

**EIGHTIETH DAY**

St. Paul, Minnesota, Monday, March 17, 1980

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

**CALL OF THE SENATE**

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

Ashbach	Frederick	Laufenburger	Perpich	Staples
Barrette	Gearty	Lessard	Peterson	Stokowski
Benedict	Gunderson	Luther	Pillsbury	Strand
Bernhagen	Hanson	McCutcheon	Purfeerst	Stumpf
Brataas	Humphrey	Menning	Renneke	Ueland, A.
Chmielewski	Johnson	Moe	Rued	Ulland, J.
Coleman	Keefe, S.	Nelson	Schmitz	Vega
Davies	Kleinbaum	Olhoft	Setzepfandt	Wegener
Dunn	Knaak	Omann	Sikorski	Willet
Engler	Knoll	Penny	Spear	

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

Prayer was offered by the Chaplain, Rev. Winfield Johnson.

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

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

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, Hughes, Merriam, Olson, Sillers and Stern were excused from the Session of today. Mr. Menning was excused from the Session of today from 10:55 to 11:15 o'clock a.m.

**INTRODUCTION AND FIRST READING OF SENATE BILLS**

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

Messrs. Strand, Setzepfandt and Nichols introduced—

S. F. No. 2386: A bill for an act relating to communications; providing funds for the building or purchase of office, studio and transmission facilities and the purchase of studio, production and transmission equipment by West Central Minnesota Educational Television; appropriating money.

Referred to the Committee on Education.

Messrs. Nichols and Moe introduced—

S. F. No. 2387: A bill for an act relating to employment; requiring that the balance of state CETA program be maintained as a separate and distinct program within the department of economic security; amending Minnesota Statutes 1978, Section 268.013, Subdivision 6.

Referred to the Committee on Employment.

Mr. Chmielewski introduced—

S. F. No. 2388: A resolution memorializing Congress to pass H. R. 1918, a Service Pension for veterans of World War One and their surviving spouses.

Referred to the Committee on Veterans' Affairs.

Mrs. Brataas, Messrs. Frederick and Solon introduced—

S. F. No. 2389: A bill for an act relating to taxation; income; providing for the nonrecognition of gain or loss from sales or exchanges certified by the Federal Communications Commission; amending Minnesota Statutes 1978, Section 290.13, by adding a subdivision.

Referred to the Committee on Taxes and Tax Laws.

**EXECUTIVE AND OFFICIAL COMMUNICATIONS**

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

December 31, 1979

The Honorable Edward J. Gearty  
President of the Senate

Dear Sir:

The following appointments to the Minnesota Pollution Control Agency are hereby respectfully submitted to the Senate for confirmation as required by law:

Virgil C. Herrick, 477 Rice Creek Terrace, Fridley, Anoka County, has been appointed by me, effective January 7, 1980, for a term expiring the first Monday in January, 1984.

Dr. Wallace W. Nelson, Box 428, Lamberton, Redwood County, has been appointed by me, effective January 7, 1980, for a term expiring the first Monday in January, 1983.

(Referred to the Committee on Agriculture and Natural Resources.)

January 28, 1980

The Honorable Edward J. Gearty  
President of the Senate

Dear Sir:

The following appointments to the Crime Control Planning Board are hereby respectfully submitted to the Senate for confirmation as required by law:

Elwood Bissett, 851 McKinley Place South, St. Cloud, Stearns County, has been appointed by me, effective February 1, 1980, for a term expiring the first Monday in January, 1984.

Robert W. Johnson, P.O. Box 128, Anoka, Anoka County, has been appointed by me, effective February 1, 1980, for a term expiring the first Monday in January, 1984.

John D. Wunsch, 4540 Aldrich Avenue South, Minneapolis. Hennepin County, has been appointed by me, effective February 1, 1980, for a term expiring the first Monday in January, 1984.

(Referred to the Committee on Health, Welfare and Corrections.)

February 13, 1980

The Honorable Edward J. Gearty  
President of the Senate

Dear Sir:

The following appointment as Chairman of the State Health Coordinating Council is hereby respectfully submitted to the Senate for confirmation as required by law:

George Pettersen, 84 Malcolm SE, Minneapolis, Hennepin County, has been appointed by me, effective February 25, 1980, for a term expiring February 24, 1982.

For your information, pursuant to P.L. 96-79, which amends Titles XV and XVI of the Public Health Services Act, Section 1524(b) (2), the Governor is now given the authority to appoint the Chairman of the State Health Coordinating Council:

"The Governor may select, by and with the advice and consent of the State Senate, or, in the case of a State with a unicameral legislature, of the State legislature, the chairman of the SHCC from among the members of SHCC. If the Governor does not select the chairman, the SHCC shall select the chairman from among its members."

The State Health Coordinating Council is established pursuant to a gubernatorial Executive Order.

(Referred to the Committee on Health, Welfare and Corrections.)

Sincerely,  
Albert H. Quie, Governor

### REPORTS OF COMMITTEES

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

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

H. F. No. 1207: A bill for an act relating to motor vehicles; excluding owners of certain trailers from the requirement to furnish evidence of security; amending Minnesota Statutes 1978, Section 65B.68, Subdivision 2.

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

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

H. F. No. 1837: A bill for an act relating to insurance; extending the temporary joint underwriting association act for an additional two year period; extending the termination date of certain insurance policies; amending Minnesota Statutes 1978, Sections 62F.01, Subdivision 2; and 62F.06, Subdivision 1.

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

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

S. F. No. 2244: A bill for an act relating to Independent School Districts Nos. 279 (Osseo) and 286 (Brooklyn Center); providing for transfers of territory between the districts.

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

Page 2, line 3, delete "297" and insert "279"

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. 2113: A bill for an act relating to education; modifying the employment status of certain substitute teachers; amending Minnesota Statutes 1978, Section 123.35, Subdivision 5.

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

Page 1, line 17, delete "*because of*"

Page 1, line 18, delete "*illness or emergency*"

Page 2, line 1, after "*each*" insert "*full*"

Page 2, line 7, after "*or*" insert "*tenure status pursuant to*"

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

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

H. F. No. 1778: A bill for an act relating to Independent School District No. 466; permitting the sale of certain land.

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

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

H. F. No. 1996: A bill for an act relating to industrial development; providing for various energy related projects; amending Minnesota Statutes 1978, Sections 474.01, Subdivision 4; and 474.02, by adding subdivisions; and Minnesota Statutes, 1979 Supplement, Section 474.03.

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

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

H. F. No. 2028: A bill for an act relating to state government; clarifying benefits of employees of former Hastings state hospital.

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

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

S. F. No. 2263: A bill for an act relating to education; requiring a school board to provide certain teachers on extended leaves of absence with certain health care benefits under certain condi-

tions; amending Minnesota Statutes 1978, Section 125.60, by adding a subdivision.

