

**EIGHTY-FIRST DAY**

St. Paul, Minnesota, Tuesday, March 18, 1980

The Senate met at 1:00 o'clock p.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:

Anderson	Gearty	Laufenburger	Pillsbury	Stokowski
Ashbach	Gunderson	Lessard	Purfeerst	Strand
Bang	Hanson	Luther	Schaaf	Stumpf
Barrette	Humphrey	Menning	Schmitz	Tennessen
Benedict	Jensen	Nelson	Setzepfandt	Ulland, J.
Chmielewski	Johnson	Nichols	Sieloff	Vega
Coleman	Keefe, S.	Olson	Sikorski	Wegener
Davies	Kirchner	Omann	Solon	Willet
Dunn	Kleinbaum	Penny	Spear	
Engler	Knaak	Perpich	Staples	
Frederick	Knutson	Peterson	Stern	

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:

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

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. Hughes, Merriam and Sillers were excused from the Session of today. Messrs. Nelson and Olhoft were excused from the Session of today at 3:00 o'clock p.m. Mrs. Brataas was excused from the Session of today from 1:30 to 2:30 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.

Messrs. Dieterich, Sieloff and Sikorski introduced—

S. F. No. 2390: A bill for an act relating to education; establishing procedures for the regulation of school bus drivers who might be under the influence of alcohol or a controlled substance.

Referred to the Committee on Education.

Mr. Humphrey introduced—

S. F. No. 2391: A bill for an act relating to retirement; including employees of the Suburban Public Health Nursing Services in the membership of the public employees retirement association; amending Minnesota Statutes, 1979 Supplement, Section 353.01, Subdivision 2a.

Referred to the Committee on Governmental Operations.

Mr. Humphrey introduced—

S. F. No. 2392: A bill for an act relating to education; authorizing the rental or lease of vacant classrooms in operating school-houses; requiring school boards to adopt written policies governing certain rentals, or leases; providing for a district advisory committee; amending Minnesota Statutes 1978, Section 123.36, Subdivision 10, and by adding a subdivision.

Referred to the Committee on Education.

**EXECUTIVE AND OFFICIAL COMMUNICATIONS**

March 17, 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. Nos. 693, 482 and 998.

Sincerely yours,  
Albert H. Quie, Governor

March 18, 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. Nos. 888, 824, 1114, 1438 and 1625.

Sincerely yours,  
Albert H. Quie, Governor

#### MESSAGES FROM THE HOUSE

Mr. President:

I have the honor to announce the passage by the House of the following Senate Files, herewith returned: S. F. Nos. 759 and 1609.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned March 17, 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. 1745: A bill for an act relating to counties; providing for publication and examination of accounts; amending Minnesota Statutes, 1979 Supplement, Section 375.17.

Senate File No. 1745 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned March 17, 1980

#### CONCURRENCE AND REPASSAGE

Mr. Laufenburger moved that the Senate concur in the amendments by the House to S. F. No. 1745 and that the bill be placed on its repassage as amended. The motion prevailed.

S. F. No. 1745 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 56 and nays 0, as follows:

Those who voted in the affirmative were:

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

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

#### MESSAGES FROM THE HOUSE—CONTINUED

Mr. President:

I have the honor to announce the passage by the House of the following House Files, herewith transmitted: H. F. Nos. 1723, 1731, 1987, 2077, 1781 and 2152.

Edward A. Burdick, Chief Clerk, House of Representatives

Transmitted March 17, 1980

#### FIRST READING OF HOUSE BILLS

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

H. F. No. 1723: A bill for an act relating to snowmobiles; authorizing use in trapping related activities in certain counties; amending Minnesota Statutes, 1979 Supplement, Section 100.29, Subdivision 30.

Referred to the Committee on Rules and Administration for comparison with S. F. No. 1858 now on General Orders.

H. F. No. 1731: A bill for an act relating to labor; regulating certain steam engines and boilers and steam engine and boiler operators; amending Minnesota Statutes 1978, Chapter 183, by adding a section.

Referred to the Committee on Employment.

H. F. No. 1987: A bill for an act relating to local government; regulating financial reports of certain municipal hospitals and nursing homes; amending Minnesota Statutes, 1979 Supplement, Sections 471.697, Subdivision 1; and 471.698, Subdivision 1.

Referred to the Committee on Rules and Administration for comparison with S. F. No. 2192 now on General Orders.

H. F. No. 2077: A bill for an act relating to public welfare; clarifying zoning requirements for licensed residential facilities; increasing the required distances between certain facilities; amend-

ing Minnesota Statutes 1978, Sections 245.812, Subdivision 2; and 252.28, Subdivision 3.

Referred to the Committee on Health, Welfare and Corrections.

H. F. No. 1781: A bill for an act relating to education; providing for aids to education, tax levies and the distribution of tax revenues; granting certain powers and duties to school districts, the commissioner of education, the department of education and others; aid for education of pupils of limited English proficiency; requiring the establishment of local policies to minimize chemical use problems; appropriating money; amending Minnesota Statutes 1978, Sections 120.095, Subdivision 6; 120.10, Subdivision 2; 121.88, by adding a subdivision; 122.22, Subdivisions 2 and 4; 122.23, Subdivisions 9 and 10; 122.25, Subdivision 1; 122.531, by adding subdivisions; 123.11, Subdivision 7; 123.36, by adding a subdivision; 123.39, Subdivision 3; 123.932, Subdivision 9, and by adding a subdivision; 124.20; 124.214, Subdivision 2; 124.572, Subdivision 7; 126.07; 126.36, Subdivision 3; 126.52, Subdivision 5, and by adding a subdivision; 126.54, Subdivisions 5 and 6; 127.09; 127.11; 127.21; 134.03; 134.08; 275.125, Subdivisions 5 and 5a; 354.05, Subdivision 2; Chapter 124, by adding a section; Chapter 125, by adding a section; Minnesota Statutes, 1979 Supplement, Sections 120.075, Subdivision 4, and by adding a subdivision; 121.912, Subdivision 1; 122.541, Subdivision 5; 123.35, Subdivision 15; 124.01; 124.11, Subdivisions 2a and 2b, and by adding a subdivision; 124.19, Subdivision 4; 124.212, Subdivision 7d; 124.223; 124.225; 124.245, Subdivisions 1 and 2; 124.247, Subdivisions 3 and 4; 126.54, Subdivision 1; 124.561, Subdivision 3a; 124.562, Subdivisions 2, 3 and 4; 124.5621, Subdivision 11; 124.5624, Subdivision 6; 124.5625; 124.565, Subdivision 6; 124.566; 124.572, Subdivision 2; 275.125, Subdivisions 2a, 2b, 7a, 7b, 11a and 20; 353.01, Subdivision 2b; 354A.011, Subdivision 27; 465.72; Laws 1979, Chapter 69, Sections 2 and 5; Chapter 334, Article VI, Section 35, Subdivision 9; Article VIII, Section 29; repealing Minnesota Statutes 1978, Sections 122.531, Subdivision 3; 125.61, as amended; 126.31 to 126.35; 126.36, Subdivisions 5 and 6; 126.37; 126.38; 126.39, Subdivisions 1, 2, 3, 4, 5, 6, 7, 8 and 9; 126.40, Subdivisions 1 and 2; 126.41, Subdivisions 2, 3, 4, 5, 6 and 7; 126.42; 126.52, Subdivisions 1, 2, 3, 4, 6 and 7; 127.22; Minnesota Statutes, 1979 Supplement, Sections 124.222, Subdivision 3; 126.39, Subdivision 10; 126.41, Subdivision 1; 126.52, Subdivision 10; Laws 1979, Chapter 334, Article V, Section 29.

Referred to the Committee on Finance.

H. F. No. 2152: A bill for an act relating to Carver county; applying the provisions of the municipal housing and redevelopment act to Carver county; providing for local approval of projects.

Referred to the Committee on Local Government.

#### REPORTS OF COMMITTEES

Mr. Coleman moved that the Committee Reports at the Desk

be now adopted with the exception of the report on H. F. No. 1513. The motion prevailed.

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

S. F. No. 2114: A bill for an act relating to the legislature; establishing a temporary joint legislative study commission and empowering it to examine the educational programs for primary patient care of the University of Minnesota Medical School; appropriating money.

