statutes 1978, Section 52.17.

Referred to the Committee on Commerce.

H. F. No. 1774: A bill for an act relating to juries; authorizing the trial court in civil actions to seat a jury of 12 persons; amending Minnesota Statutes 1978, Section 593.01, by adding a subdivision.

Referred to the Committee on Judiciary.

H. F. No. 1892: A bill for an act relating to courts; providing that courts may acquire electronic data processing services through supreme court contracts; amending Minnesota Statutes 1978, Chapter 480, by adding a section.

Referred to the Committee on Rules and Administration for comparison with S. F. No. 2036 now on the Consent Calendar.

H. F. No. 1895: A bill for an act relating to human rights; further defining certain unfair discriminatory practices related to reprisals; defining the scope of a class for class action suits; increasing a penalty by increasing allowable punitive damages; amending Minnesota Statutes 1978, Sections 363.03, Subdivision

7; 363.071, Subdivision 2; and Minnesota Statutes, 1979 Supplement, Section 363.06, Subdivision 4.

Referred to the Committee on Judiciary.

H. F. No. 1931: A bill for an act relating to Ramsey County; simplifying the numbering of the county code; amending Laws 1974, Chapter 435, Articles I to IV, as amended.

Referred to the Committee on Rules and Administration for comparison with S. F. No. 2156 now on General Orders.

H. F. No. 1995: A bill for an act relating to health care; excluding coverage of certain services in the Comprehensive Health Insurance Plan; extending the pre-existing condition period; qualifying certain services covered by the Catastrophic Health Expense Protection program; repealing certain provisions; amending Minnesota Statutes 1978, Section 62E.12; 62E.14, Subdivision 3; 62E.53, by adding a subdivision; and Laws 1979, Chapter 272, Section 12.

Referred to the Committee on Commerce.

H. F. No. 2051: A bill for an act relating to elections; requiring certain employers to attempt to let employees make up time taken off for certain public meetings; amending Minnesota Statutes 1978, Section 210A.09, Subdivision 2.

Referred to the Committee on Rules and Administration for comparison with S. F. No. 2053 now on General Orders.

H. F. No. 2119: A bill for an act relating to the military; extending indefinitely the duration of the authority of the adjutant general to acquire lands for military training from funds available in the military land fund; repealing certain obsolete provisions relating to the military land fund; amending Minnesota Statutes 1978, Sections 190.25; 190.26, Subdivision 1; 190.29; 190.30, Subdivisions 1, 5 and 6; and repealing Minnesota Statutes 1978, Sections 190.26, Subdivisions 2 and 3; and 190.27.

Referred to the Committee on Rules and Administration for comparison with S. F. No. 1798 now on General Orders.

H. F. No. 2122: A bill for an act relating to insurance; increasing the maximum limits on the insuring or reinsuring of a single risk of certain companies; defining a term; amending Minnesota Statutes 1978, Section 60A.09, Subdivision 1, and by adding a subdivision.

Referred to the Committee on Commerce.

H. F. No. 2187: A bill for an act relating to state lands; authorizing conveyance of certain parcels of land in the city of Brooklyn Center.

Referred to the Committee on Rules and Administration for comparison with S. F. No. 2152 now in the Subcommittee on Bill Scheduling.

H. F. No. 2222: A bill for an act relating to insurance; authorizing business trusts to exchange reciprocal or interinsurance contracts; amending Minnesota Statutes 1978, Section 71A.01, Subdivision 1.

Referred to the Committee on Rules and Administration for comparison with S. F. No. 2234 now on General Orders.

H. F. No. 593: A bill for an act relating to wild animals; clarifying conditions under which raccoons may be taken at night; amending Minnesota Statutes 1978, Section 100.29, Subdivision 10.

Referred to the Committee on Rules and Administration for comparison with S. F. No. 773 now on the Calendar.

H. F. No. 1796: A bill for an act relating to occupations and professions; allowing the board of cosmetology to waive certain license requirements for manager-operators with licenses from other states; amending Minnesota Statutes 1978, Section 155.14.

Referred to the Committee on Commerce.

H. F. No. 1814: A bill for an act relating to agriculture; clarifying certain requirements for authorized farm corporations; amending Minnesota Statutes 1978, Section 500.24, Subdivision 2.

Referred to the Committee on Rules and Administration for comparison with S. F. No. 1990 now in the Subcommittee on Bill Scheduling.

H. F. No. 2153: A bill for an act relating to health; authorizing the commissioner of health to issue orders concerning well water quality; amending Minnesota Statutes 1978, Section 156A.05, by adding a subdivision.

Referred to the Committee on Health, Welfare and Corrections.

H. F. No. 2198: A bill for an act relating to juveniles; requiring notice to noncustodial parents of filing of petitions for dependency, delinquency, neglect, or neglected and in foster care; amending Minnesota Statutes 1978, Sections 260.135, Subdivision 2; and 260.251, Subdivision 1.

Referred to the Committee on Judiciary.

H. F. No. 2295: A resolution memorializing the President and Congress to take all actions necessary to effect changes in regulations of the Department of Health, Education, and Welfare so that physician visits to medically stable residents of certain health care facilities are required only quarterly or semi-annually.

Referred to the Committee on Rules and Administration.

H. F. No. 2075: A bill for an act relating to health; requiring certain immunizations for children; requiring certain schools to maintain immunization records and make certain reports; amending Minnesota Statutes 1978, Section 123.70.

Referred to the Committee on Health, Welfare and Corrections.

H. F. No. 2135: A bill for an act relating to public welfare; providing that certain relatives of children receiving aid to families with dependent children are not responsible for contributions; amending Minnesota Statutes 1978, Section 256.87, Subdivision 1.

Referred to the Committee on Rules and Administration for comparison with S. F. No. 2146 now on General Orders.

H. F. No. 2141: A bill for an act relating to crimes; requiring inclusion of information on presentence investigation reports deemed necessary by the sentencing guidelines commission; amending Minnesota Statutes, 1979 Supplement, Section 609.115, Subdivision 1.

Referred to the Committee on Judiciary.

H. F. No. 2142: A bill for an act relating to crimes; requiring sentencing courts to submit information as the sentencing guidelines commission requires which is reasonably related to monitoring application of sentence guidelines; amending Minnesota Statutes 1978, Section 244.09, Subdivision 6.

Referred to the Committee on Judiciary.

H. F. No. 1090: A bill for an act relating to education; authorizing the state boards for community colleges and for vocational education to contract for certain insurance coverage for students; amending Minnesota Statutes 1978, Section 136.62, by adding a subdivision; and 121.21, by adding a subdivision.

Referred to the Committee on Rules and Administration for comparison with S. F. No. 1207 now in the Subcommittee on Bill Scheduling.

H. F. No. 1769: A bill for an act relating to public welfare; providing access to criminal conviction data of certain applicants for licenses; amending Minnesota Statutes 1978, Section 245.783, Subdivision 3.

Referred to the Committee on Judiciary.

H. F. No. 1824: A bill for an act relating to driver's licenses; providing for the disposition of the county fee in Dakota County.

Referred to the Committee on Rules and Administration for comparison with S. F. No. 1763 now in the Subcommittee on Bill Scheduling.

H. F. No. 2287: A bill for an act relating to the city of Edina; authorizing a temporary short term on-sale liquor license for a certain civic or charitable festival.

Referred to the Committee on Rules and Administration for comparison with S. F. No. 2245 now on General Orders.

H. F. No. 2302: A bill for an act relating to financial institutions; requiring all checks and drafts drawn on certain accounts to

clearly display the month and year the account was opened.

Referred to the Committee on Commerce.

H. F. No. 1816: A bill for an act relating to local correctional facilities; updating provisions concerning county jails, city lock-ups and workhouses; clarifying provisions penalizing the possession and contraband in local correctional facilities; repealing provisions concerning correctional or work farms; providing for establishing and organizing court administrative structure; budgeting and operation of court services, probation, juvenile detention and correctional facilities by counties; amending Minnesota Statutes 1978, Sections 401.02, Subdivision 3; 641.01; 641.04; 641.06; 641.14; 641.15; 641.16; 641.165, Subdivision 2; 641.18; 641.21; 641.22; 642.02, Subdivision 2; 642.03; 642.07; 642.12; 643.01; 643.02; and 643.29; repealing Laws 1925, Chapter 12; Laws 1927, Chapter 142; Minnesota Statutes 1945, Sections 643.21; 643.22; 643.23; 643.24; 643.25; 643.26; 643.27; 643.28; and Minnesota Statutes 1978, Sections 641.17; 641.27; 641.28; 641.29; 641.30; 641.31; 641.32; 641.33; 641.34; 641.35; 641.36; 641.37; 641.38; 642.14; 643.03; 643.04; 643.05; 643.06; 643.07; 643.08; 643.09; 643.10; 643.11; 643.12; 643.13; 643.14; 643.15; 643.16; 643.17; 643.19; and 643.20.

Referred to the Committee on Health, Welfare and Corrections.

H. F. No. 2374: A bill for an act relating to the state ceremonial building; creating the state ceremonial building board; amending Minnesota Statutes 1978, Section 16.872.

Referred to the Committee on Governmental Operations.

H. F. No. 1451: A bill for an act relating to natural resources; authorizing additions to and deletions from certain state parks and authorizing land acquisition in relation thereto.

Referred to the Committee on Agriculture and Natural Resources.

H. F. No. 1699: A bill for an act relating to food; exempting certain donors of food from civil and criminal liability in certain circumstances.

Referred to the Committee on Judiciary.

H. F. No. 1742: A bill for an act relating to highway traffic regulations; authorizing pickup trucks used for certain purposes to draw two trailers under certain circumstances and within limited areas; amending Minnesota Statutes 1978, Section 169.81, by adding a subdivision.

Referred to the Committee on Transportation.

H. F. No. 1779: A bill for an act relating to judicial procedures; changing the procedures and circumstances under which guardians and conservators may be appointed; clarifying the powers and duties of guardians and conservators; providing for

the appointment, powers, and duties of guardians and conservators of minors; amending Minnesota Statutes 1978, Sections 525.54; 525.541; 525.542; 525.543; 525.544; 525.55; 525.56; 525.57; 525.58; 525.581; 525.583; 525.59; 525.591; 525.60, Subdivision 1; 525.62; 525.63; 525.67; 525.69; 525.83; and Chapter 525, by adding sections; and Minnesota Statutes, 1979 Supplement, Sections 525.551; and 525.61; repealing Minnesota Statutes 1978, Sections 525.60, Subdivision 2; 525.611; 525.612; 525.613; 525.614; and 525.621.

Referred to the Committee on Judiciary.

REPORTS OF COMMITTEES

Mr. Coleman moved that the Committee Reports at the Desk be now adopted, with the exception of the report on S. F. No. 2003, and reports pertaining to appointments. The motion prevailed.