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

Page 1, line 11, delete "school board shall" and insert "teacher on an"

Page 1, delete lines 12 to 23 and insert: "extended leave of absence shall receive all of the health, accident, medical, surgical and hospitalization insurance or benefits, for both the teacher and the teacher's dependents, for which the teacher would otherwise be eligible if not on an extended leave, if such coverage is available from the school district's insurer, if the teacher requests the coverage, and if the teacher either (a) reimburses the district for the full amount of the premium necessary to maintain the coverage within a month following the district's payment of the premium, or (v) if the district is wholly or partially self-insured, pays the district, according to a schedule agreed upon by the teacher and the school board, an amount determined by the school board to be the amount that would be charged for the coverage chosen by the teacher if the school board purchased all health, accident, medical, surgical and hospitalization coverage for its teachers from an insurer."

Page 2, delete lines 1 to 6 and insert:

"Sec. 2. [EFFECTIVE DATE.] This act is effective July 1, 1980."

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. 1943: A bill for an act relating to public welfare; requiring reporting of abuse or neglect of vulnerable adults; requiring certain facilities to establish abuse prevention plans; establishing a penalty; appropriating money; amending Minnesota Statutes 1978, Section 245.813, by adding a subdivision; and Chapter 626, by adding a section; repealing Minnesota Statutes 1978, Sections 245.813, Subdivisions 2, 3, 4, 5, 6, 7, 8, and 9; and 626.555.

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

Page 1, delete section 1

Page 2, line 15, delete "clearly"

Page 2, line 21, delete "245.813" and insert "245.812"

Page 2, line 21, delete everything after "or" and insert "a mental health program receiving funds pursuant to section 245.61"

Page 2, line 22, delete everything before the period

Page 2, line 25, after the semicolon, insert "or"

Page 2, line 26, after "facility" insert *"required to be licensed pursuant to sections 245.781 to 245.812"*

Page 2, line 27, after "(3)" insert *"Regardless of residence, is unable or unlikely to report abuse or neglect without assistance"*

Page 2, line 28, delete everything after "status"

Page 2, line 29, delete everything before the period

Page 2, line 30, after "who" insert "(1)"

Page 2, line 32, delete "who" and insert "(2)"

Page 3, line 5, after "The" insert *"intentional and nontherapeutic"*

Page 3, line 5, after "or" delete "of" and insert *"a persistent course of conduct intended to produce mental or emotional distress"*

Page 3, line 6, delete *"mental anguish"*

Page 3, line 9, delete *"or medical"* and insert *"health"*

Page 3, line 9, after "care" insert *", or supervision"*

Page 3, line 26, after the comma, insert *"the board of teaching,"*

Page 3, after line 28, insert:

*"(h) 'Local welfare board' means the county welfare board or a board designated by the county board pursuant to section 256E.08, subdivision 4."*

Page 3, line 31, after "arts," insert *"nursing, nursing home administration,"*

Page 4, lines 10, 17, and 23, delete "agency" and insert "board"

Page 4, line 12, delete "agency" and insert "board" in both cases

Page 4, line 14, after the period, insert *"Nothing in this subdivision shall be construed to require the reporting or transmittal of information regarding an incident of abuse or neglect or suspected abuse or neglect if the incident has been reported or transmitted to the appropriate person or entity."*

Page 4, line 24, delete the first "agency" and insert "board"

Page 4, line 28, delete "department" and insert "board"

Page 5, line 2, after "any" insert "civil"

Page 5, line 2, delete *", civil or criminal,"*

Page 5, lines 4, 10 and 13, delete *"willfully"* and insert *"intentionally"*

Page 5, lines 20, 28 and 33, delete "agency" and insert "board"

Page 5, line 31, delete "department" and insert "board"

Page 6, lines 2 and 21, delete "agencies" and insert "boards"

Page 6, lines 13 and 15, delete "agency" and insert "board"

Page 7, lines 3, 7, 9, 18, 20, 26, 28 and 33, delete "agency" and insert "board"

Page 7, line 8, delete "AGENCY" and insert "BOARD"

Page 7, line 13, after the period, insert "*Local welfare boards shall have the right to enter facilities and inspect and copy records as part of investigations. In cases of suspected sexual abuse, the local welfare board shall immediately arrange for and make available to the victim appropriate medical examination and treatment.*"

Page 7, line 33, after "shall" insert "immediately"

Page 8, line 13, after the period, insert "*The licensing agency shall have the right to enter facilities and inspect and copy records as part of investigations.*"

Page 8, line 22, after "licensed" insert "or credentialed"

Page 8, line 31, after "authority" insert "*and law enforcement officials, local welfare boards, and other licensing agencies in investigating the alleged abuse or neglect*"

Page 9, line 20, delete "agency" and insert "board"

Page 11, line 6, after "retaliatory" insert "*, but the presumption may be rebutted*"

Page 11, after line 23, insert:

*"Subd. 18. [PENALTY.] Any caretaker, as defined in section 1, subdivision 2, or operator or employee thereof, or volunteer worker thereat, who intentionally abuses or neglects a vulnerable adult, or being a caretaker, permits conditions to exist which result in the abuse or neglect of a vulnerable adult, may be charged with violation of section 609.23."*

Page 11, line 25, delete "*, Subdivisions 2, 3, 4, 5, 6, 7, 8 and 9,*"

Page 11, line 29, delete "2" and insert "1"

Page 11, line 31, delete "4" and insert "3"

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 5, delete "a penalty" and insert "penalties"

Page 1, line 6, delete "*, Section*"

Page 1, line 7, delete everything before "Chapter"

Page 1, line 9, delete "*, Subdivisions 2, 3, 4, 5,*"

Page 1, line 10, delete "*6, 7, 8, and 9*"

And when so amended the bill do pass and 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

H. F. No. 593 for comparison with companion Senate File, reports the following House File was found not identical with 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.
				593	773

Pursuant to Rule 49, the Committee on Rules and Administration recommends that H. F. No. 593 be amended as follows:

Page 2, delete lines 16 to 19 and insert:

*"(a) Hunters shall be on foot and may use an artificial light only when using dogs for the purpose of taking raccoon."*

Page 2, line 20, delete "(c)" and insert "(b)" and delete "be no" and insert "not be of a caliber"

Page 2, line 21, after "rifle" insert "ammunition"

Page 2, line 22, delete "(d)" and insert "(c)"

Amend the title as follows:

Page 1, line 3, delete "may" and insert "can"

And when so amended H. F. No. 593 will be identical to S. F. No. 773, and further recommends that H. F. No. 593 be given its second reading and substituted for S. F. No. 773, and that the Senate File be indefinitely postponed.

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

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

H. F. Nos. 1798, 2119, 1846, 2222, 2287, 2135, 1931, 2051 and 1892 for comparison with companion Senate Files, reports the following House Files were found identical and recommends the House Files be given their second reading and substituted for their companion Senate Files as follows:

GENERAL ORDERS		CONSENT CALENDAR		CALENDAR	
H. F. No.	S. F. No.	H. F. No.	S. F. No.	H. F. No.	S. F. No.
2119	1798	1798	1836		
1846	1914	1892	2036		
2222	2234				
2287	2245				
2135	2146				
1931	2156				
2051	2053				

and that the above Senate Files be indefinitely postponed.