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

Page 1, line 12, before the period, insert "and the cost and funding sources for residency programs at teaching hospitals"

Page 2, lines 15, 19, 24, 27 and 31, delete "and,"

Page 3, lines 1, 5 and 8, delete "and,"

Page 3, after line 8, insert:

"(i) The cost and funding sources of residency programs at teaching hospitals, including an analysis of the need for increased state funding of residency programs;"

Page 3, line 9, delete "(i)" and insert "(j)"

Page 3, line 11, delete the comma

Page 3, line 12, delete "(j)" and insert "(k)"

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

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

S. F. No. 1933: A bill for an act relating to public employees; clarifying the definition of public employees; amending Minnesota Statutes 1978, Section 179.63, Subdivision 7.

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

Page 2, line 2, delete *"This exclusion"* and insert *"The exclusions of paragraphs (e) and (f) of this subdivision"*

Page 2, line 3, delete *"other"*

Page 2, line 4, delete *"employees"* and insert *"teachers"*

Page 2, line 6, after *"subdivision"* insert *"where the replacement employee is employed more than 30 consecutive working days as a replacement"*

Page 2, line 8, after *"expansion"* insert *“, courses which are a part of the curriculum whether offered annually or not,”*

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. 2253: A bill for an act relating to state agencies; altering certain procedures of the capitol area architectural and planning board; adding members to the board; appropriating money; amending Minnesota Statutes 1978, Section 15.50, Subdivisions 1 and 2.

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

Page 2, line 16, after "*whom*" insert "*, by not later than January 1, 1984,*"

Page 2, line 16, after "*district*" insert "*seven*"

Page 4, line 5, before the period insert "*significantly affecting the dignity, beauty and architectural integrity of the area*"

Page 4, line 6, after "*undertake*" insert "*these*"

Page 4, line 6, after "*activities*" insert "*as defined in the board's rules*"

Page 4, line 7, delete "*complete*"

Page 8, delete section 3 and insert:

"Sec. 3. Minnesota Statutes 1978, Section 16.02, Subdivision 10, is amended to read:

Subd. 10. To rent land and other premises when necessary for state purposes. ~~No such land or premises shall be rented for a term exceeding two years at a time, except that with the approval of the legislative advisory commission,~~ The commissioner may lease land or premises for a term not exceeding five years, subject to cancellation upon 30 days written notice by the state for any reason except rental of other land or premises for the same use; provided further that the rental of non-state owned land and buildings, or substantial portions thereof, by the commissioner within the capitol area as defined in section 15.50 shall not take place unless the commissioner first consults with the capitol area architectural and planning board. Lands needed by the department of transportation for storage of vehicles or road materials may be rented for a term not exceeding five years ~~without the approval of the legislative advisory commission,~~ such leases for terms over two years being subject to cancellation upon 30 days written notice by the state for any reason except rental of other land or premises for the same use."

Amend the title as follows:

Page 1, line 5, delete "*appropriating money;*"

Page 1, line 6, delete "*Section*" and insert "*Sections*"

Page 1, line 6, before the period insert "*; and 16.02, Subdivision 10*"

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

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

H. F. No. 1800: A bill for an act relating to health care; regulating benefits made available under certain health care plans; requiring coverage for reconstructive surgery under certain conditions; amending Minnesota Statutes 1978, Section 62E.06, Subdivision 1, as amended, and Chapter 62A, by adding a section.

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

Page 1, line 19, before the period insert "*but does not apply to policies designed primarily to provide coverage payable on a per diem, fixed indemnity or nonexpense incurred basis, or policies that provide only accident coverage*"

Page 2, after line 4, insert:

"Sec. 2. Minnesota Statutes 1978, Section 62A.149, Subdivision 1, is amended to read:

62A.149 [BENEFITS FOR ALCOHOLICS AND DRUG DEPENDENTS.] Subdivision 1. The provisions of this section shall apply to all group policies of accident and health insurance and group subscriber contracts offered by nonprofit health service plan corporations regulated under chapter 62C, and to a plan or policy that is individually underwritten or provided for a specific individual and the members of his family as a nongroup policy unless the individual elects in writing to refuse benefits under this subdivision in exchange for an appropriate reduction in premiums or subscriber charges under the policy or plan, when the policies or subscriber contracts are issued or delivered in Minnesota or provide benefits to Minnesota residents enrolled thereunder. *This section does not apply to policies designed primarily to provide coverage payable on a per diem, fixed indemnity or nonexpense incurred basis or policies that provide accident only coverage.*

Every insurance policy or subscriber contract included within the provisions of this subdivision, upon issuance or renewal, shall provide for payment of benefits for the treatment of alcoholism, chemical dependency or drug addiction to any Minnesota resident entitled to coverage thereunder on the same basis as coverage for other benefits when treatment is rendered in

(1) a licensed hospital,

(2) a residential treatment program as licensed by the state of Minnesota pursuant to diagnosis or recommendation by a doctor of medicine,

(3) a non-residential treatment program approved or licensed by the state of Minnesota."

Page 2, line 5, delete "1978" and insert ", 1979 Supplement,"

Page 2, line 6, delete "as amended by Laws 1979, Chapter 272,"

Page 2, line 7, delete "Section 5."

Page 5, delete section 3



Renumber the sections in sequence

Amend the title as follows:

Page 1, line 5, after the semicolon insert "exempting certain policies from requiring benefits for alcoholism, chemical dependency or drug addiction;"

Page 1, line 6, after "Section" insert "62A.149, Subdivision 1; Chapter 62A, by adding a section; and Minnesota Statutes, 1979 Supplement, Section"

Page 1, lines 6 and 7, delete everything after "1" and insert a period

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

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

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.

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

Page 2, line 2, delete "board" and insert "council"

Page 2, line 3, delete "board" and insert "council"

Page 2, line 18, delete "board" and insert "council"

Page 2, line 21, delete "board" and insert "council"

Page 2, line 23, delete "board" and insert "council"

Page 2, line 27, delete "board" and insert "council"

Page 2, line 33, delete "board" and insert "council"

Page 3, line 5, delete "board" in both cases and insert "council"

Amend the title as follows:

Page 1, line 4, delete "board" and insert "council"

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. 2307: 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.

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

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

S. F. No. 1134: A bill for an act relating to partition fences; exempting certain lands from the provisions of chapter 344; providing that when only one owner or occupant is benefited by a fence

he shall be assigned the entire expenses of the fence; amending Minnesota Statutes 1978, Section 344.03, Subdivision 1; and Chapter 344, by adding a section.

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

Page 2, line 1, delete "*after viewing the land,*"

Page 2, line 2, after "*viewers*" insert "*after viewing the land*"

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. 2354: 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.

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

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

S. F. No. 2351: A bill for an act relating to waters; providing for watercraft licensing and safe operation; altering certain definitions; changing license fees; authorizing a temporary certificate; stating the evidentiary effect of certain blood tests; altering certain safety requirements and motor noise limits; providing an outline for distributing water safety enforcement funds; amending Minnesota Statutes 1978, Sections 361.02, Subdivision 7, and by adding a subdivision; 361.03, Subdivisions 3 and 12, and by adding a subdivision; 361.10; 361.12; 361.13, Subdivision 1; 361.141, Subdivision 1; 361.15, Subdivision 1; 361.16, Subdivision 1; 361.17; 361.18; 361.21, Subdivision 2, and by adding a subdivision; 361.215; 361.24; 361.27, Subdivision 1; and 361.29, Subdivision 4; repealing Minnesota Statutes 1978, Section 361.15, Subdivision 2.

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

Pages 1 and 2, delete sections 1 and 2

Page 2, line 10, delete "1978" and insert "1980"

Page 2, after line 32, insert:

"(a) rental boats 19 feet in length or less, \$6 each;"

Page 3, line 1, delete "\$7.50" and insert "\$7"

Page 3, line 3, delete "\$10" and insert "\$12"

Reletter the clauses in sequence

Pages 3 to 15, delete sections 4 to 20

Renumber the sections in sequence

Delete the title and insert:

"A bill for an act relating to waters; changing watercraft license fees; amending Minnesota Statutes 1978, Section 361.03, Subdivision 3."

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. 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.