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

S. F. No. 2348: A bill for an act relating to family; providing that natural parents may obtain a copy of an adopted child's original birth certificate; allowing parents ten days to revoke consent to adoption; providing a pre-adoption residency of three months; amending Minnesota Statutes 1978, Sections 144.218, Subdivision 1; 144.225, Subdivision 2; 259.24, Subdivision 5, and by adding a subdivision; 259.25, Subdivision 1, and by adding a subdivision; and 259.27, Subdivision 4; repealing Minnesota Statutes, 1979 Supplement, Sections 259.24, Subdivision 6; and 259.25, Subdivision 2.

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

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

S. F. No. 2003: A bill for an act relating to public welfare; clarifying duties of the commissioner of public welfare regarding approval of public and private mental health centers and clinics for certain purposes; mandating additional rulemaking; amending Minnesota Statutes, 1979 Supplement, Section 245.69.

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

Page 2, line 9, strike "such" and after "rules" strike "and"

Page 2, line 10, strike "regulations as"

Page 2, delete lines 21 to 33 and insert:

"Subd. 2. [APPROVAL OF CENTERS AND CLINICS.] The commissioner shall approve or disapprove public and private mental health centers and public and private mental health clinics as providers for group insurance policies and group subscriber contracts for purposes of section 62A.152, subdivision 2. The com-

missioner shall promulgate both temporary and permanent rules in accordance with sections 15.0411 to 15.052 to implement the provisions of this subdivision. The rules shall require each applicant to pay a fee to cover costs of processing applications and determining compliance with this subdivision. An approval is valid for two years and may be renewed. Each mental health clinic approved pursuant to this subdivision shall devote at least two-thirds of its resources to outpatient mental health diagnosis, treatment and consultation.

(a) Each approved mental health center and each approved mental health clinic shall have a multidisciplinary team of professional staff persons including as a minimum:"

Page 3, delete line 1

Page 3, line 2, delete everything before "a" and insert "(1)"

Page 3, line 4, delete the semicolon

Page 3, line 4, delete "doctoral" in both cases

Page 3, line 5, delete "doctoral"

Page 3, line 5, after "psychologist" insert "with doctorate"

Page 3, line 6, delete "one" and insert "two"

Page 3, line 8, delete "(i)" and insert "(A)"

Page 3, line 9, delete the second "or"

Page 3, line 10, delete "(ii)" and insert "(B)"

Page 3, line 17, delete "(iii)" and insert "(C)"

Page 3, delete lines 21 to 23 and insert:

"(2) A mental health center or mental health clinic may provide the staffing required by clause (a)(1) by means of written contracts with professional persons or with other health care providers."

Pages 3 and 4, delete subdivisions 4, 5 and 6, and insert:

"(b) Each approved mental health clinic and each approved mental health center shall establish a written treatment plan for each outpatient for whom services are reimbursable through insurance or public assistance. The treatment plan shall be developed by the physician or psychologist described in clause (a)(1) and shall include a patient history, treatment goals, a statement of diagnosis and a treatment strategy. The clinic or center shall provide for access to hospital admission as a bed patient as needed by any outpatient. The clinic or center shall ensure ongoing consultation among and availability of all members of the multidisciplinary team.

(c) As part of the required consultation, members of the multidisciplinary team shall meet at least twice monthly to conduct case reviews, peer consultations, treatment plan development and in-depth case discussions. Written minutes of these meetings shall be kept at the clinic or center for three years. At least three team

members of differing professional qualifications, as defined in clause (a), shall be present at each meeting including one psychiatrist and two of the following: a psychologist with a doctorate, a masters level social worker, a masters level clinical psychiatric nurse or a masters level psychologist.

(d) Each approved center or clinic shall establish mechanisms for quality assurance and submit documentation concerning the mechanisms to the commissioner as required by rule, including:

- (1) Continuing education of each professional staff person;
- (2) An ongoing internal utilization and peer review plan and procedures;
- (3) Mechanisms of staff supervision; and
- (4) Procedures for review by the commissioner or his delegate.

(e) The commissioner shall disapprove an applicant, or withdraw approval of a clinic or center, which the commissioner finds does not comply with the requirements of this subdivision. The commissioner shall establish procedures for determining compliance or noncompliance with this subdivision, and shall delegate all but final approval and disapproval authority to another state agency, an individual, corporation or association. The commissioner shall authorize a transfer of money collected as fee payments from applicants to the delegate. A clinic or center which is disapproved or whose approval is withdrawn is entitled to a contested case hearing and judicial review pursuant to sections 15.0411 to 15.052.

(f) Data on individuals collected by approved clinics and centers, including written minutes of team meetings, is private data on individuals within the welfare system as provided in sections 15.1611 to 15.1698.

(g) Each center or clinic that is approved and in compliance with the commissioner's existing rule on the effective date of this section is approved for purposes of section 62A.152, subdivision 2, until rules are promulgated to implement section 1."

Page 4, line 10, delete "This act" and insert "Section 1"

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

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

S. F. No. 2308: A bill for an act relating to natural resources: authorizing the commissioner of natural resources to enter into agreements with the Minnesota Chippewa Tribe and Bands thereof in regard to licenses and fees for hunting, fishing, trapping, and taking of minnows and other bait on Indian reservations by non-

Indians; amending Minnesota Statutes 1978, Sections 97.431, Subdivision 4; and 97.432; and Chapter 97, by adding a section.

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

Page 2, line 13, reinstate the stricken language

Page 2, lines 13 and 14, delete the new language and insert "*and White Earth Band*"

Page 2, line 16, reinstate the stricken language

Page 2, line 16, delete the new language and insert "*and White Earth Band*"

Page 3, line 9, reinstate the stricken language

Page 3, line 10, delete the new language and insert "*and White Earth Band*"

Page 3, delete lines 17 to 33 and insert:

"[97.433] [AGREEMENTS WITH THE LEECH LAKE AND WHITE EARTH BANDS OF CHIPPEWA INDIANS RELATING TO HUNTING AND FISHING LICENSES AND FEES.] Subdivision 1. [AGREEMENT WITH THE WHITE EARTH BAND OF CHIPPEWA INDIANS.] *The commissioner may enter into an agreement with authorized representatives of the White Earth Band of Chippewa Indians on substantially the same terms as the agreement adopted by section 97.431 and amended pursuant to section 97.432; except that in lieu of the system described in section 97.431, subdivision 4, clause (b), of special licenses and related license fees for persons who are not members of the Minnesota Chippewa tribe, for the privilege of hunting, fishing, trapping, or taking minnows and other bait within the reservation, the agreement shall provide that up to two and one-half percent of the proceeds from the sale of all licenses sold in the state of Minnesota for hunting, fishing, trapping, or taking of minnows or other bait shall be credited to the special license account established by section 97.431, and shall be remitted to the White Earth Band in the manner and subject to the terms and conditions which may be mutually agreed upon. Any agreement negotiated pursuant to this subdivision shall be for a term of at least four years following the date of its execution.*

Subd. 2. [AMENDMENT TO THE LEECH LAKE SETTLEMENT AGREEMENT.] *The commissioner may enter into an agreement with authorized representatives of the Leech Lake Band of Chippewa Indians to amend the settlement agreement adopted by section 97.431 and previously amended pursuant to section 97.432 by providing that in lieu of the system of special licenses and license fees for persons who are not members of the Minnesota Chippewa tribe for the privilege of hunting, fishing, trapping, or taking minnows and other bait within the reservation, five percent of the proceeds from the sale of all licenses sold in the state of Minnesota for hunting, fishing, trapping, or taking minnows and other bait shall be credited to the special license account es-*

tablished by section 97.431 and shall be remitted to the Leech Lake Band in the manner and subject to the terms and conditions which may be mutually agreed upon."

Page 4, delete lines 1 to 6

Amend the title as follows:

Page 1, line 4, after "the" insert "Leech Lake and White Earth Bands of"

Page 1, line 4, delete "and"

Page 1, line 5, delete "Bands thereof"

Page 1, line 7, after "on" insert "the Leech Lake and White Earth"

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

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

S. F. No. 2021: A bill for an act relating to agriculture; establishing a program of loan guarantees for development of grain alcohol fuel facilities; appropriating money.

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

Delete everything after the enacting clause and insert:

"Section 1. To aid in further developing the state's agricultural resources by supporting the production of fuel from agricultural products, there is established an agricultural fuel development program to be administered by the commissioner of agriculture and the agricultural fuel development advisory council.

Sec. 2. [DEFINITIONS.] As used in this act, unless the context requires otherwise:

(1) "Agricultural fuel development project" or "project" means any process using agricultural products including forest products for the creation of energy including converting agricultural products into energy or growing agricultural products.

(2) "Commissioner" means the commissioner of agriculture.

(3) "Council" means the agricultural fuel development advisory council.

(4) "Loan fund" means the loan fund created by section 8.

(5) "Loan guarantee" means the guarantee of loans as provided by sections 4 to 7.

(6) "Lender" means any individual or association or group of associations organized generally or specifically to extend credit and loan services approved by the commissioner to make loans to agricultural fuel development projects.

(7) "Unit of government" means any city, county, regional development commission, industrial development district and municipally owned or chartered public utility within the state of Minnesota.

(8) "Small business" means a sole proprietorship, partnership, cooperative or corporation domiciled in Minnesota, which either employs less than 100 persons or is at least 90 percent beneficially owned by individual citizens of the state. Small business does not include subsidiary businesses of any kind.

(9) "Real estate security" means an interest in real estate conveyed or assigned to the state to secure any loan or loan guarantee provided by this act.

Sec. 3. [AGRICULTURAL FUEL DEVELOPMENT ADVISORY COUNCIL.] The governor shall appoint an agricultural fuel development advisory council of five members knowledgeable in the area of agricultural fuel technology, natural resource development, environmental protection, finance, agriculture, local government operations or public utility operations, to review rules and make recommendations to the commissioner. At least three members shall reside outside of the metropolitan area as defined in section 473.121, subdivision 2.

The council shall elect its own presiding officer, and meet at the call of the presiding officer or the majority of the members. The commissioner shall provide administrative facilities and services for the commission.

Sec. 4. [PROCEDURES; RULES.] By October 1, 1980, the commissioner shall establish by rule, standards and criteria for projects to be eligible for loans or loan guarantees including but not limited to economic feasibility of projects and procedures in the processing of applications. Loans and guarantees shall be provided only to the extent the applicant cannot otherwise obtain funds. Any individual, small business or unit of government may apply to the commissioner on forms provided by the commissioner for a loan or loan guarantee for an agricultural fuel development project. The commissioner shall preliminarily review all applications for compliance with the standards and criteria established pursuant to this section and make recommendations to the commission as to the form and amount of any assistance to be granted. The council may request that additional written and oral presentation be given to the council on any application. The council shall review the application and the commissioner's recommendations and shall advise the commissioner whether the proposed agricultural fuel development project meets the criteria established by the commissioner, whether the project should be financed with moneys from the loan fund or whether a loan guarantee be provided and in what amount a loan or loan guarantee shall be made if approved. The recommendation shall include loans and loan guarantee separately or in combination and may provide for financing up to 100 percent of capital requirements, including working capital, of the applicant for the project.