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

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

H. F. No. 1871: A bill for an act relating to the Minnesota-Wisconsin boundary area commission; providing that the terms of commissioners shall be staggered; amending Minnesota Statutes 1978, Section 1.33.

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

Page 1, line 22, after "terms" insert "*of the members of the Minnesota-Wisconsin boundary area commission*"

Page 2, after line 4, insert:

"Sec. 3. Minnesota Statutes 1978, Section 114.13, Subdivision 1, is amended to read:

114.13 [SOUTH DAKOTA-MINNESOTA BOUNDARY WATERS COMMISSION.] Subdivision 1. *There is created an interstate commission to be known as the South Dakota-Minnesota boundary waters commission. The members of the commission shall be the secretaries of the department of water and natural resources and the department of game, fish and parks of South Dakota and the commissioner of natural resources and the director of the pollution control agency of Minnesota. The fifth member shall be a qualified engineer appointed for a four year term by the mutual consent of the governors of Minnesota and South Dakota. The commissioner of natural resources shall cooperate with the director of the game and fish commission of South Dakota with regard to the South Dakota-Minnesota boundary waters. The commissioner commission shall have power and authority:*

(1) To investigate and determine the most desirable and beneficial levels of boundary waters artificially controlled and to prescribe a plan for controlling and regulating water levels;

~~(2) To prescribe and promulgate rules for the conduct of investigations, surveys, and hearings;~~

~~(3) (2) To hold hearings and take evidence as may be presented, either after complaint or upon his its own initiative, as to the desirability of any water level and plan of regulation, and to issue orders concerning the same which in his its opinion are for the best interests of the public;~~

(3) *To plan, propose, coordinate and hold hearings on lake protection and rehabilitation projects for boundary waters; and*

(4) *To accept and distribute grants from any source for the purposes set forth in this section.*

Sec. 4. Minnesota Statutes 1978, Section 114.13, Subdivision 2, is amended to read:

Subd. 2. [HEARINGS; PUBLICATIONS.] Hearings shall be held at such time and place as may be designated by the ~~commissioner~~ *commission* in any county affected by the subject matter. At least two weeks' published notice of the hearings shall be given by publication of the notice in a legal newspaper in each county bordering on the boundary waters which may be affected by the subject matter of the hearing. All final orders of the ~~commissioner~~ *commission* shall be published once each week for two consecutive weeks in a legal newspaper in each county bordering on the boundary waters which may be affected. The printer's affidavit of publication of all notices and orders shall be filed with the ~~commissioner~~ *commission*. *Hearings held pursuant to this section shall not be subject to the requirements of chapter 15. The commission shall seek the advice of local units of government and encourage them to voluntarily implement projects and to enter into agreements with one another for that purpose. The commission itself has no authority to implement lake protection or rehabilitation projects.*

Sec. 5. Minnesota Statutes 1978, Section 114.13, is amended by adding a subdivision to read:

*Subd. 2a. [ADVISORY COMMITTEES.] The commission shall establish a local advisory committee for each lake protection and rehabilitation project. A majority of the members of each committee shall be elected officials of local governmental units, including tribal governments, within the boundary waters watershed.*

Sec. 6. Minnesota Statutes 1978, Section 114.13, Subdivision 4, is amended to read:

Subd. 4. [APPEALS.] Any party aggrieved by any order or any determination of the ~~commissioner~~ *establishing or regulating water levels, as provided for in commission pursuant to this section* may appeal to the district court or to the circuit court, as the case may be, of any county in either state in which the subject matter of the order or the determination is wholly or partially located, or to the district court of the county in either state where the capitol thereof is located. Notice of appeal must be served upon the ~~commissioner~~ *commission* within 30 days from the last date of publication of the order appealed from. Appeals may likewise be taken from the judgments of the district court to the supreme court of its respective states.

Sec. 7. *Minnesota Statutes 1978, Section 114.13, Subdivision 3, is repealed."*

Amend the title as follows:

Page 1, line 2, after "to" insert "boundary waters; changing the terms of office of"

Page 1, line 4, after the semicolon, insert "creating the South Dakota-Minnesota boundary waters commission; changing the duties of the commissioner of natural resources;"

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

Page 1, line 5, before the period, insert “; 114.13, Subdivisions 1, 2, and 4, and by adding a subdivision; repealing Minnesota Statutes 1978, Section 114.13, Subdivision 3”

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. 1835: A bill for an act relating to education; clarifying a term and removing obsolete language in provisions governing school district dissolution and attachment procedure, the consolidation procedure, the procedure for reorganizing a common school district, the procedure for calling special meetings in common school districts, actions against certain school board members, actions against certain school employees, and the establishment of certain libraries; amending Minnesota Statutes 1978, Section 122.22, Subdivisions 2 and 4; 122.23, Subdivisions 9 and 10; 122.85, Subdivision 1; 123.11, Subdivision 7; 127.09; 127.11; and 134.08.

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

Page 1, line 27, delete “200.02” and insert “123.32”

Page 2, line 1, delete “25” and insert “1a”

Page 2, line 17, delete “200.02” and insert “123.32”

Page 2, line 18, delete “25” and insert “1a”

Page 2, line 28, delete “200.02” and insert “123.32” and delete “25” and insert “1a”

Page 3, line 12, delete “200.02” and insert “123.32” and delete “25” and insert “1a”

Page 3, line 33, delete “200.02” and insert “123.32”

Page 4, line 1, delete “25” and insert “1a”

Page 4, line 10, delete “200.02” and insert “123.32” and delete “25” and insert “1a”

Page 4, line 15, delete “200.02” and insert “123.32” and delete “25” and insert “1a”

Page 4, line 24, delete “200.02” and insert “123.32”

Page 4, line 25, delete “25” and insert “1a”

Page 5, line 2, delete “200.02” and insert “123.32” and delete “25” and insert “1a”

Page 5, line 15, delete “200.02” and insert “123.32”

Page 5, line 16, delete “25” and insert “1a”

Page 5, line 19, delete “200.02” and insert “123.32”

Page 5, line 20, delete "25" and insert "1a"

Page 6, line 2, delete "200.02" and insert "123.32" and delete "25" and insert "1a"

Page 6, line 13, delete "200.02" and insert "123.32" and delete "25" and insert "1a"

Page 6, line 20, delete "200.02" and insert "123.32" and delete "25" and insert "1a"

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

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

S. F. No. 2252: A bill for an act relating to retirement; providing for an increase in employer contributions for teachers retirement funds; amending Minnesota Statutes, 1979 Supplement, Sections 354.42, Subdivision 5; and 354A.12, Subdivision 2.

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

Delete everything after the enacting clause and insert:

"Section 1. Subdivision 1. An advisory task force on the teachers retirement fund is created. The task force shall consist of the members of the legislative commission on pensions and retirement and seven members appointed by the governor. The task force members appointed by the governor shall include one representative of each of the following: teachers who are members of the teachers retirement association, retirees who receive benefits from the teachers retirement fund, school boards, private pension fund administrators, and actuaries; the governor shall also appoint two public members. The members appointed shall be appointed and serve pursuant to section 15.059, subdivision 6.