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 re-referred

S. F. No. 1666: A bill for an act relating to education; providing for aids to education, tax levies and the distribution of tax revenues; granting certain duties and powers to school boards, school districts, the state board of education, and others; modifying certain responsibilities of the Minnesota educational computing consortium; modifying the method for districts to qualify for certain levies; changing the method of computing transportation aid and post-secondary vocational aid; changing the school age for certain handicapped children; providing an aid for individualized instructional materials; establishing certain programs; appropriating money; amending Minnesota Statutes 1978, Sections 120.095, Subdivision 6; 120.10, Subdivision 2; 120.17, Subdivision 1; 121.90; 121.912, by adding a subdivision; 123.36, Subdivision 10, and by adding a subdivision; 123.932, by adding a subdivision; 123.933; 124.11, by adding a subdivision; 124.214, Subdivision 2; 124.48; 124.565, by adding a subdivision; 126.07; 134.03; 275.125, Subdivisions 5 and 5a; 298.28, Subdivision 1; Chapters 121, by adding sections; 123, by adding a section; and 124, by adding a section; Minnesota Statutes, 1979 Supplement, Sections 16.93; 121.92, Subdivision 2; 122.541, Subdivision 5; 123.937; 124.11, Subdivisions 2a and 2b; 124.223; 124.224, Subdivision 8; 124.225; 124.245, Subdivision 1; 124.271, Subdivisions 1a and 2; 124.562, Subdivisions 3 and 4; 124.5621, Subdivision 11, and by adding a subdivision; 124.5624, Subdivision 6; 124.5625; 124.565, Subdivision 3; 125.61, Subdivision 3a; 126.54, Subdivision 1; 275.125, Subdivisions 7a, 8, 9, and 11a; Laws 1979, Chapter 334, Article 2, Section 15, Subdivisions 2 and 3; Laws 1980, Chapter 345, Section 17; repealing Minnesota Statutes 1978, Sections 122.85, Subdivision 7; 123.34, Subdivision 6; 126.31; 126.32; 126.33; 126.34; 126.35; 126.37; 126.38; 126.39, Subdivisions 1, 2, 3, 4, 5, 6,

7 and 11; 126.40, Subdivisions 1 and 2; 126.41, Subdivisions 2, 3, 4, 5, 6, and 7; 126.42; 126.52, Subdivisions 1, 2, 3, 4, 6, and 7; Minnesota Statutes, 1979 Supplement, Sections 124.222, Subdivision 3; 126.39, Subdivision 10; 126.40, Subdivision 3; and 126.41, Subdivision 1; 126.52, Subdivision 10; Laws 1979, Chapter 334, Article V, Section 32, Subdivision 9.

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

Page 6, line 31, delete "1,"

Page 26, delete line 16

Page 27, line 31, delete "subclauses"

Page 54, after line 14, insert:

"Sec. 13. Minnesota Statutes 1978, Section 275.125, Subdivision 12, is amended to read:

Subd. 12. When a district finds it economically advantageous to rent or lease existing school buildings *or other buildings* for instructional purposes, and the proceeds of the levy permitted under section 124.04 or 275.125, subdivision 11a are insufficient for this purpose, it may apply to the commissioner for permission to make an additional capital expenditure levy for this purpose. An application for permission to levy under this clause shall contain financial justification for the proposed levy, the terms and conditions of the proposed lease, and a description of the space to be leased and its proposed use. The criteria for approval of applications to levy under this clause shall include: the reasonableness of the price, the appropriateness of the space to the proposed activity, the feasibility of transporting pupils to the leased building, conformity of the lease to the laws and regulations of the state of Minnesota, and the appropriateness of the proposed lease to the space needed and the financial condition of the district. The commissioner shall not authorize a levy under this clause in an amount greater than the cost to the district of renting or leasing a school building for approved purposes. The proceeds of this levy shall not be used for custodial or other maintenance services."

Pages 54 to 61, delete sections 13 and 14 of Article IV

Page 74, after line 31, insert:

"Sec. 13. Minnesota Statutes, 1979 Supplement, Section 465.72, is amended to read:

465.72 [SEVERANCE PAY.] Except as may otherwise be provided in Laws 1959, Chapter 690, as amended, ~~all counties, cities, townships and school districts are hereby authorized and empowered to any county, city, township and school district may pay severance pay to all of its employees and to establish, prescribe and promulgate provisions, rules and regulations for the payment of such severance pay upon leaving to an employee who leaves employment prior to before the normal retirement date. Such~~ The severance pay shall be excluded from retirement deductions and

from any calculations in retirement benefits, and . It shall be paid in a manner mutually agreeable to the employee and employer over a period not to exceed five years from termination of employment. In the event that If a terminated employee dies before all or a portion of the severance pay has been disbursed, that balance due shall be paid to a named beneficiary or, lacking same, to the deceased's estate. In no event shall severance pay provided for an employee except a teacher as defined in section 170.63, subdivision 13, leaving employment exceed an amount equivalent to 100 days pay. Severance pay for a teacher as defined in section 170.63, subdivision 13, shall not exceed an amount equivalent to one year of pay.

Sec. 14. Laws 1959, Chapter 690, Section 2, as amended by Laws 1963, Chapter 729, Section 1, Laws 1971, Chapter 599, Section 1, and Laws 1975, Chapter 261, Section 1, is amended to read:

Sec. 2. [ST. PAUL, CITY OF; INDEPENDENT SCHOOL DISTRICT NO. 625; EMPLOYEES SEVERANCE PAY.] The provisions, rules and regulations under any such ordinance for such payment of severance pay by said city, authorized under the foregoing provisions of section 1 hereof, shall be applicable to all employees of said city other than its elected city officials. Such severance pay shall be excluded from retirement deductions and from any calculations in retirement benefits, and shall be paid over a period not to exceed five years from termination of employment. The amount of such severance pay allowable or to become payable in respect of any such employment or to any such employee after December 31, 1973, shall not exceed \$4,000 an amount equivalent to one year of pay.

Sec. 15. Laws 1965, Chapter 705, as amended by Laws 1975, Chapter 261, Section 4, is amended to read:

Sec. 6. The school board, for the purpose of providing moneys for the payment of its severance pay obligations under a plan approved by resolution of the district, in addition to all other powers possessed by the school district and in addition to and in excess of any existing limitation upon the amount it is otherwise authorized by law to levy as taxes, is authorized to levy taxes annually not exceeding in any one year an amount equal to two-tenths of one mill upon each dollar of the assessed valuation thereof upon all taxable property within the school district which taxes as levied shall be spread upon the tax rolls, and all corrections thereof shall be held by the school district, and allocated therefor to be disbursed and expended by the school district in payment of any public school severance pay obligations and for no other purpose. Disbursements and expenditures previously authorized on behalf of the school district for payment of severance pay obligations shall not be deemed to constitute any part of the cost of the operation and maintenance of the school district within the meaning of any statutory limitation of any school district expenditures.

The amount of such severance pay allowable or to become payable in respect of any such employment or to any such employee shall not exceed \$4,000 *an amount equivalent to one year of pay.*"

Page 75, line 8, delete "14" and insert "15"

Renumber the sections in sequence

Page 81, line 17, before "Receivables" insert a quotation mark

Amend the title as follows:

Page 1, line 14, after "programs;" insert "increasing the amount of severance pay available to public employees;"

Page 1, line 23, delete "and" and insert a comma and after "5a" insert "and 12" and delete "298.28,"

Page 1, line 24, delete "Subdivision 1;"

Page 1, line 36, after "11a;" insert "465.72; Laws 1959, Chapter 690, Section 2, as amended; Laws 1965, Chapter 705, as amended;"

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

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

S. F. No. 1616: A bill for an act relating to state employees; providing bonuses to certain state employees.

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

Delete everything after the enacting clause and insert:

"Section 1. (1) Any employees represented by the International Union of Operating Engineers, local 34, the International Union of Operating Engineers, local 49, the Independent Minnesota Association of Government Employees, the Minnesota Highway Patrol Officers Association, the Bureau of Criminal Apprehension Agents Association, the Professional Employee Pharmacists of Minnesota, the Middle Management Association, the Minnesota Conservation Officers Association, the Minnesota Highway Patrol Supervisors Association, the Minnesota Government Engineers Council, the Association of Institutional Dentists, the State Residential Schools Educational Association, the Minnesota Administrative Hearing Officers Association, the Minnesota Fire/Arson Investigation and Fire Inspectors, local 13, I.A.F.F., the Minnesota Teamsters Public and Law Enforcement Employees Union, local 310, except employees of the Department of Corrections, Minnesota Nurses Association, and the unclassified employees in the attorney general's office; or (2) any employee not represented by an exclusive bargaining representative and compensated pursuant to Minnesota Statutes, Section 43.12, or under a salary schedule established pursuant to section 43.121, subdivision 3, except (a) an emergency, project, or temporary

employee or (b) an employee compensated pursuant to section 43.12 and excluded from a bargaining unit by section 179.74, subdivision 4; or (3) any unclassified employee in the office of the attorney general, shall receive:

(1) a lump sum bonus of \$225 payable no later than March 31, 1980, provided he was employed prior to January 1, 1979, and was still employed on July 1, 1979. Provided that an otherwise eligible employee who terminated his employment on or after January 1, 1979, and prior to July 1, 1979, shall be entitled to a proportional lump sum bonus equal to one-twelfth of \$225 for each full month of employment subsequent to January 1, 1979, and prior to July 1, 1979.