Sec. 5. [COMMISSIONER'S DECISION.] After consideration of the recommendation of the council, the commissioner may approve or reject the financing of a project and certify the amount of the loan or loan guarantee. The commissioner shall notify the applicant and the presiding officer of the council of his action and the reasons for that action.

Notwithstanding any law to the contrary, a decision by the commissioner on an application for loan funds is not subject to judicial review.

Sec. 6. [PROCEDURE AND PROVISIONS OF LOAN OR LOAN GUARANTEE; SECURITY.] If the commissioner approves the financing of a project, the commissioner and the applicant shall enter into a loan or loan guarantee contract secured by a lien or liens on real estate owned by the applicant or members of the applicant and upon any income from the project which shall set forth the conditions of the loan and loan guarantee and its repayment terms. The period of any loan or loan guarantee shall not exceed 30 years.

The existence or foreclosure of a lien, mortgage or other form of security created by this section shall not cause the acceleration of payments on affected real property.

When a loan or loan guarantee is secured by a lien on real property the commissioner shall file notice of the loan or guarantee and notice of satisfaction of loans and guarantees with the recorder of the county in which the affected real property lies.

The commissioner shall institute appropriate proceedings to foreclose liens for delinquent loan payments and shall pay the proceeds of any foreclosure, less his expenses incurred in foreclosing, into the sinking fund, or the commissioner may seek other appropriate legal remedies.

Sec. 7. [ENFORCEMENT AND PROHIBITION.] No small business, for at least 10 years following the receipt of any loan or loan guarantee under this act, shall exceed the limitations contained in the definition of small business in section 2.

The commissioner shall enforce the prohibition of this section by certifying any violation to the attorney general of the state of Minnesota who shall then seek judicial relief, compelling conformity with the limitations contained in section 2.

Sec. 8. [AGRICULTURAL FUEL DEVELOPMENT LOAN FUND.] Subdivision 1. [CREATION; RECEIPTS.] The commissioner of finance shall maintain a Minnesota agricultural fuel development loan fund. The fund shall receive the proceeds of state bonds appropriated to the fund and disburse money for the purposes set forth below. The commissioner of finance and state treasurer shall deposit in the fund as received (a) all proceeds of Minnesota state agricultural fuel development bonds, except accrued interest and premiums received upon the sale of the bonds; (b) all other money appropriated to the fund by law; and (c) all money granted to the state for agricultural fuel development

project purposes by the federal government or any agency thereof. All the receipts are annually appropriated for the purposes of the fund, and shall remain available until expended.

Subd. 2. [DISBURSEMENTS.] Disbursements from the fund shall be made for loans and loan guarantees at the times and in the amounts authorized by the commissioner of agriculture in accordance with applicable laws and the commissioner's rules.

Sec. 9. [MINNESOTA AGRICULTURAL FUEL DEVELOPMENT BONDS.] Subdivision 1. [AUTHORITY TO ISSUE BONDS.] The commissioner of finance shall sell bonds of the state of Minnesota for the prompt and full payment of which, together with interest, the full faith, credit, and taxing powers of the state are irrevocably pledged. Bonds shall be sold only upon request of the commissioner and in the amount as may otherwise be authorized by this or a subsequently enacted law which authorizes the sale of additional bonds and the deposit of the proceeds in the agricultural fuel development fund. Any authorized amount of bonds in this law or any subsequently enacted law authorizing the issuance of bonds for the purposes of the agricultural fuel development fund, together with this section, constitute complete authority for the issue. The bonds shall not be subject to restrictions or limitations contained in any other law.

Subd. 2. [ISSUANCE OF BONDS.] Upon request by the commissioner and upon authorization as provided in subdivision 1, the commissioner of finance shall sell agricultural fuel development bonds. The bonds shall be in the aggregate amount requested, and sold upon sealed bids upon the notice, at the price, in the form and denominations, bearing interest at the rate or rates, maturing in the amounts and on the dates (without option of prepayment or subject to prepayment upon the notice and at the times and prices), payable at the bank or banks within or outside the state (with provisions for registration, conversion, and exchange and for the issuance of notes in anticipation of the sale or delivery of definitive bonds), and in accordance with any further provisions as the commissioner of finance shall determine. The sale is subject to the approval of the attorney general, but not subject to the provisions of Minnesota Statutes, Sections 15.0411 to 15.0422. The bonds shall be executed by the commissioner of finance and attested by the state treasurer under their official seals. The signatures of the officers on the bonds and any interest coupons and their seals may be printed, lithographed, engraved, or stamped thereon, except that each bond shall be authenticated by the manual signature on its face of one of the officers or of an officer of a bank designated by them as authenticating agent. The commissioner of finance shall ascertain and certify to the purchasers of the bonds the performance and existence of all acts, conditions, and things necessary to make them valid and binding general obligations of the state of Minnesota, subject to the approval of the attorney general.

Subd. 3. [EXPENSES.] All expenses incidental to the sale, printing, execution, and delivery of bonds pursuant to this section, including but not limited to actual and necessary travel and sub-

sistence expenses of state officers and employees for these purposes, and any expenses of litigation relating to the validity of the bonds, shall be paid from the agricultural fuel development fund, and the amounts necessary are appropriated from that fund.

Sec. 10. [BOND AUTHORIZATION AND APPROPRIATION OF PROCEEDS.] The commissioner of finance is authorized, upon request of the board, to sell agricultural fuel development bonds in the amount of up to \$300,000,000 in the manner and upon the conditions prescribed above and in the Minnesota Constitution, Article XI, Sections 4 to 7. The proceeds of the bonds, except as provided elsewhere, are appropriated to the agricultural fuel development fund. The commissioner may make loans and loan guarantees in an amount not to exceed five times the total amount of funds available in the agricultural fuel development fund and sinking fund.

Sec. 11. [SINKING FUND.] There is created the agricultural fuel development sinking fund, to provide for payment of:

(a) Administrative expenses of the department, the commissioner and the commission in processing applications and investigating proposed projects; and

(b) Principal and interest of all bonds issued pursuant to this act.

The fund shall consist of:

(a) Repayment of and interest on loans made from the loan fund;

(b) Appropriations by the legislature;

(c) Accrued interest and premiums received upon the sale of bonds pursuant to section 8; and

(d) Interest earned on cash balances invested by the state treasurer.

The commissioner shall submit to the legislature and the governor a biannual report of the transactions of the loan fund and the sinking fund in such detail as will accurately indicate the condition of the funds.

Sec. 12. [APPROPRIATIONS.] The sum of \$. is appropriated from the general fund to the sinking fund and \$. to the agricultural fuel development fund to be available until June 30, 1981.

Sec. 13. [EFFECTIVE DATE.] Sections 1 to 12 are effective the day following final enactment."

Delete the title and insert:

"A bill for an act relating to agriculture; establishing a program of loans and loan guarantees for development of fuel from agricultural resources; authorizing the issuance of bonds; appropriating money."

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

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

S. F. No. 2062: A bill for an act relating to financial institutions; establishing a maximum lawful rate of interest chargeable on loans made by credit unions; amending Minnesota Statutes 1978, Section 52.14.

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

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 1978, Section 48.153, is amended to read:

48.153 [INSTALLMENT LOANS; FINANCE CHARGES; MINIMUM CHARGES.] *Subdivision 1. A bank organized under the laws of this state, or a national banking association doing business in this state making a loan of money not exceeding \$35,000 repayable in installments, may charge upon the unpaid principal balance of the financed amount a rate of interest not in excess of 12 percent a year. A loan made prior to July 31, 1983, at a greater rate than permitted by this subdivision may continue to bear the greater rate of interest if that greater rate was lawful when the loan was made and such a rate is not usurious.*

Subd. 1a. (a) Any Notwithstanding subdivision 1, a bank organized under the laws of this state, or any a national banking association doing business in this state, making any a loan of money not exceeding \$25,000 \$35,000 repayable in installments, may make a finance charge for such loan to be computed at a rate which does not exceed 12 percent per annum charge, at the time the loan is made, a rate of interest upon the unpaid principal balance of the amount financed of 12 percent a year, or the rate of interest authorized by section 334.011, whichever is greater. If the rate of interest charged is permitted by section 334.011 at the time the loan is made, the rate does not later become usurious because of a fluctuation in the federal discount rate.

(b) This subdivision supersedes subdivision 1 from its effective date until July 31, 1983.

Subd. 2. Installment payments on loans made pursuant to this section by a bank or national banking association shall not extend beyond a period of 12 years and 32 days from the date of the loan. The loan may be secured by a mortgage, pledge, or other collateral.

Subd. 3. A savings bank organized pursuant to chapter 50, that has its principal place of business in this state, may make a loan for consumer purposes to a natural person in an amount not exceeding \$25,000 repayable in installments, and may charge upon the unpaid principal balance of the financed amount a rate of

interest not in excess of 12 percent a year. A loan made prior to July 31, 1983, at a greater rate than permitted by this subdivision may continue to bear the greater rate of interest if that greater rate was lawful when the loan was made and such a rate is not usurious.

Subd. 3a. (a) Any Notwithstanding subdivision 3, a savings bank organized pursuant to chapter 50, and having that has its principal place of business in this state, may make a loan for consumer purposes to any a natural person in an amount not exceeding \$7,500 \$25,000 repayable in installments, and may make a finance charge for the loan to be computed at a rate not exceeding 12 percent per annum on charge a rate of interest upon the unpaid principal balance of the amount financed of 12 percent a year, or the rate of interest authorized by section 334.011, whichever is greater. If the rate of interest charged is permitted by section 334.011 at the time the loan is made, the rate does not later become usurious because of a fluctuation in the federal discount rate.

(b) This subdivision supersedes subdivision 3 from its effective date until July 31, 1983.

Subd. 4. Installment payments on loans made pursuant to this section by a savings bank shall not extend beyond a period of five years and 32 days from the date of the loan. The loan may be secured by a mortgage, pledge or other collateral.

Subd. 5. Charges in reference to installment loans under this section shall be computed and collected only on the unpaid principal balance of the amount financed actually outstanding. One day's finance charge shall mean means an amount equal to 1/365 of the per annum rate provided for in an installment loan. If the total finance charge determined on an installment loan, single payment or demand loan shall be less than \$10 the amount charged may nevertheless be \$10. No loan shall be made pursuant to this section if over 50 percent of the proceeds of the loan are used to finance the purchase of a borrower's primary residence other than a mobile home.