Subd. 2. The task force shall elect a chairman and other officers as it deems necessary. Meetings of the task force shall be held at the call of the chairman or at the request of a majority of its members. The task force may adopt operating procedures to regulate its procedures. The task force shall utilize existing legislative and executive branch staff to the extent possible, but may employ consultants if it deems it appropriate to do so. All contracts for consultants shall be submitted to the legislative coordinating commission for review and comment.

Subd. 3. The task force shall study the following:

(a) The assumptions currently being used to estimate the unfunded liability of the teachers retirement fund, their appropriateness, and alternatives to them;

(b) The current estimated unfunded liability of the teachers retirement fund;

(c) Whether full funding of the teachers retirement fund is appropriate or necessary;

(d) Methods to amortize all or part of the unfunded liability of the teachers retirement fund over a 30 year period; and

(e) Related issues which the task force deems appropriate.

Subd. 4. The task force shall submit its final report, including proposed legislation, to the governor and the legislature on or before November 1, 1980.

Sec. 2. As part of his budget message to the legislature in 1981, the governor shall also transmit for legislative consideration his recommendations with respect to the funding of the teachers retirement fund.

Sec. 3. The sum of \$. . . . . is appropriated to the advisory task force on the teachers retirement fund for the period beginning on the effective date of section 1 and ending on November 15, 1980.

Sec. 4. The provisions of this act are effective the day following final enactment. Section 1 shall expire on November 15, 1980. Section 2 shall expire on February 1, 1981."

Amend the title as follows:

Delete the title and insert:

"A bill for an act relating to public employees; establishing an advisory task force on the teachers retirement fund; requiring reports; appropriating money."

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

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

S. F. No. 1655: A bill for an act relating to education; permitting certain previous nonresident students to be treated as resident students in their district of attendance; amending Minnesota Statutes, 1979 Supplement, Section 120.075, Subdivision 4, and by adding a subdivision.

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

Page 1, line 13, delete "was enrolled on" and insert "has continuously been enrolled since"

Page 2, after line 6, insert:

"Sec. 3. Minnesota Statutes 1978, Chapter 120, is amended by adding a section to read:

[120.0751] [STATE BOARD OF EDUCATION.] Subdivision 1. [ENROLLMENT EXCEPTIONS.] *The state board of education may permit a pupil who enrolls in a school district of which he is not a resident to be deemed a resident pupil of that district pursuant to this section.*

Subd. 2. *The pupil or his parent or guardian shall make application to the state board, explaining the particular circumstances which make the nonresident district the appropriate district of*

*attendance for the pupil. The application must be signed by the pupil's parent or guardian and the superintendent of the nonresident district.*

*Subd. 3. In granting or denying the application the state board of education shall consider the following criteria:*

*Whether attending school in the district of residence creates a particular hardship for the pupil; and*

*Whether the circumstances of the pupil are similar or analogous to the exceptions permitted by section 120.075.*

*Subd. 4. The state board of education shall render its decision in each case within 60 days of receiving the application in subdivision 2.*

*Subd. 5. The department of education shall provide the forms required by subdivision 2. These forms shall be available on or before July 31, 1980. The state board shall consider any application received by it on August 1, 1980, and thereafter. The state board of education shall adopt the procedures necessary to implement this section.*

**Sec. 4. Minnesota Statutes 1978, Chapter 120, is amended by adding a section to read:**

**[120.0752] [AGREEMENTS BETWEEN SCHOOL DISTRICT SUPERINTENDENTS; ENROLLMENT EXCEPTIONS.]** *Subdivision 1. A pupil may enroll in a school district of which he is not a resident and be deemed a resident pupil of that district pursuant to this section.*

*Subd. 2. The pupil's parent or guardian must receive the approval of the superintendent of the nonresident district and the superintendent of the resident district. The approval shall be on a form provided by the department of education. The superintendent of the nonresident district shall forward a copy of this form to the department of education within ten days of its approval. If the student withdraws his enrollment from the nonresident district the superintendent of that district shall report the fact to the department of education."*

**Renumber the sections in sequence**

**Amend the title as follows:**

**Page 1, line 4, before the semicolon, insert " , and authorizing the state board of education and school superintendents to make these exceptions"**

**Page 1, line 4, after "amending" insert "Minnesota Statutes 1978, Chapter 120, by adding sections; and"**

**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. 1618: A bill for an act relating to taxation; authoriz-**

ing certain taxing districts to provide property tax exemption or abatement for certain new business facilities.

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

Page 2, line 2, delete "county auditor of"

Page 2, line 3, delete "the county" and insert "*governing body of any or all taxing jurisdictions*"

Page 2, line 4, delete "The auditor shall immediately"

Page 2, delete lines 5 to 7

Page 2, line 8, delete "schedule" and insert "*If the governing body proposes to consider the application, it shall hold*"

Page 2, line 8, delete "The hearing shall be held after"

Page 2, delete lines 9 to 16

Page 2, line 17, delete "approve or disapprove the application."

Page 2, line 18, delete "county" and insert "*governing body*"

Page 2, line 20, after "exemption" insert "*and the percentage of the assessed valuation to be exempt if the total exemption is not approved*"

Page 2, line 21, delete "COUNTY" and insert "GOVERNING BODY" and after "The" delete "county" and insert "*governing body*"

Page 2, line 24, delete "In making"

Page 2, delete lines 25 to 27

Page 2, line 28, delete "LIMITED ABATEMENT;" and delete "If the"

Page 2, delete lines 29 to 33

Page 3, delete lines 1 and 2

Page 3, line 3, delete "testimony given at the public hearing."

Page 3, line 7, delete ", and" insert "*. Upon approval, the governing body,*" and delete "forward its approval to" and insert "*notify*"

Page 3, line 22, delete "in which"

Page 3, line 23, delete "the capital investment exceeds \$50,000 and"

Page 3, line 29, delete ", provided the capital investment"

Page 3, line 30, delete "made in the expansion exceeds \$25,000"

Page 3, line 32, delete "feed lot" and insert "*structure used for agricultural production*"

Page 4, line 10, delete "at a feed lot" and insert "*or poultry*"

Page 5, after line 1, insert:



"Sec. 2. Minnesota Statutes 1978, Section 124.212, is amended by adding a subdivision to read:

*Subd. 10a. The committee shall increase the adjusted assessed valuation of any school district in which is located property which is exempted from taxation by the school district pursuant to section 1 in an amount equal to the valuation which is subject to the exemption.*

Sec. 3. Minnesota Statutes, 1979 Supplement, Section 477A.01, Subdivision 4, is amended to read:

Subd. 4 (a) The balance of the distributions in 1980 pursuant to subdivision 1, shall be divided among the several cities and towns in the state as provided herein:

(1) Funds shall be distributed to all cities and towns which are not subject to the levy limitations imposed pursuant to sections 275.50 to 275.56, with the distribution to be based on the average equalized mill rate of each city or town. For purposes of this clause, "average equalized mill rate" shall be defined as the sum of the 1979 mill rate of the city or town plus its 1978 mill rate plus its 1977 mill rate, multiplied by its 1978 aggregate sales ratio as determined by the commissioner of revenue, divided by three.