(2) a lump sum bonus of \$225 payable no later than July 31, 1980, provided he was employed prior to January 1, 1980, and was still employed on July 1, 1980. However, intermittent employees and nontenured laborers who otherwise meet the employment requirements of this section shall only be eligible to receive the bonus after completion of 100 working days in any 12 month period. Part time employees who meet the employment requirements of this section shall receive a bonus of \$137.50 on each of the dates specified in this section.

An employee shall be considered to be employed on July 1, 1979, and July 1, 1980, if he is in payroll status, on approved leave of absence, or on seasonal layoff on that date. In order to receive the bonus under this section the employee must be employed by the state on the date the payment is made.

The bonus provided by this section shall not be considered as salary for the purpose of section 352.01, subdivision 13.

Anyone receiving a bonus payment pursuant to Laws 1979, Chapter 332, Sections 108 and 109, shall not be eligible for a bonus payment under this section."

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

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

S. F. No. 1717: A bill for an act relating to retirement; local police and salaried firefighters relief associations; providing limited annual automatic post retirement adjustments for certain newly employed, active and retired local relief association members with municipal approval.

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

Page 4, line 1, after "association" insert "specified in this section"

Page 4, line 7, delete "act" and insert "section" and after the comma insert "approves the modification in retirement coverage for newly hired personnel specified in section 2, if applicable,"

Page 4, line 8, delete "that"

Page 4, after line 22, insert:

**"Sec. 2. [MODIFICATION IN RETIREMENT COVERAGE FOR CERTAIN POLICE OFFICERS AND FIREFIGHTERS; AUTHORIZING MUNICIPAL IMPLEMENTATION.]** Subdivision 1. **[AUTHORIZATION OF MUNICIPAL ACTION.]** Notwithstanding any provision of law, municipal charter, municipal ordinance or resolution, or relief association articles of incorporation or bylaws to the contrary, any municipality in which is located a covered local police or salaried firefighters' relief association enumerated in section 1, subdivision 3, is authorized to implement the provisions of this section. Implementation shall be effected by a municipal resolution approved by a majority of the governing body of the municipality following consultation with the board of trustees of the affected local relief association and the holding of a public meeting at which the views of the public are considered. Prior to becoming effective, a copy of the municipal resolution shall be filed with the secretary of state, the commissioner of finance, the commissioner of insurance and the executive secretary of the legislative commission on pensions and retirement. To be deemed an implementing municipal resolution within the meaning of this section, the municipal resolution shall either refer to this section in the text or shall describe in summary form the modifications provided for in this section. Once granted, municipal approval shall be irrevocable.

**Subd. 2. [MODIFICATION OF RETIREMENT COVERAGE FOR CERTAIN NEWLY HIRED POLICE OFFICERS AND FIREFIGHTERS.]** Any person first employed by a municipality which has adopted a municipal resolution pursuant to subdivision 1 after the effective date for the modification stated in the municipal resolution, which date shall not in any event be later than the first day of the month occurring six months after the date of passage of the municipal resolution, as a police officer or police trainee or as a firefighter or firefighter trainee, whichever position is covered in the municipal resolution, shall be a member of the public employees police and fire fund established by Minnesota Statutes, Sections 353.63 to 353.68, and shall not be a member of the applicable local police or firefighters' relief association established pursuant to any general or special law.

**Subd. 3. [OPERATION OF LOCAL RELIEF ASSOCIATION UPON MODIFICATION OF RETIREMENT COVERAGE FOR NEWLY HIRED POLICE OFFICERS AND FIREFIGHTERS.]** The minimum obligation of a municipality which has adopted a municipal resolution pursuant to subdivision 1 with respect to the local relief association shall be determined and governed in accordance with the provisions of Minnesota Statutes, Sections 69.77, 356.215 and 356.216, except that the normal cost calculation for the relief association shall be computed as a percentage of the compensation paid to the active members of the relief association. The compensation paid to persons with retirement coverage modified pursuant to subdivision 2 shall not be included in any of the



computations made in determining the obligation of the municipality with respect to the local relief association.

The contribution rate of members of the local relief association shall be governed by Minnesota Statutes, Section 69.77, unless a special law establishing a greater member contribution rate is applicable whereupon it shall continue to govern. The member contribution rate of persons with retirement coverage modified pursuant to subdivision 2 shall be governed by Minnesota Statutes, Section 353.65.

When every active member of the local relief association retires or terminates from active duty, the local relief association shall cease to exist as a legal entity and the assets of the special fund of the relief association shall be transferred to a trust fund to be established by the appropriate municipality for the purpose of paying service pensions and retirement benefits to recipient beneficiaries. If there are at least five recipient beneficiaries, the trust fund shall be managed by a board of trustees composed of five members selected by the recipient beneficiaries of the fund, subject to the approval of the governing body of the municipality. If there are fewer than five recipient beneficiaries, the trust fund shall be managed by the governing body of the municipality. The term of the elected members of the board of trustees shall be indefinite and shall continue until a vacancy occurs in one of the board of trustee member positions. Board of trustee members shall not be compensated for their services, but shall be reimbursed for any expenses actually and necessarily incurred as a result of the performance of their duties in their capacity as board of trustee members. The municipality shall perform whatever services are necessary to administer the trust fund. The balance of assets remaining in the trust fund shall not revert to the municipality until all obligations of the trust fund are paid.

The financial requirements of the trust fund and the minimum obligation of the municipality with respect to the trust fund shall be determined in accordance with Minnesota Statutes, Sections 69.77, 356.215 and 356.216, until the unfunded accrued liability of the trust fund is fully amortized in accordance with this act. The municipality shall provide in its annual budget for at least the aggregate amount of service pensions, disability benefits, survivorship benefits and refunds which are projected as payable for the following calendar year, as determined by the board of trustees of the trust fund, less the amount of assets in the trust fund as of the end of the most current calendar year for which figures are available, valued pursuant to Minnesota Statutes, Section 356.20, Subdivision 4, Clause (1) (a), if the difference between those two figures is a positive number.

In calculating the amount of service pensions and other retirement benefits payable from the local relief association and in calculating the amount of any automatic post retirement increases in those service pensions and retirement benefits based on the salary paid or payable to active members or escalated in any fashion, the salary for use as the base for the service pension

or retirement benefit calculation and the post retirement increase calculation for the local relief association shall be the salary for the applicable position as specified in the articles of incorporation or bylaws of the relief association as of the date immediately prior to the effective date of the municipal resolution adopted pursuant to subdivision 1, as the applicable salary is reset by the municipality periodically, irrespective of whether retirement coverage for persons holding the applicable position used in calculations is provided by the relief association or by the public employees police and fire fund.

If the modification of retirement coverage implemented pursuant to municipal resolution adopted pursuant to subdivision 1 is applicable to a local police relief association, the police state aid received by the municipality shall be disbursed pursuant to Minnesota Statutes, Section 69.031, Subdivision 5, Clause (2) (c). If the modification of retirement coverage implemented pursuant to a municipal resolution adopted pursuant to subdivision 1 is applicable to a local firefighters' relief association, the fire state aid received by the applicable municipality shall be disbursed as the municipality at its option may elect. The municipality may elect: (1) to transmit the total fire state aid to the treasurer of the local relief association for immediate deposit in the special fund of the relief association; or (2) to apply the total fire state aid toward the employer contribution of the municipality to the public employees police and fire fund pursuant to Minnesota Statutes, Section 353.65, Subdivision 3; or (3) to allocate the total fire state aid proportionately between the special fund of the local relief association and employer contribution of the municipality to the public employees police and fire fund on the basis of the respective number of active full time salaried firefighters receiving retirement coverage from each."

Renumber the sections in sequence

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

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

H. F. No. 1653: A bill for an act relating to public welfare; eliminating authorization for Minnesota State Children's Center; repealing Minnesota Statutes 1978, Sections 260.41 to 260.46.

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

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

H. F. No. 1435: A bill for an act relating to health; exempting out of state physicians from licensing regulations under certain conditions; amending Minnesota Statutes 1978, Section 147.09.

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

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

H. F. No. 1764: A resolution memorializing the United States Congress to enact legislation to extend the deadline for states to comply with recent amendments to the National Health Planning and Resources Development Act.