Sec. 2. Minnesota Statutes 1978, Section 51A.21, is amended by adding a subdivision to read:

Subd. 19. [OPEN END LOAN ACCOUNT ARRANGEMENTS.] A savings association or savings and loan association subject to the provisions of sections 51A.01 to 51A.57, and a savings and loan association chartered under the laws of the United States, and a wholly owned subsidiary of such a financial institution, may extend credit through an open end loan account arrangement with a debtor, pursuant to which the debtor may obtain loans from time to time by cash advances, purchases or satisfaction of the obligations of the debtor incurred pursuant to a credit card or other open end loan account plan, or otherwise under a credit card or overdraft plan, pursuant and subject to the provisions of section 48.185, subdivisions 3, 4, 4a, 5, 6 and 7, that are applicable to banks, national banking associations, and savings banks. The extension of credit pursuant to this subdivision may be

unsecured or may be secured in whole or in part by an assignment or pledge of a savings account or savings certificate.

Sec. 3. Minnesota Statutes 1978, Section 52.14, is amended to read:

52.14 [INTEREST ON LOANS.] *Subdivision 1. Interest rates on unpaid balances of loans made by a credit union shall not exceed one per cent a month on unpaid balances. A loan made prior to July 31, 1983, at a greater rate of interest than is permitted by this subdivision may continue to bear the greater rate of interest if the greater rate was lawful when the loan was made and such rate is not usurious.*

Subd. 2. (a) Notwithstanding subdivision 1, interest rates on unpaid balances of loans made by a credit union shall not exceed one percent a month or the rate of interest authorized in section 334.011, whichever is greater at the time the loan is made. If the rate of interest charged is permitted by section 334.011 at the time the loan is made, the rate does not later become usurious because of a fluctuation in the federal discount rate.

(b) This subdivision supersedes subdivision 1 from its effective date until July 31, 1983.

Sec. 4. *This act is effective the day following final enactment. Section 1, subdivisions 1a and 3a, and section 3, subdivision 2, are repealed on July 31, 1983."*

Delete the title and insert:

"A bill for an act relating to financial institutions; providing for interest rates on certain installment loans and open end loan account arrangements; granting certain lending powers to savings associations and savings and loan associations; amending Minnesota Statutes 1978, Sections 48.153; 51A.21, by adding a subdivision; and 52.14."

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

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

S. F. No. 1085: A bill for an act relating to courts; venue; authorizing actions against public officers to be retained in a county other than where the public officer resides; amending Minnesota Statutes 1978, Section 542.03.

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 542.03, is amended to read:

542.03 [OFFICIAL MISCONDUCT, WHERE CAUSE AROSE.] *Subdivision 1. Except as provided in subdivision 2, actions against a public officer, or person specially appointed to*

execute his duties, for acts done by virtue of ~~such~~ his office, and against any person for like cause who has acted in place or in aid of ~~such the~~ officer, and actions to recover penalties or forfeitures imposed by statute, shall be tried in the county in which the cause of action arose. If the act for which the penalty or forfeiture is imposed ~~be~~ is committed upon a lake or stream extending into, or bordering upon, more than one county, ~~such the~~ action may be tried in any of these counties.

Subd. 2. The trial of any action against a state official for acts affecting the use of land or waters of the state may, in the discretion of the court, be tried in the county where the land or water is located, whether or not the state official resides in that county, on motion made to the court in that county by any party to the action if the court finds (1) that trial of the action in that county is in the interests of justice, (2) that no party to the action will be prejudiced thereby and (3) that the trial of the action will be expedited. The motion may be submitted on pleadings mailed to the court without the necessity of personal appearance.

Sec. 2. Minnesota Statutes 1978, Section 542.18, is amended to read:

542.18 [STATE AS PARTY TO CIVIL ACTION; REMOVAL FROM RAMSEY COUNTY.] Notwithstanding any provision of law to the contrary, the trial of any civil action in the county of Ramsey to which the state or any officer, department or agency thereof is a party may, in the discretion of the court, be removed to any other county in which one of the parties resides on motion made to the court as in civil actions by any of the parties to the action, if the court finds ~~that such removal is~~ (1) *that removal is* in the interests of justice, (2) that no party to the action will be prejudiced thereby and (3) that the trial of the action will be expedited thereby. *The motion may be submitted on pleadings mailed to the court without the necessity of personal appearance.*

Sec. 3. *This act is effective the day after final enactment."*

Amend the title as follows:

Page 1, line 2, delete "venue;"

Page 1, line 2, after "authorizing" insert "certain"

Page 1, line 3, delete "public" and insert "state"

Page 1, line 3, delete "retained" and insert "tried"

Page 1, line 4, delete "public officer resides" and insert "cause of action arose"

Page 1, line 4, after the semicolon, insert "providing for procedure for removal;"

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

Page 1, line 5, after "542.03" insert "; and 542.18"

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

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

S. F. No. 2197: A bill for an act relating to education; modifying and providing certain procedures for the termination, discharge and demotion of certain teachers; amending Minnesota Statutes 1978, Section 125.12, Subdivisions 3, 4, 8, 9, 10, 11, and by adding a subdivision; and 125.17, Subdivisions 2, 5, and 10; repealing Minnesota Statutes 1978, Section 125.17, Subdivisions 6, 7, 8 and 9.

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 125.12, Subdivision 2, is amended to read:

Subd. 2. [HIRING, DISMISSING.] School boards shall hire or dismiss teachers at duly called meetings. Where a husband and wife, brother and sister, or two brothers or sisters, constitute a quorum, no contract employing a teacher shall be made or authorized except upon the unanimous vote of the full board. No teacher related by blood or marriage, within the fourth degree, computed by the civil law, to a board member shall be employed except by a unanimous vote of the full board. *The initial employment of the teacher in the district shall be by written contract, signed by the teacher and by the chairman and clerk. All subsequent employment of the teacher in the district shall be by written contract, signed by the teacher and by the chairman and clerk, except where there is a master agreement covering the employment of the teacher.* Contracts for teaching or supervision of teaching can be made only with qualified teachers. *Such contract shall specify the wages per year and the general assignment of the teacher. A teacher shall have 10 days after receipt to consider, demand corrections, execute and return such contract, but this period shall not be construed to be an extension of the final resignation date in subdivision 4.* No teacher shall be required to reside within the employing school district as a condition to teaching employment or continued teaching employment.

Sec. 2. Minnesota Statutes 1978, Section 125.12, Subdivision 3, is amended to read:

Subd. 3. [PROBATIONARY PERIOD.] The first and second consecutive years of a teacher's first teaching experience in Minnesota in a single school district shall be deemed to be a probationary period of employment, and after completion thereof, the probationary period in each school district in which ~~he~~ *the teacher* is thereafter employed shall be one year. A teacher who has complied with the then applicable probationary requirements in a school district prior to July 1, 1967, shall not be required to serve a new probationary period in the said district subsequent thereto. During the probationary period any annual contract with any teacher may or may not be renewed as the school board ~~shall see~~ *sees* fit; provided, however, that the school board shall give any

such teacher whose contract it declines to renew for the following school year written notice to that effect before June 1. If the teacher requests reasons for any nonrenewal of a teaching contract *within 20 days of receipt by the teacher of the notice of nonrenewal*, the school board shall give the teacher its reason in writing, *including within ten days after receiving the request. The reasons for nonrenewal shall include a statement that appropriate supervision was furnished describing, and it shall describe the nature and the extent of such the supervision furnished the teacher during his the teacher's employment by the board, within ten days after receiving such request.* The school board may, *after a hearing held upon due notice, discharge or suspend a probationary teacher during the probationary period school year for cause, effective immediately, under section 123.14, subdivision 4, or section 123.35, subdivision 5 only in accordance with subdivision 8 and section 5.*

Sec. 3. Minnesota Statutes 1978, Section 125.12, Subdivision 4, is amended to read:

Subd. 4. [TERMINATION OF CONTRACT AFTER PROBATIONARY PERIOD.] A teacher who has completed *his the* probationary period in any school district, and who has not been discharged or advised of a refusal to renew *his the teacher's* contract pursuant to subdivision 3, shall have a continuing contract with *such the* district. Thereafter, the teacher's contract shall remain in full force and effect, except as modified by mutual consent of the board and the teacher, until terminated by a majority roll call vote of the full membership of the board prior to April 15 upon one of the grounds specified in subdivision 6 or *placed on unrequested leave of absence* prior to June 1 upon one of the grounds specified in *subdivisions subdivision* 6a or 6b, or until the teacher is discharged pursuant to subdivision 8, or by the written resignation of the teacher submitted prior to April 15: provided, however, that if an agreement as to the terms and conditions of employment for the succeeding school year has not been adopted pursuant to the provisions of sections 179.61 to ~~179.77~~ 179.76 prior to March 1, the teacher's right of resignation shall be extended to the 30th calendar day following the adoption of ~~said~~ the contract in compliance with section 179.70, subdivision 2. ~~Such~~ A written resignation by the teacher shall be effective as of June 30 if submitted prior to that date, and the ~~teachers' teacher's~~ right of resignation for the school year then beginning shall cease on July 15. Before a teacher's contract is terminated by the board *or the teacher is placed on unrequested leave of absence*, the board shall notify the teacher in writing and state its ground for the proposed termination *or placement on unrequested leave* in reasonable detail together with a statement that the teacher may make a written request for a hearing before the board within 14 *ten* days after receipt of *such the* notification. Within 14 *ten* days after receipt of this notification the teacher may make a written request for a hearing before the board, and it shall be granted before final action is taken. If no hearing is requested within *such that* period, it shall be deemed acquiescence by the

teacher to the board's action. ~~Such~~ A hearing requested pursuant to this subdivision shall take place in accordance with the provisions of section 5 if the board proposes to terminate the teacher's contract on any of the grounds specified in subdivision 6 or to discharge or suspend the teacher on any of the grounds specified in subdivision 8. The hearing shall take place in accordance with subdivision 9 if the board proposes to place the teacher on unrequested leave of absence on a ground specified in subdivision 6a or 6b. Termination or placement on unrequested leave of absence shall take effect at the close of the school year in which the contract is terminated in the manner aforesaid or the teacher is placed on unrequested leave. Such A contract may be terminated at any time by mutual consent of the board and the teacher and this section shall not affect the powers of a board to suspend, discharge, or demote a teacher under and pursuant to other provisions of law.

Sec. 4. Minnesota Statutes 1978, Section 125.12, Subdivision 8, is amended to read:

Subd. 8. [IMMEDIATE DISCHARGE.] A school board may discharge or suspend without pay for a limited period of time a probationary or continuing-contract teacher, effective immediately, upon any of the following grounds:

- (a) Immoral conduct, insubordination, or conviction of a felony;
- (b) Conduct unbecoming a teacher which requires the immediate removal of the teacher from his classroom or other duties;
- (c) Failure without justifiable cause to teach without first securing the written release of the school board;
- (d) Gross inefficiency which the teacher has failed to correct after reasonable written notice;
- (e) Willful neglect of duty; or
- (f) Continuing physical or mental disability subsequent to a twelve months leave of absence and inability to qualify for reinstatement in accordance with subdivision 7.