If the average equalized mill rate of the city or town is ten or less, the city or town will receive a distribution equal to that which it received pursuant to Minnesota Statutes 1978, Section 477A.01 for 1979, plus, in the case of a city, the sum of \$1 multiplied by its population as determined under section 275.53.

If the average equalized mill rate of the city or town is greater than ten but less than or equal to 20, the city or town will receive a distribution equal to that which it received pursuant to Minnesota Statutes 1978, Section 477A.01 for 1979, plus the sum of \$3 multiplied by its population as determined under section 275.53.

If the average equalized mill rate of the city or town is greater than 20, the city or town will receive a distribution equal to that which it received pursuant to Minnesota Statutes 1978, Section 477A.01, for 1979, plus the sum of \$5 multiplied by its population as determined under section 275.53.

(2) Funds shall be distributed to the city of Minneapolis in an amount equal to the amount distributed to that city for 1979 pursuant to Minnesota Statutes 1978, Section 477A.01.

(3) The funds remaining after distribution has been made pursuant to paragraphs (1) and (2) shall be distributed according to the provisions of this paragraph among the cities and towns, other than the city of Minneapolis, which are subject to the levy limitations imposed pursuant to sections 275.50 to 275.56.

(i) For purposes of the 1980 distribution, the "local revenue base" of a city or town shall be the sum of its levy limitation for taxes levied in 1978 plus the amount of the distribution it received for 1979 pursuant to Minnesota Statutes 1978, Section 477A.01, except that the "local revenue base" of a city of the first class

located within the metropolitan area defined in section 473.121, subdivision 2, shall be the sum of its levy limitation for taxes levied in 1978, multiplied by .85, plus the amount of the distribution it received for 1979 pursuant to Minnesota Statutes 1978, Section 477A.01.

(ii) A preliminary state aid factor shall be established for each city and town by subtracting from the local revenue base, an amount equal to ten mills multiplied by the 1979 taxable valuation of the city or town, adjusted for the contributions and distributions required by chapter 473F in the case of a city or town located within the metropolitan area and less the captured value in any tax increment district, divided by its 1978 aggregate sales ratio as determined by the commissioner of revenue.

(iii) A final state aid factor shall be established for each city and town by adjusting the preliminary state aid factor to comply with the following restrictions:

The final state aid factor for a city or town shall be an amount which is equal to or greater than an amount computed pursuant to the following:

If the average equalized mill rate of the city or town is ten or less, the final state aid factor of the city or town shall be at least equal to the amount which the city or town received pursuant to Minnesota Statutes 1978, Section 477A.01 for 1979, plus the sum of \$1 multiplied by its population as determined under section 275.53.

If the average equalized mill rate of the city or town is greater than ten but less than or equal to 20, the final state aid factor of the city or town will be at least equal to the amount which the city or town received pursuant to Minnesota Statutes 1978, Section 477A.01 for 1979, plus the sum of \$3 multiplied by its population as determined under section 275.53.

If the average equalized mill rate of the city or town is greater than 20, the final state aid factor of the city or town will be at least equal to the amount which the city or town received pursuant to Minnesota Statutes 1978, Section 477A.01, for 1979, plus the sum of \$5 multiplied by its population as determined under section 275.53.

The final state aid factor for any city or town shall not exceed the previous year's distribution under Minnesota Statutes 1978, Section 477A.01 by more than the following percent: if a city received more than \$100 per capita in 1979 pursuant to Minnesota Statutes 1978, Section 477A.01, using the population determined pursuant to Minnesota Statutes 1978, Section 275.53, 12 percent; if more than \$75 per capita but less than or equal to \$100 per capita, 15 percent; if more than \$50 per capita but less than or equal to \$75 per capita, 17 percent; or if less than or equal to \$50 per capita, 20 percent.

(iv) The amount of the distribution for which a city or a town is eligible under this paragraph shall be determined as follows: For

each city or town, its final state aid factor increase shall be the difference between its final state aid factor determined pursuant to this paragraph and the amount of distribution which it received for 1979 pursuant to Minnesota Statutes 1978, Section 477A.01. The final state aid factor increase of each city or town shall be divided by the sum of the final state aid factor increases for all cities and towns receiving distributions under this paragraph; that quotient shall be multiplied by the amount of the increase in funds available for distribution under this paragraph over the sum of the amounts distributed to those cities and towns for 1979 pursuant to Minnesota Statutes 1978, Section 477A.01. That product, plus the distribution the city or town received pursuant to Minnesota Statutes 1978, Section 477A.01 for 1979, shall equal the distribution to be distributed to the city or town for 1980.

(v) The final distribution made to each city or town pursuant to this paragraph shall be in an amount which is at least equal to the distribution received by that city or town for 1979 pursuant to Minnesota Statutes 1978, Section 477A.01, but which does not exceed the amount of the city's or town's 1979 distribution by more than the following percent: if a city received more than \$100 per capita in 1979 pursuant to Minnesota Statutes 1978, Section 477A.01, using the population determined pursuant to Minnesota Statutes 1978, Section 275.53, 12 percent; if more than \$75 per capita but less than or equal to \$100 per capita, 15 percent; if more than \$50 per capita but less than or equal to \$75 per capita, 17 percent; or if less than or equal to \$50 per capita, 20 percent.

(vi) If the amount distributed to a city or town by paragraph (iv) is limited by paragraph (v) the distribution to other cities and towns that receive aid under paragraph (3) shall be proportionately increased as necessary to absorb the difference. In no event shall a city's or town's distribution exceed the city's or town's 1979 distribution by more than the following percent: if a city received more than \$100 per capita in 1979 pursuant to Minnesota Statutes 1978, Section 477A.01, using the population determined pursuant to Minnesota Statutes 1978, Section 275.53, 12 percent; if more than \$75 per capita but less than or equal to \$100 per capita, 15 percent; if more than \$50 per capita but less than or equal to \$75 per capita, 17 percent; or if less than or equal to \$50 per capita, 20 percent.

(b) The balance of the distributions in 1981 pursuant to subdivision 1 shall be divided among the several cities and towns in the state as provided herein:

(1) Funds shall be distributed to all cities and towns which are not subject to the levy limitations imposed pursuant to sections 275.50 to 275.56, with the distributions to be based on the average equalized mill rate of each city or town. For purposes of this clause "average equalized mill rate" shall be defined as the sum of the 1980 mill rate of the city or town plus its 1979 mill rate plus its 1978 mill rate, multiplied by its 1979 aggregate sales ratio as determined by the commissioner of revenue, divided by three; *provided that, if the city or town contains property exempt from taxation by the city or town pursuant to section 1, the mill rate*

*used for the purpose of this computation shall be the mill rate that would have been in effect if no property had been so exempt .*

If the average equalized mill rate of the city or town is ten or less, the city or town will receive a distribution equal to that which it received pursuant to clause (a) for 1980, plus, in case of a city, the sum of \$1 multiplied by its population as determined under section 275.53.