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

Page 2, line 14, delete "and" and insert a comma

Page 2, line 15, before the period insert ", and to the appropriate committee and subcommittee chairmen of the United States House of Representatives and the United States Senate"

And when so amended the resolution do pass and be re-referred to the Committee on Rules and Administration. Amendments adopted. Report adopted.

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

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.

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

Page 1, line 21, delete "12 months of age" and insert "*the age of 11 months, 15 days*"

Page 2, line 3, delete "12 months of age" and insert "*the age of 11 months, 15 days*"

Page 2, line 18, strike "ten" and insert "18"

Page 3, after line 15, insert:

*"(e) If the child is under 15 months, the child is not required to be immunized against red measles, German measles, rubella or mumps."*

Page 3, line 17, delete "*elementary*"

Page 3, lines 18, 19 and 21, delete "*signed by*" and insert "*from*"

Page 5, line 2, after "*health*" insert "*who shall provide summary reports to local boards of health.*"

Page 5, line 2, delete "*pursuant to*" and insert "*required by*"

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

H. F. No. 1513: A bill for an act relating to the environment; regulating activities of drillers of exploratory borings; specifying the powers and duties of public officers and agencies; providing penalties; amending Minnesota Statutes 1978, Sections 156A.01; 156A.02, Subdivision 1, and by adding subdivisions; 156A.03, Subdivision 1; 156A.04; 156A.08; and Chapter 156A, by adding a section.

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

Page 2, line 10, after the period, insert "*It is further found that the concentration of our energy resources in the hands of a small number of petroleum producers and refiners represents a grave threat to the future well-being of our state.*"

Page 4, after line 5, insert:

"Sec. 7. Minnesota Statutes 1978, Section 156A.06, Subdivision 1, is amended to read:

156A.06 [WATER WELL CONTRACTORS AND EXPLORATORY BORERS ADVISORY COUNCIL; MEMBERS; TERMS; EMPLOYEES.] Subdivision 1. There is hereby created the water well contractors and exploratory borers advisory council, herein referred to as the "advisory council," as an advisory council to the state commissioner of health. The advisory council shall be composed of ~~nine~~ 13 voting members. Of the ~~nine~~ 13 voting members, one member shall be from the state department of health, appointed by the state commissioner of health; one member shall be from the department of natural resources, appointed by the commissioner of natural resources; one member shall be a member of the Minnesota geological survey of the University of Minnesota appointed by the director; *two members shall be engaged in the business of exploratory boring for minerals; two public members who are not connected with the business of exploratory boring or the water well drilling industry; and six members shall be contractors actively engaged in the water well drilling industry, not to exceed two from the seven county metropolitan area and at least four from the remainder of the state who shall be representative of different geographical regions. They shall be residents of the state of Minnesota and appointed by the commissioner of health. No appointee of the water well drilling industry shall serve consecutive terms. The appointees to the advisory council from the water well drilling industry shall have been bona fide residents of this state for a period of at least three years prior to appointment and shall have had at least five years experience in the water well drilling business. The council shall expire and the terms of the appointed members and the compensation and removal of all members shall be as provided in section 15.059.*"

Page 4, after line 19, insert:

"Subd. 2. [EXPLORATION; PROHIBITION.] *No producer or refiner of petroleum products with sales of petroleum or petroleum products in excess of \$5,000,000,000 annually shall directly or indirectly through subsidiaries, joint ventures or other-*

*wise, maintain any interest in any entity engaging in the exploration for, mining of, or processing of any minerals within the state. to be used for the production of energy, including but not limited to uranium, after the effective date of this act."*

Renumber the subdivisions in sequence

Page 7, delete lines 13 to 33

Page 8, delete lines 1 to 10 and insert:

*"(a) Upon application for a state permit required for activities relating to mineral deposit evaluation, the explorer shall submit to the commissioner of natural resources data relevant to the proposal under consideration. The explorer may identify portions of the data which, if released, would impair the competitive position of the explorer submitting the data. Data so identified shall be considered confidential. If the commissioner is requested to disclose the data, he shall mail notice of the request to the explorer, and shall determine whether release of the data would impair the competitive position of the explorer submitting the data. If the commissioner determines that release of the data would impair the competitive position of the explorer submitting the data, the commissioner shall not release the data to any person other than parties to the proceedings relating to the permit under consideration. Parties to the proceedings shall maintain the confidentiality of data. Further, no confidential data shall be released by the commissioner until 30 days after mailed notice to the explorer of the commissioner's intention to do so. Under no circumstances shall the commissioner release data to any person, company, or organization engaged in exploration, mining, milling or related industry pertaining to any mineral. If the commissioner determines to release data the explorer may demand a contested case hearing on the commissioner's determination or may withdraw the permit application and the data shall not be released. Any person aggrieved by the decision of the commissioner may appeal the decision to the district court pursuant to chapter 15;"*

Page 9, line 6, delete *"engaging in the examination of"* and insert *"examining"*

Page 9, line 7, delete *"other than"*

Page 9, line 8, delete *"by"* and insert *"excluding"*

Page 9, line 8, delete *"the"*

Page 9, line 8, delete *"of"*

Page 9, line 10, delete *"construction of"* and insert *"constructing"*

Page 9, line 10, delete *"the"*

Page 9, line 11, delete *"production of"* and insert *"producing"*

Page 9, line 12, delete *"such"*

Page 9, line 13, delete *"when the activities are, by themselves,"*

Page 9, line 13, after "intended" insert "by themselves,"

Page 10, after line 1, insert:

*"Sec. 10. [LOCAL CONTROL.] Nothing contained in this act shall be construed as limiting the lawful authority of local units of government to prohibit mineral exploration within their boundaries, require permits from explorers, or impose reasonable requirements and fees upon explorers, consistent with the provisions of this act, other state laws and rules promulgated thereunder."*

Page 10, line 2, delete everything after "The"

Page 10, line 3, delete "resources" and insert "environmental quality board"

Page 10, line 5, delete everything after the period

Page 10, delete lines 6 and 7

Page 10, line 8, delete "senate."

Page 10, line 10, delete "commission" and insert "board"

Page 10, line 10, after "or" insert "until"

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

Page 10, line 13, delete "8" and insert "9"

Page 10, line 14, delete "7" and insert "8"

Page 10, line 14, delete "8" and insert "9"

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 8, after "156A.04;" insert "156A.06, Subdivision 1;"

And when so amended the bill do pass. Mr. Dunn 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. 1067: A bill for an act relating to pollution; establishing noise limits for motorboats; amending Minnesota Statutes 1978, Section 361.17.

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 361.17, is amended to read:

361.17 [MOTORBOAT NOISE CONTROL.] *Subdivision 1.* No motor shall be used on any ~~watercraft~~ motorboat unless it is equipped with an efficient muffler, underwater exhaust or other device which at all times adequately muffles or suppresses the

sound of the exhaust of the motor so as to prevent excessive or unusual noise, and no motor shall be equipped with any cut-out.

*Subd. 2. No person shall operate a motorboat at any time or under any condition of load, acceleration, or deceleration in such a manner as to exceed the noise limits contained in subdivision 6.*

*Subd. 3. No person shall sell or offer for sale a new marine engine or motorboat which when maintained according to the manufacturer's specifications would exceed the noise limits contained in subdivision 6 when tested with a measurement procedure approved by the commissioner of the Minnesota department of natural resources.*

*Subd. 4. No person shall modify a marine engine or motorboat in a manner which will amplify or increase the noise emitted by the marine engine or motorboat above the noise limits contained in subdivision 6 when tested with a measurement procedure approved by the commissioner of the Minnesota department of natural resources. No person shall operate a motorboat so modified.*

*Subd. 5. No person shall sell or offer for sale replacement or additional parts for a marine engine or motorboat which when installed in the marine engine or motorboat will amplify or increase the noise emitted by the marine engine or motorboat above the noise limits contained in subdivision 6 when tested with a measurement procedure approved by the commissioner of the Minnesota department of natural resources. No person shall operate a motorboat incorporating such parts.*

*Subd. 6. The following limits apply to the total noise from the marine engine or motorboat and shall not be construed as limiting or precluding the enforcement of any other provision of law relating to motorboat noise:*

*(a) For marine engines or motorboats manufactured before January 1, 1982, a noise level of 84 decibels on the A scale measured at a distance of 50 feet from the motorboat or equivalent noise levels at other distances as specified by the commissioner of the Minnesota department of natural resources.*

*(b) For marine engines or motorboats manufactured on or after January 1, 1982, a noise level of 82 decibels on the A scale measured at a distance of 50 feet from the motorboat or equivalent noise levels at other distances as specified by the commissioner of the Minnesota department of natural resources.*