Prior to discharging or suspending a teacher the board shall notify the teacher in writing and state its ground for the proposed discharge or suspension in reasonable detail. Within ten days after receipt of this notification the teacher may make a written request for a hearing before the board, and it shall be granted before final action is taken. In an action for discharge the board may, however, suspend a teacher with without pay pending the conclusion of such hearing and determination of the issues raised therein after charges have been filed which constitute ground for discharge. A suspension without pay may continue pending the conclusion of the hearing for discharge and the final decision of the board pursuant to section 5, clause (5). If the final decision is favorable to the teacher, there shall be no abatement of pay and interest shall be paid to the teacher on the amount of pay withheld at a rate of interest equal to two percent in excess of the discount rate on 90 day commercial paper in effect at the federal reserve

bank in the federal reserve district encompassing Minnesota, calculated from the date of suspension to the date of payment.

Sec. 5. Minnesota Statutes 1978, Section 125.12, is amended by adding a subdivision to read:

Subd. 8a. [HEARING PROCEDURES; TERMINATIONS AND DISCHARGES FOR CAUSES OTHER THAN THOSE IN SUBDIVISIONS 6A AND 6B.] *(1) This subdivision shall govern hearings which are requested pursuant to subdivision 4 because a board proposes to terminate a continuing contract teacher's contract on any of the grounds specified in subdivision 6 or to discharge or suspend a continuing contract or probationary teacher on any of the grounds specified in subdivision 8.*

(2) A request for a hearing pursuant to this subdivision shall be in writing, and it shall be served personally on a member of the school board.

(3) Upon receipt of a request for a hearing, the school board shall assign an independent hearing officer who shall schedule and conduct the hearing within 14 days of receipt of service of the teacher's request by the school board. The hearing officer shall not be a school board member or an employee of the school district, or any person with a personal or professional interest which would conflict with his objectivity at the hearing. A person who serves as a hearing officer is not an employee of the district solely because he is paid by the district to serve as a hearing officer. The hearing officer shall inform the teacher and the school board of the date, time and place of the hearing. The hearing shall be private or public at the discretion of the teacher. Unless the parties agree otherwise, the hearing shall be conducted in the county in which the principal office of the school board is located.

(4) The hearing officer shall preside over the hearing and shall have authority to administer oaths to witnesses. The board and the teacher may each be represented by counsel at its or the teacher's own expense. Counsel may examine and cross-examine witnesses and present arguments. The board shall first present evidence. Each party may present rebuttal evidence. All witnesses shall be sworn upon oath by the hearing officer. Upon the written request of either the board or the teacher, the clerk of the board shall issue subpoenas for witnesses or the production of records pertinent to the grounds for the proposed action. The board shall employ a court reporter to record the proceedings at the hearing, and either party may obtain a transcript thereof at its own expense.

(5) Within ten days of the conclusion of all proceedings, the hearing officer shall make a report stating findings of fact, conclusions of law and a recommended decision upon the proposed action. The hearing officer's report shall be served upon the board and the teacher. Any discharge or suspension of the teacher or termination of the teacher's contract recommended in the hearing officer's report or contained in the final decision of the board shall be based upon substantial and competent evidence. The board

shall make a final decision within 30 days of receipt of the officer's report; provided that the board shall not make a final decision until the officer's report has been made available to the parties for at least seven days within which time each party adversely affected by the report shall file exceptions to the school board in order to preserve the right to present arguments to the school board based on these exceptions. The final decision of the school board shall be served on the teacher, accompanied by an order of termination or discharge or suspension if applicable. If the decision of the school board or subsequent judicial review is favorable to the teacher, the decision shall be entered in the board minutes and all references to the proceedings shall be excluded from the teacher's record file.

(6) Each party shall pay an equal share of the total fees and expenses for the hearing officer, except that if the decision of the school board or subsequent judicial review is favorable to the teacher, the fees and expenses shall be paid by the school board.

Sec. 6. Minnesota Statutes 1978, Section 125.12, Subdivision 9, is amended to read:

Subd. 9. [HEARING PROCEDURES; TERMINATIONS FOR CAUSES SPECIFIED IN SUBDIVISIONS 6A AND 6B.] *This subdivision shall govern hearings which are requested pursuant to subdivision 4 because a board proposes to place a teacher on unrequested leave of absence on any of the grounds specified in subdivision 6a or 6b. Any hearing held pursuant to this section subdivision shall be held upon appropriate and timely notice to the teacher, and shall be private or public at the discretion of the teacher. All hearings pursuant to this subdivision requested by individual teachers pursuant to subdivision 4 may be consolidated by the school board. The school board shall issue a written decision and order as provided in subdivision 10 for each teacher involved. At the hearing, the board and the teacher may each be represented by counsel at its or his the teacher's own expense, and such . Counsel may examine and cross-examine witnesses and present arguments. The board shall first present evidence to sustain the grounds for termination or discharge placement on unrequested leave and then receive evidence presented by the teacher. Each party may then present rebuttal evidence. Dismissal Placement of the teacher on unrequested leave of absence shall be based upon substantial and competent evidence in the record. All witnesses shall be sworn upon oath administered by the presiding officer of the board. The clerk of the board shall issue subpoenas for witnesses or the production of records pertinent to the grounds upon the request of either the board or the teacher. The board shall employ a court reporter to record the proceedings at the hearing, and either party may obtain a transcript thereof at its own expense.*

Sec. 7. Minnesota Statutes 1978, Section 125.12, Subdivision 10, is amended to read:

Subd. 10. [DECISION.] *After the hearing pursuant to subdivision 9, the board shall issue a written decision and order. If the*

board orders ~~termination of a continuing contract or discharge of a teacher placement of a teacher on unrequested leave of absence~~, its decision shall include findings of fact based upon competent evidence in the record and shall be served on the teacher, accompanied by an order of ~~termination or discharge placing the teacher on unrequested leave of absence and terminating the employment or contract of the teacher~~, prior to April 1 in the case of a contract termination for grounds specified in subdivision 6, prior to June 1 for grounds specified in subdivision 6a or 6b, or within ten days after conclusion of the hearing in the case of a discharge. If the decision of the board or of a reviewing court is favorable to the teacher, the proceedings shall be dismissed and the decision entered in the board minutes, and all references to such the proceedings shall be excluded from the teacher's record file.

Sec. 8. Minnesota Statutes 1978, Section 125.12, Subdivision 11, is amended to read:

Subd. 11. [JUDICIAL REVIEW.] The pendency of judicial proceedings shall not be ground for postponement of the effective date of the school board's ~~order decision pursuant to section 5 or subdivision 10~~, but if judicial review eventuates in reinstatement of the teacher, the board shall pay the teacher all compensation withheld as a result of the termination or dismissal ~~order decision~~."

Amend the title as follows:

Page 1, line 6, after "Subdivisions" insert "2,"

Page 1, line 7, delete everything after "subdivision" and insert a period

Page 1, delete lines 8 and 9

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

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

S. F. No. 251: A bill for an act relating to cooperative associations; requiring the articles of incorporation or the bylaws of a newly formed association to specifically authorize the election of directors by mail votes; amending Minnesota Statutes 1978, Section 308.071.

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 308.071, is amended to read:

308.071 [COOPERATIVE ASSOCIATIONS, ELECTION OF DIRECTORS.] Subdivision 1. No action heretofore or hereafter taken by the board of directors nor the election of any director of any cooperative association organized under sections 308.05 to

308.18 shall be held to be invalid by reason of any such director heretofore having been elected at an election at which any stockholder voted by mail in accordance with provisions for mail votes existing in the articles of incorporation or bylaws of such cooperative association prior to January 1, 1956 the effective date of this act.

Subd. 2. If voting by mail is authorized by the articles of incorporation or the bylaws of any such cooperative association, then any stockholder of such association may, at any election of any director of such association which shall be held hereafter and prior to January 1, 1958, vote by mail in the same manner as is prescribed by section 308.07. This shall not be construed as a declaration of legislative intent as to whether or not the statutes, prior to this amendment, permit the mailing of ballots for director's elections. No stockholder shall vote by mail for a director unless mail voting is authorized by the articles of incorporation or the bylaws of the association. Mail voting shall be in accordance with the following provisions. Notice of the meeting at which directors are to be elected shall include a written request form for a mail ballot for election of directors, together with an addressed envelope for mailing to the association. A stockholder who desires to vote and who will be absent from a meeting at which directors are to be elected shall make a written request for a ballot from the association. Upon receipt of the request, the association shall send a ballot to the stockholder. The ballot shall be in such form as the board of directors of the association shall prescribe for use in electing directors. The stockholder shall mark his ballot for the candidate or candidates of his choice and mail it to the association in a sealed envelope bearing his name. If the ballot of the stockholder is received by the association on or before the date of the meeting, the ballot shall be accepted and counted as the vote of the absent stockholder. This subdivision does not apply to cooperative telephone associations.

Subd. 3. If voting by mail is authorized by the articles of incorporation or the bylaws of a cooperative telephone association, a stockholder or member of the association may, at the election of any director of the association held hereafter, vote by mail in the manner prescribed in the articles of incorporation or bylaws of the association and the mail voting shall be by secret ballot.

Sec. 2. Minnesota Statutes 1978, Chapter 308, is amended by adding a section to read:

[308.105] [VOTING BY MEMBERS.] Whenever a vote of members or stockholders of a cooperative association is required or provided for on any matter, including a petition pursuant to section 216B.02, subdivision 4, the spouse of the member or stockholder may vote on behalf of the member or stockholder unless the member or stockholder has indicated otherwise.

Sec. 3. [EFFECTIVE DATE.] This act is effective the day following final enactment."

Delete the title and insert:

"A bill for an act relating to cooperative associations; validating

elections of directors by mail voting; authorizing mail voting for directors of cooperative associations; providing for voting by members' spouses; amending Minnesota Statutes 1978, Section 308.071; and Chapter 308, by adding a section."

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

REPORT OF VOTE IN COMMITTEE

Pursuant to Rule 60, upon the request of three members, a roll call was taken on the motion of Mr. Merriam to amend S. F. No. 251 by inserting the following:

"Sec. 2. Minnesota Statutes 1978, Chapter 308, is amended by adding a section to read:

[308.105] [VOTING BY MEMBERS.] *Whenever a vote of members or stockholders of a cooperative association is required or provided for on any matter, including a petition pursuant to section 216B.02, subdivision 4, the spouse of the member or stockholder may vote on behalf of the member or stockholder unless the member or stockholder has indicated otherwise."*

There were yeas 9 and nays 4, as follows:

Those who voted in the affirmative were: Davies; Hanson; Keefe, J.; Lessard; McCutcheon; Merriam; Sikorski; Spear; Strand.

Those who voted in the negative were: Barrette, Bernhagen. Knutson, Sieloff.

The motion prevailed. So the Merriam amendment was adopted.

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

H. F. No. 2012: A bill for an act relating to motor vehicles: authorizing personalized license plates bearing radio or television station call signals or letters; amending Minnesota Statutes 1978, Section 168.12, Subdivision 2a.