If the average equalized mill rate of the city or town is greater than ten but less than or equal to 20, the city or town will receive a distribution equal to that which it received pursuant to clause (a) for 1980, plus the sum of \$4 multiplied by its population as determined under section 275.53.

If the average equalized mill rate of the city or town is greater than 20, the city or town will receive a distribution equal to that which it received pursuant to clause (a), for 1980, plus the sum of \$6 multiplied by its population as determined under section 275.53.

(2) The funds remaining after distribution has been made pursuant to paragraph (1) shall be distributed according to the provisions of this paragraph among the cities and towns which are subject to the levy limitations imposed pursuant to sections 275.50 to 275.56.

(i) For purposes of the 1981 distribution, the "local revenue base" of a city or town shall be its local revenue base computed according to clause (a) paragraph (3) for purposes of the 1980 distribution, provided that, in the case of a city which received its 1980 aid distribution pursuant to clause (a), paragraph (2), a local revenue base shall be computed for it according to the provisions of clause (a), paragraph (3); these revenue bases shall be increased as follows:

The 1980 local revenue base will be multiplied by the percentage of increase from June, 1979, to June, 1980 in the revised consumer price index for all urban consumers for the Minneapolis-St. Paul metropolitan area prepared by the United States department of labor with 1967 as a base year. The product of that computation will be added to the 1980 local revenue base. The inflation-adjusted base shall also be increased by the percentage increase in the population of the city or town during the preceding year as determined according to section 275.53. After adjustment for population increase the inflation-adjusted local revenue base of each city and town shall also be increased by (1) the amount of its special levies levied in 1979 to pay the costs of principal and interest on bonded indebtedness incurred in 1979 or thereafter for the purpose of providing capital replacement for streets, curbs, gutters, storm sewers and bridges plus (2) any adjustments made to the levy limit base of the city or town pursuant to section 275.51, subdivision 3d for purposes of refuse collection and street maintenance; and (3) any adjustments made to the levy limit base of the city or town pursuant to section 275.52, subdivision 4, clause (d).

(ii) A preliminary state aid factor shall be established for each city and town by subtracting from the local revenue base, ten mills multiplied by the 1980 taxable valuation of the city or town adjusted for the contributions and distributions required by chapter 473F if applicable and less the captured value in any tax increment financing district divided by its 1979 sales ratio as determined by the commissioner of revenue.

(iii) A final state aid factor shall be established for each city and town by adjusting the preliminary state aid factor to comply with the following restrictions:

The final state aid factor for a city or town shall be an amount which is equal to or greater than an amount computed pursuant to the following:

If the average equalized mill rate of the city or town is ten or less, the final state aid factor of the city or town shall be at least equal to the amount which the city or town received pursuant to clause (a) for 1980, plus the sum of \$1 multiplied by its population as determined under section 275.53.

If the average equalized mill rate of the city or town is greater than ten but less than or equal to 20, the final state aid factor for the city or town shall be at least equal to the amount which the city or town received pursuant to clause (a) for 1980, plus the sum of \$4 multiplied by its population as determined under section 275.53.

If the average equalized mill rate of the city or town is greater than 20, the final state aid factor for the city or town shall be at least equal to the amount which the city or town received pursuant to clause (a) for 1980, plus the sum of \$6 multiplied by its population as determined under section 275.53.

The final state aid factor for any city or town shall not exceed the previous year's distribution under section 477A.01 by more than the following percent: if a city received more than \$100 per capita in 1980 pursuant to clause (a) of this subdivision using the population determined pursuant to section 275.53, 12 percent; if more than \$75 per capita but less than or equal to \$100 per capita, 15 percent; if more than \$50 per capita but less than or equal to \$75 per capita, 17 percent; or if less than or equal to \$50 per capita, 20 percent.

(iv) The amount of the distribution for which a city or town is eligible under this paragraph shall be determined as follows: For each city or town, its final state aid factor increase shall be the difference between its final state aid factor determined pursuant to this paragraph and the amount of distribution which it received pursuant to clause (a). The final state aid factor increase of each city or town shall be divided by the sum of the final state aid factor increases for all cities and towns receiving distributions under this paragraph; that quotient shall be multiplied by the amount of the increase in funds available for distribution under this paragraph over the amount distributed under clause (a),

paragraphs (2) and (3). That product, plus the distribution the city or town received pursuant to clause (a), shall equal the distribution to be distributed to the city or town for 1981.

(v) The final distribution made to each city or town pursuant to this paragraph shall be in an amount which is at least equal to the distribution received by that city or town for 1980 pursuant to clause (a), but which does not exceed the amount of the city's or town's 1980 distribution by more than the following percent: if a city received more than \$100 per capita in 1980 pursuant to clause (a) of this subdivision using the population determined pursuant to section 275.53, 12 percent; if more than \$75 per capita but less than or equal to \$100 per capita, 15 percent; if more than \$50 per capita but less than or equal to \$75 per capita, 17 percent; or if less than or equal to \$50 per capita, 20 percent.

(vi) If the amounts distributed to a city or town by paragraph (v) is limited by paragraph (v) the distribution to other cities and towns who receive aid under paragraph (2) shall be proportionately increased as necessary to absorb the difference. In no event shall a city's or town's distribution exceed the city's or town's 1980 distribution by more than the following percent: if a city received more than \$100 per capita in 1980 pursuant to clause (a) of this subdivision using the population determined pursuant to section 275.53, 12 percent; if more than \$75 per capita but less than or equal to \$100 per capita, 15 percent; if more than \$50 per capita but less than or equal to \$75 per capita, 17 percent; or if less than or equal to \$50 per capita, 20 percent."

Page 5, line 4, before the period insert "*and for which approval of the exemption has been granted prior to August 1, 1985*"

Renumber the remaining section and underscore all the new language in the bill

Amend the title as follows:

Page 1, line 4, after "facilities" insert "; requiring an adjustment of the EARC valuation; adjusting the local government aid formula; amending Minnesota Statutes 1978, Section 124.212, by adding a subdivision; and Minnesota Statutes, 1979 Supplement, Section 477A.01, Subdivision 4"

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

## SECOND READING OF SENATE BILLS

S. F. Nos. 2244, 2113, 2263, 1835, 1655 and 1618 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. 1778, 593, 1798, 2119, 1846, 2222, 2287, 2135, 1931, 2051 and 1892 were read the second time.

H. F. Nos. 1207, 1837, 1996, 2028 and 1871 were read the second time and referred to the Subcommittee on Bill Scheduling of the Committee on Rules and Administration.

### **MOTIONS AND RESOLUTIONS**

Mr. Solon moved that the names of Mrs. Staples, Mr. Vega and Mrs. Brataas be added as co-authors to S. F. No. 1944. The motion prevailed.