*Subd. 7. The provisions of this section shall not apply to motorboats operating under a permit pursuant to section 361.20 or a United States coast guard marine event permit in a regatta, or race, while on trial runs, or while on official trials for speed records during the time and in the designated area authorized by the permit.*

**Sec. 2. [APPROPRIATION.]** *The sum of \$..... is appropriated from the general fund to the Minnesota department of natural*

*resources for the purposes of purchasing motorboat noise monitoring equipment, training department personnel and county sheriff's departments in the use of the equipment, and general enforcement of the noise limits contained in section 361.17, subdivision 6, and shall be available until June 30, 1981.*

**Sec. 3. [EFFECTIVE DATE.]** *Sections 1 and 2 are effective the day following final enactment."*

Amend the title as follows:

Page 1, line 3, after the semicolon insert "appropriating money;"

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

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

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

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

Page 2, line 10, after the period, insert "*The board may by rule provide that*"

Page 2, line 13, after "board" delete "by" and insert "*in the*"

Page 3, line 8, after the period, insert "*The board may by rule provide that*"

Page 3, line 11, after "board" delete "by" and insert "*in the*"

Page 4, line 6, after the period, insert "*The board may by rule provide that*"

Page 4, line 9, after "board" delete "by" and insert "*in the*"

Page 6, delete sections 6 and 7

Page 6, line 30, delete "8" and insert "6"

Amend the title as follows:



Page 1, delete lines 13 to 16

Page 1, line 17, delete "physicians;"

Page 1, lines 18 and 19, delete "Chapter 147, by adding a section;"

Page 1, line 21, delete "Subdivisions" and insert "Subdivision" and delete "and 2"

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

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

H. F. Nos. 1814 and 1090 for comparison with companion Senate Files, reports the following House Files were found not identical with their companion Senate Files as follows:

GENERAL ORDERS		CONSENT CALENDAR		CALENDAR	
H. F. No.	S. F. No.	H. F. No.	S. F. No.	H. F. No.	S. F. No.
1814	1990				
1090	1207				

Pursuant to Rule 49, the Committee on Rules and Administration recommends that H. F. No. 1814 be amended as follows:

Page 2, line 24, strike "A majority of the"

Page 2, line 24, delete "," and "and"

Page 2, line 25, delete "controlling" and ","

And when so amended H. F. No. 1814 will be identical to S. F. No. 1990, and further recommends that H. F. No. 1814 be given its second reading and substituted for S. F. No. 1990, and that the Senate File be indefinitely postponed.

Pursuant to Rule 49, the Committee on Rules and Administration recommends that H. F. No. 1090 be amended as follows:

Page 1, delete lines 16 to 21

Page 1, line 22, delete "3" and insert "2"

And when so amended H. F. No. 1090 will be identical to S. F. No. 1207, and further recommends that H. F. No. 1090 be given its second reading and substituted for S. F. No. 1207, and that the Senate File be indefinitely postponed.

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

#### SECOND READING OF SENATE BILLS

S. F. Nos. 2307 and 2354 were read the second time.

S. F. Nos. 1933, 2253, 1134, 2351, 2385 and 1717 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. 1814 and 1090 were read the second time.

H. F. Nos. 1800, 2374, 1653, 1435, 2075 and 644 were read the second time and referred to the Subcommittee on Bill Scheduling of the Committee on Rules and Administration.

#### MOTIONS AND RESOLUTIONS

Mr. Nichols moved that the names of Messrs. Nelson and Peterson be added as co-authors to S. F. No. 2387. The motion prevailed.

Mr. Chmielewski moved that the name of Mr. Solon be added as co-author to S. F. No. 2388. The motion prevailed.

Mr. Tennesen moved that H. F. No. 1765 be withdrawn from the Committee on Commerce and re-referred to the Committee on Rules and Administration for comparison with S. F. No. 1876 now in the Subcommittee on Bill Scheduling. The motion prevailed.

Mr. Tennesen introduced—

Senate Resolution No. 51: A Senate resolution relating to extending congratulations to the "Polars" Basketball team from Minneapolis North High School for winning the Class AA boys State High School Basketball Championship.

Referred to the Committee on Rules and Administration.

S. F. No. 1670 and the Conference Committee Report thereon were reported to the Senate.

#### CONFERENCE COMMITTEE REPORT ON S. F. NO. 1670

A bill for an act relating to energy; creating a state emergency residential heating grant program; broadening the scope of state weatherization programs; providing a credit for energy conservation expenditures; providing a passthrough of federal energy credits; reimbursing counties; appropriating money; amending Minnesota Statutes 1978, Section 462A.21, by adding a subdivision; and Minnesota Statutes, 1979 Supplement, Sections 268.37; 290.01, Subdivision 20; and 290.06, Subdivision 14.

March 17, 1980

The Honorable Edward J. Gearty  
President of the Senate

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

We, the undersigned conferees for S. F. No. 1670, report that we have agreed upon the items in dispute and recommend as follows:

That the House recede from its amendments and that S. F. No. 1670 be further amended as follows:

Delete everything after the enacting clause and insert:

**"Section 1. [EMERGENCY RESIDENTIAL HEATING GRANTS.]** *Subdivision 1. The commissioner of economic security shall make grants to community action agencies, county boards, or other public or private nonprofit agencies for the purpose of providing emergency residential heating grants to low income households. These grants shall be made to the same agencies and in the same manner as provided for federal grants under the energy crisis assistance program of 42 U.S.C.A., Section 2809, Paragraph (a), Clause (5), except as otherwise provided in sections 1 to 5.*

*Subd. 2. The commissioner of economic security shall promulgate rules that provide: (a) procedures for the administration of grants; (b) data to be reported by grant recipients and heating fuel suppliers; and (c) other matters the commissioner finds necessary for the proper administration of the state and federal grant programs. The rules may take effect as temporary rules upon approval by the attorney general and without the normal publication in the state register and, 20 day wait for comments from the public, and may be amended in the same manner at a later date if comments from the public demonstrate that amendments are justified.*

*Subd. 3. Data on individuals collected, maintained, used, or disseminated pursuant to this act are private data on individuals and shall not be disclosed except as provided for data in the welfare system under Minnesota Statutes, 1979 Supplement, Section 15.1691.*

**Sec. 2. [ALLOCATIONS.]** *Money appropriated under section 12, subdivision 1, clauses (a) to (e) shall be allocated among local administrative agencies on the basis of the number of households in the area served by the agency whose income falls within the limits specified in section 3, subdivision 1, in relation to the total of these households in the state.*

**Sec. 3. [ELIGIBILITY; AMOUNT OF GRANT.]** *Subdivision 1. [INCOME LIMITS.] Emergency residential heating grants under this section shall be paid only to households not eligible for the federal energy crisis assistance program and whose total household income does not exceed the following limits:*

Size of Household	Not More Than
1	\$ 5,100
2	6,750
3	8,400
4	10,050
5	11,700
6	13,350
(For each additional household member add \$1,650.)	

*In determining total household income, a household with earned income may deduct from earned income state and federal taxes and social security contributions. In addition, a household may deduct medical expenses which are not reimbursed by insurance or other sources and which exceed three percent of the household income.*

**Subd. 2. [AMOUNT OF GRANT.]** *The amount of a grant under this section, in combination with the special grant paid by the federal government directly to recipients of supplemental security income and money available to the state under the HEW block grant program shall be the least of:*

*(a) Fifty percent of the cost of residential heating energy paid or reasonably anticipated to be paid by the household during the winter heating season beginning in September and ending in May; or*

*(b) The appropriate table of maximum grant amounts as follows:*

*(1) If the maximum grant for fuel oil under the current state plan for the federal energy assistance program, at the highest eligible income level is \$400, the following amounts graduated by size of household, income of household, and source of energy:*

<b>Household Size</b>	<b>Household Income More Than but</b>	<b>Not More than</b>	<b>Fuel Oil, Canadian Natural and Gas Propane</b>	<b>Wood and Other Energy Sources</b>
<b>1</b>		\$ 4,250	\$400	\$267
	\$ 4,250	\$ 4,675	\$283	\$189
	\$ 4,675	\$ 5,100	\$167	\$111
<b>2</b>		\$ 5,625	\$400	\$267
	\$ 5,625	\$ 6,188	\$283	\$189
	\$ 6,188	\$ 6,750	\$167	\$111
<b>3</b>		\$ 7,000	\$400	\$267
	\$ 7,000	\$ 7,700	\$283	\$189
	\$ 7,700	\$ 8,400	\$167	\$111
<b>4</b>		\$ 8,375	\$400	\$267
	\$ 8,375	\$ 9,212	\$283	\$189
	\$ 9,212	\$10,050	\$167	\$111
<b>5</b>		\$ 9,750	\$400	\$267
	\$ 9,750	\$10,725	\$283	\$189
	\$10,725	\$11,700	\$167	\$111
<b>6</b>		\$11,125	\$400	\$267
	\$11,125	\$12,238	\$283	\$189
	\$12,238	\$13,350	\$167	\$111