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

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

H. F. No. 1932 for comparison with companion Senate File. reports the following House File was found identical and recommends the House File be given its second reading and substituted for its companion Senate File as follows:

GENERAL ORDERS		CONSENT CALENDAR		CALENDAR	
H. F. No.	S. F. No.	H. F. No.	S. F. No.	H. F. No.	S. F. No.
		1932	1904		

and that the above 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. Report adopted.

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

S. F. No. 2047: A bill for an act relating to taxation; real property; clarifying the treatment of cooperatives and charitable corporations; amending Minnesota Statutes 1978, Section 273.133, Subdivision 1.

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

Page 2, line 4, after "*dwelling*" insert "*that qualifies for assessment under this subdivision*"

Page 2, line 6, delete ", and" and insert a period

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

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

S. F. No. 1963: A bill for an act relating to taxation; property tax administration; eliminating mandatory assessors meetings; amending Minnesota Statutes 1978, Sections 273.03, Subdivision 1; 273.04; and Minnesota Statutes, 1979 Supplement, Sections 270.06; and 273.061, Subdivision 8.

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

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

S. F. No. 1648: A bill for an act relating to taxation; real property; eliminating tax recapture upon certain sales of qualifying agricultural property; amending Minnesota Statutes 1978, Section 273.111, Subdivision 9, and by adding a subdivision.

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

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

S. F. No. 2210: A bill for an act relating to taxation; increasing the amount of value of a 3cc homestead that qualifies for reduced

assessment; amending Minnesota Statutes, 1979 Supplement, Sections 273.122 and 273.13, Subdivision 7.

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

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

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

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

Page 1, lines 17 to 20, delete the new language

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

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

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

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

Page 2, line 13, delete "1979" and insert "1980" and delete "1980" and insert "1981"

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

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

S. F. No. 2092: A bill for an act relating to state parks; clarifying the law governing state acquisitions and landowners' rights; hunting and fishing within boundaries; amending Minnesota Statutes 1978, Sections 85.0115; and 99.25, Subdivision 1.

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

Page 1, delete section 1

Page 2, line 11, delete "*in any manner he sees fit*"

Page 2, line 12, after "*county*" insert "*or town*"

Renumber the sections in sequence

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

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

S. F. No. 1649: A bill for an act relating to agriculture; providing for testing to measure milk protein; providing for payments for milk protein and nonfat solids; amending Minnesota Statutes 1978, Section 32.25, Subdivision 1.

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

Page 1, line 22, strike “; provided, that in”

Page 2, line 1, strike “purchasing whole milk” and insert a period

Page 2, line 14, delete “and” and insert “or” and after “protein” insert “respectively”

Page 2, line 14, strike “such”

Page 2, line 18, after “When” insert “the payment is calculated on the basis of milk fat and protein, and”

Page 2, line 21, after “When” insert “the payment is calculated on the basis of milk fat and nonfat solids, and”

Page 3, delete lines 19 and 20

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

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

S. F. No. 1083: A bill for an act relating to game and fish; providing that a portion of big game license fees shall be used for deer habitat improvement; appropriating money; amending Minnesota Statutes 1978, Section 97.49, by adding a subdivision.

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

Page 1, line 11, delete “big”

Page 1, line 12, delete “game” and insert “deer”

Page 1, line 15, delete “an”

Page 1, line 16, delete “amount equal to \$2” and insert “at least \$1”

Page 1, line 16, delete “big game” and insert “deer”

Page 1, line 17, delete everything after “commissioner”

Page 1, line 18, delete everything before “shall”

Page 1, delete lines 21 to 23

Amend the title as follows:

Page 1, line 3, delete “big game” and insert “deer”

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

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

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

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

Mr. Laufenburger from the Committee on Employment, to which were referred the following appointments as reported in the Journal for February 11, 1980:

WORKERS' COMPENSATION COURT OF APPEALS

Paul V. Rieke
John C. Wallraff

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

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

Mr. Laufenburger from the Committee on Employment, to which was referred the following appointment as reported in the Journal for February 18, 1980:

OCCUPATIONAL SAFETY AND HEALTH REVIEW BOARD

Dan W. Gustafson

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 was referred under Rule 35, together with the committee report thereon,

S. F. No. 2218: A bill for an act relating to peace officers; exempting municipalities with a population of less than or equal to 5,000 from part-time officer licensing by the board of peace officer standards and training; authorizing such municipalities to adopt part-time officer licensing ordinances; amending Minnesota Statutes 1978, Chapter 626, by adding a section; and Minnesota Statutes, 1979 Supplement, Section 626.8461.

Reports the same back with the recommendation that the report from the Committee on General Legislation and Administrative Rules shown in the Journal for March 10, 1980, "And when so amended the bill do pass" be adopted. Amendments adopted. Report adopted.

Mr. Coleman from the Committee on Rules and Administration, to which was referred under Rule 35, together with the committee report thereon,

S. F. No. 1457: A bill for an act relating to transportation; providing for a transportation board; providing for transfer of certain duties, powers and functions of the public service commission and the commissioner of transportation to the transportation regulation board; regulating railroads and other common carriers of persons or property for hire; providing penalties; appropriating funds; amending Minnesota Statutes 1978, Sections 15A.081, Subdivision 1; 174.02, Subdivision 4; 174.03, Subdivision 2; 174.10, Subdivisions 1, 3, 4; 218.011, Subdivision 7; 218.021; 218.025; 218.031, Subdivisions 1, 6, 8, 10; 218.041; 218.071; 219.03; 219.14; 219.23; 219.24; 219.25; 219.27; 219.28; 219.383; 219.39; 219.40; 219.41; 219.42; 219.43; 219.46, Subdivision 7; 219.47; 219.51; 219.52; 219.54; 219.55; 219.562, Subdivision 3; 219.65; 219.681; 219.70; 219.71; 219.741; 219.85; 219.86; 219.87; 221.011, Subdivisions 2b, 15, 22; 221.021; 221.031, Subdivision 1; 221.041; 221.051; 221.061; 221.071; 221.081; 221.101; 221.121; 221.131; 221.141, Subdivision 2; 221.151; 221.161; 221.171; 221.181; 221.221; 221.261; 221.271; 221.281; 221.291, Subdivision 1; 221.293; 221.295; 221.296, Subdivisions 2, 3, 4, 8; 221.55; 221.68; repealing Minnesota Statutes 1978, Section 219.742.

Reports the same back with the recommendation that the report from the Committee on Governmental Operations shown in the Journal for March 10, 1980, "And when so amended the bill do pass and be re-referred to the Committee on Finance" be adopted. Amendments adopted. Report adopted.

Mr. Coleman from the Committee on Rules and Administration, to which was referred under Rule 35, together with the committee report thereon,

S. F. No. 1907: A bill for an act relating to state government; revising the civil service law; amending Minnesota Statutes 1978, Section 43.30.

Reports the same back with the recommendation that the report from the Committee on Veterans' Affairs shown in the Journal for March 3, 1980, "And when so amended the bill do pass" be adopted and the bill be re-referred to the Committee on Governmental Operations. Amendments adopted. Report adopted.

Mr. Coleman from the Committee on Rules and Administration, to which was referred under Rule 35, together with the committee report thereon,

S. F. No. 1534: A bill for an act relating to advertising devices; providing for local regulation of certain devices; requiring compensation for removing certain devices; providing for maintenance of areas; amending Minnesota Statutes 1978, Section 173.08, Subdivision 2; 173.13, Subdivision 1; 173.17; and Chapter 173, by adding a section.

Reports the same back with the recommendation that the report from the Committee on Transportation shown in the Journal for March 10, 1980, "And when so amended the bill do pass" be adopted and the bill be re-referred to the Committee on Finance. Amendments adopted. Report adopted.

Mr. Coleman from the Committee on Rules and Administration, to which was referred under Rule 35, together with the committee report thereon,

H. F. No. 1715: A resolution memorializing the Civil Aeronautics Board and the President of the United States to authorize non-stop service by Northwest Airlines between Minneapolis-St. Paul and London.

Reports the same back with the recommendation that the report from the Committee on Transportation shown in the Journal for February 28, 1980, "the resolution do pass and be placed on the Consent Calendar" be not adopted and the resolution be re-referred to the Committee on Rules and Administration. Report adopted.

Mr. Coleman from the Subcommittee on Bill Scheduling, to which were referred S. F. Nos. 2074, 2184, 2134, 1325, 2099, 2192, 870, 1207, 2042, 2280, 1861, 2265, 2153, 2288, 1870, 2264, 1677, 1549, 1931, 1909, 1795, 1984, 2066, 1690, 2283, 2318, 2137, 1962, 1832, 1801, 1562, 1865, 210, 1826, 1867, 2044, 2193, 992, 2161, 2080, 1858, 1990, 630 and 1721, and H. F. No. 870 makes the following report:

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

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

Mr. Coleman from the Committee on Rules and Administration, to which were referred for proper reference under Rule 35:

S. F. Nos. 2230, 2335, 2267, 2363 and 2364 reports the same back with the recommendation that the bills be re-referred as follows:

S. F. No. 2364 to the Committee on Agriculture and Natural Resources.

S. F. Nos. 2230, 2335, 2363 to the Committee on Governmental Operations.

S. F. No. 2267 to the Committee on Health, Welfare and Corrections.

Report adopted.

SECOND READING OF SENATE BILLS

S. F. No. 1963 was read the second time.

S. F. Nos. 2348, 2062, 1085, 2197, 251, 2047, 1648, 2210, 1235, 1021, 2092, 1649, 1255 and 2218 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. 2012 and 1932 were read the second time.

MOTIONS AND RESOLUTIONS

Mr. Keefe, J. moved that the name of Mr. Merriam be added as co-author to S. F. No. 1235. The motion prevailed.

Mr. Penny moved that the name of Mr. Laufenburger be added as co-author to S. F. No. 1669. The motion prevailed.

Mrs. Staples moved that S. F. No. 2377 be returned to its author. The motion prevailed.

Mr. Coleman, for the Committee on Rules and Administration, offered the following resolution:

BE IT RESOLVED, by the Senate, that the following named persons be and are hereby appointed to the positions hereinafter stated and at the salaries heretofore fixed.

James Horwath, Page classification, effective March 6, 1980

Carol Liljenberg, Page classification, effective March 6, 1980

Rev. David Rebeck, Chaplain, effective March 12, 1980

Rev. Paul Schuessler, Chaplain, effective March 13, 1980

Mr. Coleman moved the adoption of the foregoing resolution. The motion prevailed. So the resolution was adopted.

SPECIAL ORDER

Pursuant to Rule 10, Mr. Coleman, Chairman of the Subcommittee on Bill Scheduling, designated S. F. No. 802 a Special Order to be heard immediately.