Mr. Anderson moved that H. F. No. 1451 be withdrawn from the Committee on Agriculture and Natural Resources and referred to the Committee on Rules and Administration for comparison with S. F. No. 2291 now in the Subcommittee on Bill Scheduling. The motion prevailed.

Mr. Setzepfandt introduced—

Senate Resolution No. 50: A Senate resolution relating to extending congratulations to the Bird Island-Lake Lillian High School football team for winning the Class C State Championship and the basketball team for winning the Class A State Basketball Championship.

Referred to the Committee on Rules and Administration.

### **CONFIRMATION**

Mr. Laufenburger moved that the report from the Committee on Employment, reported March 14, 1980, pertaining to appointments, be taken from the table. The motion prevailed.

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

Mr. Laufenburger moved that in accordance with the report from the Committee on Employment, reported March 14, 1980, the Senate, having given its advice, do now consent to and confirm the appointments of:

### **WORKERS' COMPENSATION COURT OF APPEALS**

Paul V. Rieke, 13403 Washburn Avenue South, Burnsville, Dakota County, effective September 17, 1979, for a term expiring September 17, 1985.

John C. Wallraff, 47 32 Avenue NW, New Brighton, Ramsey County, effective November 28, 1979, for a term expiring November 28, 1985.

### **OCCUPATIONAL SAFETY AND HEALTH REVIEW BOARD**

Dan W. Gustafson, 2932 Jersey Avenue North, Minneapolis,

Hennepin County, effective February 8, 1980, for a term expiring the first Monday in January, 1984.

The motion prevailed. So the appointments were confirmed.

Mr. McCutcheon moved that S. F. No. 364 be taken from the table. The motion prevailed.

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.

Mr. McCutcheon moved that the Senate do not concur in the amendments by the House to S. F. No. 364 and that a Conference Committee of 3 members be appointed by the Subcommittee on Committees on the part of the Senate, to act with a Conference Committee to be appointed on the part of the House. The motion prevailed.

#### CONFIRMATION

Mr. Perpich moved that the report from the Committee on Health, Welfare and Corrections, reported March 10, 1980, pertaining to appointments, be taken from the table. The motion prevailed.

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

Mr. Perpich moved that in accordance with the report from the Committee on Health, Welfare and Corrections, reported March 10, 1980, the Senate, having given its advice, do now consent to and confirm the appointments of:

#### CORRECTIONS BOARD

James H. Bruton, Jr., 2179 Birch Street, White Bear Lake, Ramsey County, effective September 26, 1979, for a term expiring the first Monday in January, 1980, and for a term effective January 7, 1980, expiring the first Monday in January, 1986.

Henry Greencrow, 699 Ohio, St. Paul, Ramsey County, effective July 16, 1979, for a term expiring the first Monday in January, 1980, and for a term effective January 7, 1980, expiring the first Monday in January, 1986.

The motion prevailed. So the appointments were confirmed.

#### RECESS

Mr. Coleman moved that the Senate do now recess subject to the call of the President. The motion prevailed.

After a brief recess, the President called the Senate to order.

#### CALENDAR

H. F. No. 1666: A bill for an act relating to transportation;



repealing a certain administrative rule of the department of transportation enforcing parallel parking on certain streets and highways.

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

So the bill passed and its title was agreed to.

H. F. No. 1656: A bill for an act relating to motor vehicles; providing for delivery of motor vehicle certificates of title to owners upon satisfaction of a security interest; amending Minnesota Statutes 1978, Section 168A.20, Subdivision 1.

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

The question was taken on the passage of the bill.

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

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

S. F. No. 1658: A bill for an act relating to intoxicating liquor; permitting holders of both on-sale wine and on-sale non-intoxicating malt beverages licenses to sell intoxicating malt beverages; amending Minnesota Statutes 1978, Section 360.11, Subdivision 20.

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 42 and nays 15, as follows:

Those who voted in the affirmative were:

Ashbach	Hanson	McCutcheon	Schaaf	Tennessen
Bang	Humphrey	Moe	Schmitz	Ueland, A.
Barrette	Johnson	Nelson	Setzepfandt	Ulland, J.
Brataas	Keefe, J.	Nichols	Sikorski	Vega
Coleman	Keefe, S.	Ogdahl	Solon	Wegener
Davies	Kleinbaum	Penny	Spear	Willet
Dieterich	Knaak	Perpich	Staples	
Dunn	Knoll	Pillsbury	Stokowski	
Gearly	Luther	Purfeerst	Stumpf	

Those who voted in the negative were:

Bernhagen	Frederick	Kirchner	Olhoft	Renneke
Chmielewski	Gunderson	Lessard	Omann	Rued
Engler	Jensen	Menning	Peterson	Sieloff

So the bill passed and its title was agreed to.

S. F. No. 1837: A bill for an act relating to elections; providing for towns to set their own hours for town elections; requiring polls to be open at least three hours; amending Minnesota Statutes 1978, Section 205.03, 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 59 and nays 0, as follows:

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

S. F. No. 1322: A bill for an act relating to local government; providing for municipal planning; authorizing regulation of subdivisions; providing a penalty; amending Minnesota Statutes 1978, Sections 462.351; 462.352, by adding subdivisions; 462.355, Subdivision 4; 462.358, by adding subdivisions; 462.36, Subdivision 1; 505.14; repealing Minnesota Statutes 1978, Sections 462.352, Subdivision 4; and 462.358, Subdivisions 1, 2, 3 and 4.

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

The question was taken on the passage of the bill.

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

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

S. F. No. 769: A bill for an act relating to security guards; providing for the certification and training of security guards; setting forth criteria for the use of deadly force by security guards; prescribing penalties; amending Minnesota Statutes 1978, Sections 326.32, by adding a subdivision; 326.33, Subdivision 1; 326.-331; 326.332, Subdivision 1; 326.333; 326.336, Subdivisions 1 and 2, and by adding subdivisions; 326.337, Subdivision 1; and 326.-338, Subdivision 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 60 and nays 0, as follows:

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

S. F. No. 1633: A bill for an act relating to veterans; modifying the duties, authority and scope of operations of the department of veterans affairs; authorizing the commissioner of veterans affairs to accept uncompensated voluntary services; entitling uncompensated voluntary workers to the benefits of workers' compensation; providing for the appointment of the commissioner of veterans affairs as the guardian of an estate; revising the veterans home

eligibility requirements; amending Minnesota Statutes 1978, Sections 196.05; 196.051; 197.06; 198.01; and Minnesota Statutes, 1979 Supplement, Section 176.011, Subdivision 9.

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

The question was taken on the passage of the bill.