*or*

*(2) If the maximum grant for fuel oil under the current state plan for the federal energy assistance program, at the highest eligible income level is \$600 or more, the following amounts graduated by size of household, income of household, and source of energy:*

Household Size	Household Income More Than but	Not More Than	Fuel Oil, Canadian Natural Gas and Propane	Wood and Other Energy Sources
1		\$ 4,250	\$600	\$400
	\$ 4,250	\$ 4,675	\$425	\$283
	\$ 4,675	\$ 5,100	\$250	\$167
2		\$ 5,625	\$600	\$400
	\$ 5,625	\$ 6,188	\$425	\$283
	\$ 6,188	\$ 6,750	\$250	\$167
3		\$ 7,000	\$600	\$400
	\$ 7,000	\$ 7,700	\$425	\$283
	\$ 7,700	\$ 8,400	\$250	\$167
4		\$ 8,375	\$600	\$400
	\$ 8,375	\$ 9,212	\$425	\$283
	\$ 9,212	\$10,050	\$250	\$167
5		\$ 9,750	\$600	\$400
	\$ 9,750	\$10,725	\$425	\$283
	\$10,725	\$11,700	\$250	\$167
6		\$11,125	\$600	\$400
	\$11,125	\$12,238	\$425	\$283
	\$12,238	\$13,350	\$250	\$167

For households of more than six members, the amount of the grant is scaled downward as income goes upward in the same manner as provided in tables 1 and 2 above.

Grants for recipients who use two or more types of fuel shall be based on the household's primary energy source.

Users of wood as the primary heating source, whether the wood is purchased or not, shall be eligible for assistance under this section.

Grants shall not be considered as income or resources under any other public or publicly assisted income tested program.

Sec. 4. [DISCRETIONARY GRANTS.] A local administrative agency may use money allocated to it for discretionary grants to assist households in extraordinary need whose income, assets, or heating costs fall outside the limits set in section 3 and who are not eligible for additional assistance under any federal program.

Sec. 5. [LEGISLATIVE AUDITOR REPORT.] The legislative auditor shall submit to the legislature by January 1 of each year an audit report of the department of economic security concerning their administration of the emergency residential heating grant program. This report shall also contain a summary of the audit results of the local agencies involved in the administration of this program.

These financial and compliance audits of the local agencies shall be initiated, monitored, and approved by the department of economic security. The legislative auditor must approve the selection of the auditors and scope of the audit.

Sec. 6. Minnesota Statutes, 1979 Supplement, Section 268.37, is amended to read:

268.37 [COORDINATION OF FEDERAL AND STATE RESIDENTIAL WEATHERIZATION PROGRAMS.] Subdivision 1. The department of economic security is the state agency to apply for, receive, and disburse federal money made available to the state by federal law or rules promulgated thereunder for the purpose of weatherizing the residences of low-income persons. The commissioner of economic security shall coordinate available federal money with any state money appropriated for this purpose.

Subd. 2. The commissioner shall make grants of federal and state money to community action agencies and other public or private nonprofit agencies for the purpose of weatherizing the residences of low-income persons. Grant applications shall be submitted in accordance with rules developed pursuant to 42 U.S.C., Sections 6861 to 6872, any other relevant federal weatherization program, and rules promulgated by the commissioner.

Subd. 3. The commissioner shall promulgate temporary rules as necessary to administer the grants program by July 1, 1979 and shall promulgate permanent rules by July 1, 1980. The rules shall describe: (a) procedures for the administration of grants, (b) data to be reported by grant recipients, and (c) other matters the commissioner finds necessary for the proper administration of the grant program including compliance with relevant federal regulations. Weatherization assistance shall be given to households where the total income does not exceed 125 percent of the poverty level as updated by the federal office of management and budget poverty guidelines.

Subd. 4. [SUPPLEMENTARY STATE GRANTS.] *The commissioner shall distribute supplementary state grants in a manner consistent with the goal of producing the maximum number of weatherized units feasible. Supplementary state grants are provided primarily for the payment of additional labor costs for the federal weatherization program, and as an incentive for the increased production of weatherized units.*

*Criteria for the allocation of state grants to local agencies include: (a) existing local agency production levels, (b) availability of CETA resources in the area, (c) emergency needs, and (d) the potential for maintaining or increasing acceptable levels of production in the area.*

*An eligible local agency may receive advance funding for 90 days' production, but thereafter shall receive grants solely on the basis of program criteria.*

Subd. 5. The commissioner shall submit reports to the legislature by March 1 of each year, 1980, and March 1, 1981, evaluating the weatherization program. The reports shall describe: (a) the number of households weatherized, (b) the average cost per household, (c) any change in energy consumption after weatherization, (d) outreach efforts, and (e) any other information the commissioner

feels is relevant, including information routinely submitted to the federal government.

Sec. 7. Minnesota Statutes, 1979 Supplement, Section 290.01, Subdivision 20, is amended to read:

Subd. 20. [GROSS INCOME.] Except as otherwise provided in this chapter, the term "gross income," as applied to corporations includes every kind of compensation for labor or personal services of every kind from any private or public employment, office, position or services; income derived from the ownership or use of property; gains or profits derived from every kind of disposition of, or every kind of dealing in, property; income derived from the transaction of any trade or business; and income derived from any source; except that gross income shall not include "exempt function income" of a "homeowners association" as those terms are defined in Section 528 of the Internal Revenue Code of 1954, as amended.

For each of the taxable years beginning after December 31, 1960 and prior to January 1, 1971, the term "gross income" in its application to individuals, estates, and trusts, shall mean the adjusted gross income as computed for federal income tax purposes as defined in the Internal Revenue Code of 1954, as amended through December 31, 1970 for the applicable taxable year, with the modifications specified in this section.

For each of the taxable years beginning after December 31, 1970, the term "gross income" in its application to individuals, estates, and trusts shall mean the adjusted gross income as computed for federal income tax purposes as defined in the Internal Revenue Code of 1954, as amended through the date specified herein for the applicable taxable year, with the modifications specified in this section.

(i) The Internal Revenue Code of 1954, as amended through December 31, 1970, shall be in effect for taxable years beginning after December 31, 1970 and prior to January 1, 1973.

(ii) The Internal Revenue Code of 1954, as amended through December 31, 1972, shall be in effect for taxable years beginning after December 31, 1972.

(iii) The Internal Revenue Code of 1954, as amended through December 31, 1973, shall be in effect for taxable years beginning after December 31, 1973.

(iv) The Internal Revenue Code of 1954, as amended through December 31, 1974, shall be in effect for the taxable years beginning after December 31, 1974.

(v) The Internal Revenue Code of 1954, as amended through December 31, 1976, including the amendments made to section 280A (relating to licensed day care centers) in H.R. 3477 as it passed the Congress on May 16, 1977, shall be in effect for the taxable years beginning after December 31, 1976. The provisions of the Tax Reform Act of 1976, P.L. 94-455, which affect adjusted gross income shall become effective for purposes of this chapter at

the same time they become effective for federal income tax purposes. Section 207 (relating to extension of period for nonrecognition of gain on sale or exchange of residence) and section 402 (relating to time for making contributions to pension plans of self employed people) of P.L. 94-12 shall be effective for taxable years beginning after December 31, 1974.

The amendments made to sections 219(c) (3) and 220(c) (4) (extending the time for which a taxpayer is deemed to have made a contribution to an individual retirement account for the taxable year) by section 157(a) of P.L. 95-600 shall be effective for taxable years beginning after December 31, 1977.

References to the Internal Revenue Code of 1954 in clauses (a), (b) and (c) following shall mean the code in effect for the purpose of defining gross income for the applicable taxable year.