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

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:

Ashbach	Dieterich	Keefe, J.	Merriam	Purfeerst
Bang	Dunn	Kirchner	Moe	Renneke
Barrette	Engler	Kleinbaum	Nelson	Rued
Benedict	Frederick	Knaak	Nichols	Schaaf
Bernhagen	Gearty	Knoll	Olhoft	Schmitz
Brataas	Gunderson	Knutson	Omann	Setzepfandt
Chmielewski	Hughes	Laufenburger	Penny	Sieloff
Coleman	Humphrey	Luther	Perpich	Sillers
Davies	Johnson	Menning	Pillsbury	Solon

Spear
Staples
Stern

Stokowski
Strand
Stumpf

Tennessee
Ueland, A.

Ulland, J.
Vega

Wegener
Willet

So the bill passed and its title was agreed to.

SPECIAL ORDER

Pursuant to Rule 10, Mr. Coleman, Chairman of the Subcommittee on Bill Scheduling, designated S. F. No. 1325 a Special Order to be heard immediately.

S. F. No. 1325: A bill for an act relating to health; promoting health maintenance organizations by eliminating certain regulations; allowing development and operation of specialized health maintenance plans; promoting competition in health care delivery; requiring certain optional and mandatory benefits under certain health care plans; providing increased flexibility in benefit levels; modifying certain benefit requirements under the Minnesota Comprehensive Health Insurance Act of 1976; prescribing certain duties for the commissioners of health, public welfare, and insurance; amending Minnesota Statutes 1978, Sections 62A.149, Subdivision 1; 62A.16; 62A.17, Subdivision 4; 62D.01, Subdivision 2; 62D.02, Subdivisions 4, 5, and 6, and by adding subdivisions; 62D.03; 62D.04, Subdivisions 1 and 3; 62D.05; 62D.06, Subdivision 1; 62D.07; 62D.08; 62D.10, Subdivisions 1 and 3; 62D.101; 62D.11; 62D.12; 62D.13; 62D.14; 62D.15; 62D.16; 62D.17, Subdivisions 1, 3, and 4; 62D.18; 62D.19; 62D.20; 62D.21; 62D.22, Subdivisions 2, 3, 5, 6, and 8, and by adding a subdivision; 62D.25; 62D.28, Subdivisions 2 and 3; 62E.02, Subdivision 9; 62E.03, Subdivision 1; 62E.16; 72C.03; 144.691, Subdivision 4; 144.692; 144.693, Subdivisions 1 and 2; 144.703, by adding subdivisions; 145.61, Subdivision 5; 256B.59, Subdivision 1; 256B.60, Subdivision 2; Chapters 145, by adding a section; and 256B, by adding a section; Minnesota Statutes, 1979 Supplement, Sections 62D.22, Subdivision 7; 62E.06 Subdivision 1; and 145.837, Subdivision 1; repealing Minnesota Statutes 1978, Sections 62D.09 and 62D.10, Subdivision 2.

Mr. Coleman moved to amend S. F. No. 1325 as follows:

Page 2, lines 11, 21 and 26, delete "*specialized health maintenance*" and insert "*supplemental health services*"

Page 3, lines 7 and 14, delete "*specialized health maintenance*" and insert "*supplemental health services*"

Page 4, lines 1 and 2, delete "*specialized health maintenance*" and insert "*supplemental health services*"

Page 4, line 7, delete "*specialized health maintenance*" and insert "*supplemental health services*"

Page 4, line 10, delete "*specialized health maintenance*" and insert "*supplemental health services*"

Page 4, lines 14 and 25, delete "*specialized health maintenance*" and insert "*supplemental health*"

Page 4, lines 14 and 26, delete "*comprehensive*" and insert "*complete*"

Page 4, line 28, before "as" insert "and which are within the scope of practice of the professional persons providing the services"

Page 5, line 1, delete "Specialized health maintenance" and insert "Supplemental health services"

Page 5, lines 2 and 3, 16, 19 and 23, delete "specialized health maintenance" and insert "supplemental health services"

Page 5, lines 3 and 4 and line 6, delete "specialized health maintenance" and insert "supplemental health"

Page 5, line 11, delete "SPECIALIZED HEALTH MAINTENANCE" and insert "SUPPLEMENTAL HEALTH MAINTENANCE"

Page 5, lines 23 and 24, delete "special health maintenance" and insert "supplemental health services"

Page 6, line 7, delete "specialized health maintenance" and insert "supplemental health"

Page 6, lines 31 and 32, delete "specialized health maintenance" and insert "supplemental health services"

Page 7, lines 2 and 3, 5, 14 and 15, delete "specialized health maintenance" and insert "supplemental health services"

Page 7, lines 9 and 10, delete "comprehensive specialized health maintenance" and insert "complete supplemental health"

Page 9, lines 20 and 21, 27 and 28, and 30 and 31, delete "comprehensive specialized health maintenance" and insert "complete supplemental health"

Page 9, line 24, delete "specialized health maintenance" and insert "supplemental health services"

Page 10, lines 2, 12 and 13, 18, 21, 24 and 25 and 26, delete "specialized health maintenance" and insert "supplemental health services"

Page 10, lines 13 and 21, delete "SHMP" and insert "SHSP"

Page 10, line 24, delete the second "health"

Page 10, line 33, delete "SPECIALIZED HEALTH MAINTENANCE" and insert "SUPPLEMENTAL HEALTH SERVICES"

Page 11, lines 3 and 4, 6, 7, 13, 15 and 16, 17 and 18, 25, 29 and 32, delete "specialized health maintenance" and insert "supplemental health services"

Page 11, lines 22 and 23, delete "specialized health maintenance" and insert "supplemental health"

Page 12, lines 8, 17 and 18, 21 and 22, 24, 26, and 32 and 33, delete "specialized health maintenance" and insert "supplemental health services"

Page 12, lines 13 and 14, delete "*specialized health maintenance*" and insert "*supplemental health*"

Page 13, lines 2 and 3 and line 12, delete "*specialized health maintenance*" and insert "*supplemental health services*"

Page 14, lines 9, 16, 26 and 28, delete "*specialized health maintenance*" and insert "*supplemental health services*"

Page 15, lines 10 and 32, delete "*specialized health maintenance*" and insert "*supplemental health services*"

Page 15, line 20, after the stricken "(d)" insert "(c)" and reinstate the rest of the line

Page 15, lines 21 to 29, reinstate the stricken language

Page 15, lines 21 and 28, strike "4" and insert "3"

Page 15, line 30, delete "(c)" and insert "(d)"

Page 16, line 9, delete "*specialized health maintenance*" and insert "*supplemental health services*"

Page 16, line 15, delete "*specialized health maintenance*" and insert "*supplemental health*"

Page 17, lines 2, 6, 11, 20, 23 and 24, and 32 and 33, delete "*specialized health maintenance*" and insert "*supplemental health services*"

Page 18, lines 6 and 7, 18, 24 and 25, and 29 and 33, delete "*specialized health maintenance*" and insert "*supplemental health services*"

Page 19, lines 4, 7, 18, 25, and 29 and 30, delete "*specialized health maintenance*" and insert "*supplemental health services*"

Page 20, lines 8, 10, 15, 19, 24, 28 and 32, delete "*specialized health maintenance*" and insert "*supplemental health services*"

Page 21, lines 18 and 19 and line 22, delete "*specialized health maintenance*" and insert "*supplemental health services*"

Page 22, lines 14, 16 and 17, 19, 21, and 26 and 27, delete "*specialized health maintenance*" and insert "*supplemental health services*"

Page 23, lines 5, 13, 22 and 23, and 30 and 31, delete "*specialized health maintenance*" and insert "*supplemental health services*"

Page 23, lines 21 and 22, delete "or specialized health maintenance plan"

Page 24, lines 10, 12 and 13, 16, and 31 and 32, delete "*specialized health maintenance*" and insert "*supplemental health services*"

Page 25, lines 1 and 2, 9 and 10, 12 and 13, 17 and 18, 21 and 22, 25 and 26, and 29 and 30, delete "*specialized health maintenance*" and insert "*supplemental health services*"

Page 25, line 15, delete "*specialized health maintenance*" and insert "*supplemental health*"

Page 26, lines 1, 3 and 4, 12 and 13, 20 and 21, delete "*specialized health maintenance*" and insert "*supplemental health services*"

Page 27, lines 7, 13 and 14 and line 18, delete "*specialized health maintenance organization*" and insert "*supplemental health services plan*"

Page 27, lines 29, and 31 and 32, delete "*specialized health maintenance*" and insert "*supplemental health services*"

Page 28, lines 13, 30, and 31 and 32, delete "*specialized health maintenance*" and insert "*supplemental health services*"

Page 29, lines 15, 17, 23 and 28, delete "*specialized health maintenance*" and insert "*supplemental health services*"

Page 30, line 11, delete "*comprehensive specialized health maintenance*" and insert "*complete supplemental health*"

Page 30, line 28, delete "*specialized health maintenance*" and insert "*supplemental health services*"

Page 31, lines 7, 18 and 31, delete "*specialized health maintenance*" and insert "*supplemental health services*"

Page 32, lines 4, 11, 22, 24 and 29, delete "*specialized health maintenance*" and insert "*supplemental health services*"

Page 33, lines 1, 8, 21, 27 and 32, delete "*specialized health maintenance*" and insert "*supplemental health services*"

Page 36, lines 2, 20 and 27, delete "*specialized health maintenance*" and insert "*supplemental health services*"

Page 37, lines 16 and 17, 18 and 19 and line 30, delete "*specialized health maintenance*" and insert "*supplemental health services*"

Page 38, lines 8 and 27, delete "*specialized health maintenance*" and insert "*supplemental health services*"

Page 39, lines 6, 17 and 18, and 26 and 27, delete "*specialized health maintenance*" and insert "*supplemental health services*"

Page 40, lines 13 and 14, delete "*specialized health maintenance*" and insert "*supplemental health services*"

Page 41, lines 1, and 19 and 20, delete "*specialized health maintenance*" and insert "*supplemental health services*"

Page 42, lines 4, 14, and 25 and 26, delete "*specialized health maintenance*" and insert "*supplemental health services*"

Page 43, lines 7 and 25, delete "*specialized health maintenance*" and insert "*supplemental health services*"

Page 51, line 15, delete "*specialized health maintenance*" and insert "*supplemental health services*"

Amend the title as follows:

Page 1, lines 4 and 5, delete "specialized health maintenance" and insert "supplemental health services"

The motion prevailed. So the amendment was adopted.

Mr. Coleman then moved to amend S. F. No. 1325 as follows:

Page 43, after line 30, insert:

"Section 1. Minnesota Statutes 1978, Section 62A.043, is amended by adding a subdivision to read:

Subd. 3. Benefits under this section are not required if the insurer or plan annually obtains from the policyholder or contractholder a written statement that benefits equal to or greater than those required under this section are provided through a supplemental health services plan regulated under chapter 62D."

Page 44, after line 29, insert:

"Sec. 3. Minnesota Statutes 1978, Section 62A.149, is amended by adding a subdivision to read:

Subd. 3. Benefits under this section are not required if the insurer or plan annually obtains from the policyholder or contractholder a written statement that benefits equal to or greater than those required under this section are provided through a supplemental health services plan regulated under chapter 62D.