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

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

S. F. No. 1641: A bill for an act relating to drivers licenses; increasing fees for renewal of motorized bicycle operator permits and fees for drivers licenses; establishing a fee for the Minnesota identification card; providing for uniform application fees; amending Minnesota Statutes 1978, Sections 171.06, Subdivisions 1, 2, and 4; 171.07, Subdivision 3; and Minnesota Statutes, 1979 Supplement, Section 171.02, 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 60 and nays 0, as follows:

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

S. F. No. 1854: A bill for an act relating to commerce; clarifying the definition of a "sale of goods" as it applies to consumer

credit sales to make it clear that it includes certain terminable bailments or leases; clarifying the interests of the respective parties; providing for a certain contract provision; amending Minnesota Statutes 1978, Sections 325.94, Subdivision 5; and 325.941, by adding subdivisions.

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 60 and nays 0, as follows:

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

S. F. No. 1132: A bill for an act relating to financial institutions; authorizing securities for investment of deposits of savings banks and other financial institutions and for deposit to secure deposits of public funds; amending Minnesota Statutes 1978, Sections 50.14, Subdivision 4; and 118.01.

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

The question was taken on the passage of the bill.

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

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

S. F. No. 1398: A bill for an act relating to accountancy; providing for the licensing of public accountants; clarifying the

law; amending Minnesota Statutes 1978, Sections 326.19, Subdivisions 3 and 4, and by adding a subdivision; Minnesota Statutes, 1979 Supplement, Sections 326.165, Subdivisions 1 and 2; 326.17; 326.18; 326.19, Subdivision 2; 326.211, Subdivisions 3 and 9; 326.212, Subdivision 2; and Laws 1979, Chapter 326, Section 16.

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

The question was taken on the passage of the bill.

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

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

Without objection, the Senate reverted to the Order of Business of Reports of Committees.

#### REPORTS OF COMMITTEES

Mr. Coleman from the Subcommittee on Bill Scheduling, to which were referred S. F. Nos. 1763, 2220, 1699, 2117, 2201, 1415, 1157, 2152, 2226, 1853, 2317, 1749, 140, 2047, 1648, 2197, 1085, 2062, 2348, 251, 1255, 1649, 2092, 1021, 1235 and 2210 makes the following report:

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

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

Mr. Coleman moved the adoption of the foregoing committee report. The motion prevailed. Report adopted.

#### CONSENT CALENDAR

H. F. No. 1932: A bill for an act relating to Independent School District No. 535, Rochester; providing that its school board may organize at a time other than the time required for the organization of the board of an independent district; amending Laws 1969, Chapter 193, Section 3, as amended.

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 60 and nays 0, as follows:

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

S. F. No. 1847: A bill for an act relating to Blue Earth County; authorizing the county to contract for the completion of the improvement of county ditch No. 27; setting limits on the expenditure of money for the improvement; providing for financing; amending Laws 1975, Chapter 249, Section 1, Subdivision 1, as amended; and Section 2, as amended.

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

The question was taken on the passage of the bill.

The roll was called, and there were yeas 58 and nays 0, as follows:

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

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.

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 2, as follows:

Those who voted in the affirmative were:

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

Messrs. Keefe, J. and Tennesen voted in the negative.

So the bill passed and its title was agreed to.

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.

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 60 and nays 0, as follows:

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

### GENERAL ORDERS

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

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

S. F. Nos. 1700, 1995, 1797, 1985 and H. F. Nos. 1601, 1427, 711 and 1453, which the committee recommends to pass.



S. F. No. 1903, which the committee recommends to pass with the following amendment offered by Mr. Johnson:

Page 2, line 11, after "provision" insert "*adopted pursuant to this subdivision*"

Page 4, line 4, after "regulation" insert "*adopted pursuant to this subdivision*"

Page 5, after line 31, insert:

"Sec. 5. [CONSERVATION OF BIOMASS FUEL, FIRE-WOOD.] *In any instance where trees or portions of trees usable as firewood are removed from property under the control of a public utility, pipeline company, railroad, state agency or department, or a political subdivision, that portion of the tree material that is six inches or larger in diameter shall not be destroyed by open burning or deposited in a landfill without first having been offered for use to the public, subject to the approval of the landowner or landowners involved. This section shall not apply to tree material removed in a program of sanitation or disease control, as defined in Minnesota Statutes, 1979 Supplement, Section 18.023.*"

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 4, after "production;" insert "prohibiting the destruction of certain biomass usable as fuel;"

The motion prevailed. So the amendment was adopted.

H. F. No. 1623, which the committee recommends to pass, subject to the following motion:

Mr. Keefe, S. moved that the amendment made to H. F. No. 1623 by the Committee on Rules and Administration in the report adopted March 12, 1980, pursuant to Rule 49, be stricken. The motion prevailed. So the amendment was stricken.

S. F. No. 2094, which the committee recommends to pass with the following amendment offered by Mr. Peterson:

Page 2, delete section 3

Page 5, after line 20, insert:

"Sec. 11. Minnesota Statutes 1978, Section 101.41, Subdivision 2, is amended to read:

Subd. 2. Except as otherwise provided, the following fish may be taken only by angling with a single line except that not more than two lines and two baits may be used to take fish through the ice, transported and possessed, subject to all other provisions of chapters 97 to 102, between the dates set opposite each species:

Species

Large and small mouthed black bass

Dates—May 15th and Feb. 15th the third Monday in February

**Trout**

Dates—As the commissioner may by order prescribe between Jan. 1st and Oct. 31st

**Lake trout (land-locked salmon)**

Dates—Jan. 1st and Oct. 31st

**Wall-eyed pike**

Dates—May 15th and Feb. 15th the third Monday in February

**Sauger (sand pike)**

Dates—May 15th and Feb. 15th the third Monday in February

**Great Northern pike and pickerel**

Dates—May 15th and Feb. 15th the third Monday in February

**Muskellunge**

Dates—May 15th and Feb. 15th the third Monday in February

**Rock bass and white bass**

Dates—No closed season

**Crappies**

Dates—No closed season

**Sunfish and blue gill**

Dates—No closed season

**Catfish**

Dates—No closed season

**Bullheads**

Dates—No closed season

Carp, dogfish, redhorse, sheepshead, suckers, eelpout, garfish, perch, whitefish, tullibees, buffalofish

Dates—No closed season"

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 12, after "claws;" insert "altering the end date of certain fishing seasons;"

Page 1, lines 15 and 16, delete "97.48, Subdivision 23;"

Page 1, line 18, after "100.30;" insert "101.41, Subdivision 2;"

The motion prevailed. So the amendment was adopted.

S. F. No. 2109, which the committee recommends to pass with the following amendment offered by Mr. Dunn:

Page 1, line 22, delete "may" and insert "shall"

Page 1, line 23, after "of" insert "a"

Page 1, line 23, delete "bridges" and insert "bridge"

Page 1, line 23, delete "*on county highways or county*"

Page 2, line 1, delete everthing before "*located*"

The motion prevailed. So the amendment was adopted.

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

#### MOTIONS AND RESOLUTIONS—CONTINUED

Mr. Coleman moved that the Senate do now adjourn until 1:00 o'clock p.m., Tuesday, March 18, 1980. The motion prevailed.

Patrick E. Flahaven, Secretary of the Senate