Sec. 4. Minnesota Statutes 1978, Section 62A.15, is amended by adding a subdivision to read:

Subd. 5. Benefits under this section are not required if the insurer or plan annually obtains from the policyholder or contractholder a written statement that benefits equal to or greater than those required under this section are provided through a supplemental health services plan regulated under chapter 62D.

Sec. 5. Minnesota Statutes 1978, Section 62A.151, is amended to read:

62A.151 [HEALTH INSURANCE BENEFITS FOR EMOTIONALLY HANDICAPPED CHILDREN.] No policy or plan of health, medical, hospitalization, or accident and sickness insurance regulated under this chapter, or nonprofit health service plan corporation regulated under chapter 62C, or health maintenance organization regulated under chapter 62D which provides coverage of or reimbursement for inpatient hospital and medical expenses shall be delivered, issued, executed or renewed in this state, or approved for issuance or renewal in this state by the commissioner of insurance, after July 1, 1975 unless the policy or plan includes and provides health service benefits to any subscriber or other person covered thereunder, on the same basis as other benefits, for the treatment of emotionally handicapped children in a residential treatment facility licensed by the commissioner of public welfare. For purposes of this section "emotionally handicapped child" shall have the meaning set forth by the commissioner of public welfare in the rules and regula-

tions relating to residential treatment facilities. The restrictions and requirements of this section shall not apply to any plan or policy which is individually underwritten or provided for a specific individual and the members of his family as a nongroup policy. The mandatory coverage under this section shall be on the same basis as inpatient hospital medical coverage provided under the policy or plan. *Benefits under this section are not required if the insurer or plan annually obtains from the policyholder or contractholder a written statement that benefits equal to or greater than those required under this section are provided through a supplemental health services plan regulated under chapter 62D.*

Sec. 6. Minnesota Statutes 1978, Section 62A.152, is amended by adding a subdivision to read:

Subd. 3. Benefits under this section are not required if the insurer or plan annually obtains from the policyholder or contractholder a written statement that benefits equal to or greater than those required under this section are provided through a supplemental health services plan regulated under chapter 62D.

Sec. 7. Minnesota Statutes 1978, Section 62A.153, is amended to read:

62A.153 [FREE STANDING AMBULATORY SURGICAL CENTERS.] No policy or plan of health, medical, hospitalization, or accident and sickness insurance regulated under this chapter, or subscriber contract provided by a nonprofit health service plan corporation regulated under chapter 62C shall be issued, renewed, continued, delivered, issued for delivery or executed in this state, or approved for issuance or renewal in this state by the commissioner of insurance unless the policy, plan or contract specifically provides coverage for a health care treatment or service rendered by a free standing ambulatory surgical center or facilities offering ambulatory medical service 24 hours a day seven days a week, which are not part of a hospital, but have been reviewed and approved by the state commissioner of health to provide the treatment or service, on the same basis as coverage provided for the same health care treatment or service rendered by a hospital. *Benefits under this section are not required if the insurer or plan annually obtains from the policyholder or contractholder a written statement that benefits equal to or greater than those required under this section are provided through a supplemental health services plan regulated under chapter 62D."*

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 14, after "Sections" insert "62A.043 by adding a subdivision;"

Page 1, line 14, before the semicolon insert "and by adding a subdivision"

Page 1, line 14, after the semicolon insert "62A.15, by adding a subdivision; 62A.151; 62A.152 by adding a subdivision; 62A.153;"

The motion prevailed. So the amendment was adopted.

Mrs. Staples moved to amend S. F. No. 1325 as follows:

Page 30, line 14, delete everything after "shall"

Page 30, delete lines 15 to 17

Page 30, line 18, delete everything before "allow"

Page 30, delete lines 23 and 24

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

Mrs. Brataas moved to amend S. F. No. 1325 as follows:

Pages 48 and 49, delete section 3

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 27, delete "subdivisions" and insert "a subdivision"

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

Mrs. Staples moved to amend S. F. No. 1325 as follows:

Page 51, line 33, delete everything before "repealed" and insert "section 62D.09 is"

Amend the title as follows:

Page 1, line 33, delete "Sections" and insert "Section"

Page 1, line 34, delete everything before the period

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

Mr. Olhoff moved to amend S. F. No. 1325 as follows:

Page 4, after line 7, insert:

"Sec. 7. Minnesota Statutes 1978, Section 62D.02, Subdivision 7, is amended to read:

Subd. 7. "Comprehensive health maintenance services" means a set of comprehensive health services which the enrollees might reasonably require to be maintained in good health including as a minimum, but not limited to, emergency care inpatient hospital and physician care, outpatient health services and preventive health services.

Every health maintenance organization shall have the option of excluding or including elective, induced abortions, except as necessary to prevent the death of the mother, whether performed in a hospital, other abortion facility, or the office of a physician, from any or all health maintenance service plans provided by the organization, including plans providing maternity services."

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 16, delete "and 6" and insert "6, and 7"

The question was taken on the adoption of the amendment.

The roll was called, and there were yeas 36 and nays 18, as follows:

Those who voted in the affirmative were:

Barrette	Hughes	Merriam	Schmitz	Ueland, A.
Bernhagen	Humphrey	Moe	Setzepfandt	Vega
Chmielewski	Knaak	Olhoft	Sieloff	Wegener
Dunn	Knoll	Omann	Sillers	Willet
Engler	Knutson	Penny	Solon	
Frederick	Laufenburger	Purfeerst	Stokowski	
Gearty	Luther	Renneke	Strand	
Gunderson	Menning	Rued	Stumpf	

Those who voted in the negative were:

Ashbach	Davies	Nelson	SchAAF	Tennesen
Benedict	Dieterich	Nichols	Spear	Ulland, J
Brataas	Johnson	Perpich	Staples	
Coleman	Kleinbaum	Pillsbury	Stern	

The motion prevailed. So the amendment was adopted.

S. F. No. 1325: A bill for an act relating to health; promoting health maintenance organizations by eliminating certain regulations; allowing development and operation of supplemental health services plans; promoting competition in health care delivery; requiring certain optional and mandatory benefits under certain health care plans; providing increased flexibility in benefit levels; modifying certain benefit requirements under the Minnesota Comprehensive Health Insurance Act of 1976; prescribing certain duties for the commissioners of health, public welfare, and insurance; amending Minnesota Statutes 1978, Sections 62A.043 by adding a subdivision; 62A.149, Subdivision 1 and by adding a subdivision; 62A.15, by adding a subdivision; 62A.151; 62A.152 by adding a subdivision; 62A.153; 62A.16; 62A.17, Subdivision 4; 62D.01, Subdivision 2; 62D.02, Subdivisions 4, 5, 6, and 7 and by adding subdivisions; 62D.03; 62D.04, Subdivisions 1 and 3; 62D.05; 62D.06, Subdivision 1; 62D.07; 62D.08; 62D.10, Subdivisions 1 and 3; 62D.101; 62D.11; 62D.12; 62D.13; 62D.14; 62D.15; 62D.16; 62D.17, Subdivisions 1, 3, and 4; 62D.18; 62D.19; 62D.20; 62D.21; 62D.22, Subdivisions 2, 3, 5, 6, and 8, and by adding a subdivision; 62D.25; 62D.28, Subdivisions 2 and 3; 62E.02, Subdivision 9; 62E.03, Subdivision 1; 62E.16; 72C.03; 144.691, Subdivision 4; 144.692; 144.693, Subdivisions 1 and 2; 144.703, by adding subdivisions; 145.61, Subdivision 5; 256B.59, Subdivision 1; 256B.60, Subdivision 2; Chapters 145, by adding a section; and 256B, by adding a section; Minnesota Statutes, 1979 Supplement, Sections 62D.22, Subdivision 7; 62E.06, Subdivision 1; and 145.837, Subdivision 1; repealing Minnesota Statutes 1978, Sections 62D.09 and 62D.10, Subdivision 2.

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 49 and nays 8, as follows:

Those who voted in the affirmative were:

Bang	Gearty	Laufenburger	Penny	Staples
Barrette	Gunderson	Luther	Perpich	Stern
Benedict	Hughes	McCutcheon	Purfeerst	Stokowski
Bernhagen	Humphrey	Menning	Renneke	Strand
Chmielewski	Johnson	Merriam	Schaaf	Stumpf
Coleman	Kirchner	Moe	Schmitz	Tennessee
Davies	Kleinbaum	Nelson	Setzepfandt	Vega
Dieterich	Knaak	Nichols	Sieloff	Wegener
Dunn	Knoll	Olhoff	Sillers	Willet
Engler	Knutson	Omann	Solon	

Those who voted in the negative were:

Ashbach	Frederick	Rued	Ueland, A.	Ulland, J.
Brataas	Pillsbury	Spear		

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

CALENDAR

S. F. No. 1433: A bill for an act relating to Washington County; providing for the appointment and compensation of probation officers; amending Laws 1978, Chapter 693, Section 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:

Ashbach	Frederick	Luther	Purfeerst	Strand
Bang	Gearty	McCutcheon	Renneke	Stumpf
Barrette	Gunderson	Menning	Rued	Tennessee
Benedict	Hughes	Merriam	Schaaf	Ueland, A.
Bernhagen	Humphrey	Moe	Schmitz	Ulland, J.
Brataas	Johnson	Nelson	Sieloff	Vega
Chmielewski	Kirchner	Nichols	Sillers	Wegener
Coleman	Kleinbaum	Olhoff	Solon	Willet
Davies	Knaak	Omann	Spear	
Dieterich	Knoll	Penny	Staples	
Dunn	Knutson	Perpich	Stern	
Engler	Laufenburger	Pillsbury	Stokowski	

So the bill passed and its title was agreed to.

CONSENT CALENDAR

S. F. No. 1815: A bill for an act relating to commerce; providing for service of legal process on nonresident brokers and salespersons licensed to do business in Minnesota; amending Minnesota Statutes 1978, Section 82.31, Subdivision 3.

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:

Ashbach	Engler	Knutson	Perpich	Staples
Bang	Frederick	Laufenburger	Pillsbury	Stern
Barrette	Gearty	Luther	Purfeerst	Stokowski
Benedict	Gunderson	Menning	Rued	Strand
Bernhagen	Hughes	Merriam	Schaaf	Stumpf
Brataas	Humphrey	Moe	Schmitz	Tennesen
Chmielewski	Johnson	Nelson	Setzepfandt	Ueland, A.
Coleman	Kirchner	Nichols	Sieloff	Ulland, J.
Davies	Kleinbaum	Olhoft	Sillers	Vega
Dieterich	Knaak	Omann	Solon	Wegener
Dunn	Knoll	Penny	Spear	Willet

So the bill passed and its title was agreed to.

MOTIONS AND RESOLUTIONS—CONTINUED

Mr. Coleman moved that the Senate do now adjourn until 10:00 o'clock a.m., Monday, March 17, 1980. The motion prevailed.

Patrick E. Flahaven, Secretary of the Senate