(a) Modifications increasing federal adjusted gross income. There shall be added to federal adjusted gross income:

(1) Interest income on obligations of any state other than Minnesota or a political subdivision of any such other state exempt from federal income taxes under the Internal Revenue Code of 1954;

(2) Interest income on obligations of any authority, commission, or instrumentality of the United States, which the laws of the United States exempt from federal income tax, but not from state income taxes;

(3) Income taxes imposed by this state or any other taxing jurisdiction, to the extent deductible in determining federal adjusted gross income and not credited against federal income tax;

(4) Interest on indebtedness incurred or continued to purchase or carry securities the income from which is exempt from tax under this chapter, to the extent deductible in determining federal adjusted gross income;

(5) Amounts received as reimbursement for an expense of sickness or injury which was deducted in a prior taxable year to the extent that the deduction for such reimbursed expenditure resulted in a tax benefit;

(6) The amount of any federal income tax overpayment for any previous taxable year, received as refund or credited to another taxable year's income tax liability, proportionate to the percentage of federal income tax that was claimed as a deduction in determining Minnesota income tax for such previous taxable year.

The overpayment refund or credit, determined with respect to a husband and wife on a joint federal income tax return for a previous taxable year, shall be reported on joint or separate Minnesota income tax returns. In the case of separate Minnesota returns, the overpayment shall be reported by each spouse proportionately according to the relative amounts of federal income tax claimed as a deduction on his or her separate Minnesota income tax return for such previous taxable year;

(7) In the case of a change of residence from Minnesota to



another state or nation, the amount of moving expenses which exceed total reimbursements and which were therefore deducted in arriving at federal adjusted gross income;

(8) In the case of property disposed of on or after January 1, 1973, the amount of any increase in the taxpayer's federal tax liability under section 47 of the Internal Revenue Code of 1954, as amended through December 31, 1976, to the extent of the credit under section 38 of the Internal Revenue Code of 1954, as amended through December 31, 1976, that was previously allowed as a deduction either under section 290.01, subdivision 20 (b) (7) or under section 290.09, subdivision 24;

(9) Expenses and losses arising from a farm which are not allowable under section 290.09, subdivision 29;

(10) Expenses and depreciation attributable to substandard buildings disallowed by section 290.101;

(11) The amount by which the gain determined pursuant to section 41.59, subdivision 2 exceeds the amount of such gain included in federal adjusted gross income;

(12) To the extent deducted in computing the taxpayer's federal adjusted gross income for the taxable year, losses realized upon a transfer of property to the spouse or former spouse of the taxpayer in exchange for the release of the spouse's marital rights;

(13) Interest income from qualified scholarship funding bonds as defined in section 103(e) of the Internal Revenue Code of 1954, as amended through December 31, 1976, if the nonprofit corporation is domiciled outside of Minnesota; and

(14) Exempt-interest dividends, as defined in section 852(b) (5)(A) of the Internal Revenue Code of 1954, as amended through December 31, 1976, not included in federal adjusted gross income pursuant to section 852(b) (5)(B) of the Internal Revenue Code of 1954, as amended through December 31, 1976, except for that portion of such exempt-interest dividends derived from interest income on obligations of the state of Minnesota, any of its political or governmental subdivisions, any of its municipalities, or any of its governmental agencies or instrumentalities;

(15) The amount of any excluded gain realized by a trust on the sale or exchange of property as defined in section 641(c) (1).

(b) Modifications reducing federal adjusted gross income. There shall be subtracted from federal adjusted gross income:

(1) Interest income on obligations of any authority, commission or instrumentality of the United States to the extent includible in gross income for federal income tax purposes but exempt from state income tax under the laws of the United States;

(2) The portion of any gain, from the sale or other disposition of property having a higher adjusted basis for Minnesota income tax purposes than for federal income tax purposes, that does not exceed such difference in basis; but if such gain is considered a

long-term capital gain for federal income tax purposes, the modification shall be limited to 50 per centum of such portion of the gain. This modification shall not be applicable if the difference in basis is due to disallowance of depreciation pursuant to section 290.101.

(3) Interest or dividend income on securities to the extent exempt from income tax under the laws of this state authorizing the issuance of such securities but includible in gross income for federal income tax purposes;

(4) Losses, not otherwise reducing federal adjusted gross income assignable to Minnesota, arising from events or transactions which are assignable to Minnesota under the provisions of sections 290.17 to 290.20, including any capital loss or net operating loss carryforwards or carrybacks resulting from such losses;

(5) If included in federal adjusted gross income, the amount of any credit received, whether received as a refund or credit to another taxable year's income tax liability, pursuant to chapter 290A, and the amount of any overpayment of income tax to Minnesota, or any other state, for any previous taxable year, whether such amount is received as a refund or credited to another taxable year's income tax liability;

(6) To the extent included in federal adjusted gross income, notwithstanding any other law to the contrary, the amount received by any person (i) from the United States, its agencies or instrumentalities, the Federal Reserve Bank or from the state of Minnesota or any of its political or governmental subdivisions or from any other state or its political or governmental subdivisions, or a Minnesota volunteer firefighter's relief association, by way of payment as a pension, public employee retirement benefit, or any combination thereof, or (ii) as a retirement or survivor's benefit made from a plan qualifying under section 401, 403, 404, 405, 408, 409 or 409A of the Internal Revenue Code of 1954, as amended through December 31, 1977. The maximum amount of this subtraction shall be \$10,000 less the amount by which the individual's federal adjusted gross income exceeds \$17,000. In the case of a volunteer firefighter who receives an involuntary lump sum distribution of his pension or retirement benefits, the maximum amount of this subtraction shall be \$10,000; this subtraction shall not be reduced by the amount of the individual's federal adjusted gross income in excess of \$17,000;

(7) In the case of property acquired on or after January 1, 1973, the amount of any credit to the taxpayer's federal tax liability under section 38 of the Internal Revenue Code of 1954, as amended through December 31, 1976, but only to the extent that the credit is connected with or allocable against the production or receipt of income included in the measure of the tax imposed by this chapter;

(8) To the extent included in the taxpayer's federal adjusted gross income for the taxable year, gain realized upon a transfer of property to the spouse or former spouse of the taxpayer in exchange for the release of the spouse's marital rights;

(9) The amount of any distribution from a qualified pension or profit sharing plan included in federal adjusted gross income in the year of receipt to the extent of any contribution not previously allowed as a deduction by reason of a change in federal law which was not adopted by Minnesota law for a taxable year beginning in 1974 or later;

(10) Interest, including payment adjustment to the extent that it is applied to interest, earned by the seller of the property on a family farm security loan executed after December 31, 1977 and before January 1, 1982 that is guaranteed by the commissioner of agriculture as provided in sections 41.51 to 41.60;

(11) The amount of gain on the sale of the taxpayer's residence excluded from the federal gross income of the taxpayer pursuant to section 121 of the Internal Revenue Code of 1954, as amended through December 31, 1978 provided that a taxpayer who elects under that section shall not, for the purpose of this subdivision, also take an exclusion according to the provisions of section 121 of the Internal Revenue Code, as amended through December 31, 1976;

(12) The first \$3,000 of compensation for personal services in the armed forces of the United States or the United Nations, and the next \$2,000 of compensation for personal services in the armed forces of the United States or the United Nations wholly performed outside the state of Minnesota; and

(13) The amount of any income earned for personal services rendered prior to the date when the taxpayer became a resident of Minnesota; and

(14) *The amount of any credit to the taxpayer's federal tax liability for qualified expenditures for energy conservation or renewable energy sources under section 44C of the Internal Revenue Code of 1954, as amended through December 31, 1979 and as amended in H. R. 3919 (Crude Oil Windfall Profit Tax Act of 1980) as passed by the United States House of Representatives on March 13, 1980.*

(c) Modifications affecting shareholders of electing small business corporations under section 1372 of the Internal Revenue Code of 1954, or section 290.972 of this chapter.

(1) Shareholders in a small business corporation, which has elected to be so taxed under the Internal Revenue Code of 1954, but has not made an election under section 290.972 of this chapter, shall deduct from federal adjusted gross income the amount of any imputed income from such corporation and shall add to federal adjusted gross income the amount of any loss claimed as a result of such stock ownership. Also there shall be added to federal adjusted gross income the amount of any distributions in cash or property made by said corporation to its shareholders during the taxable year.

(2) In cases where the small business corporation has made an election under section 1372 of the Internal Revenue Code of 1954,

but has not elected under section 290.972 of this chapter and said corporation is liquidated or the individual shareholder disposes of his stock and there is no capital loss reflected in federal adjusted gross income because of the fact that corporate losses have exhausted the shareholders basis for federal purposes, such shareholders shall be entitled, nevertheless, to a capital loss commensurate to their Minnesota basis for the stock.

(3) In cases where the election under section 1372 of the Internal Revenue Code of 1954 antedates the election under section 290.972 of this chapter and at the close of the taxable year immediately preceding the effective election under section 290.972 the corporation has a reserve of undistributed taxable income previously taxed to shareholders under the provisions of the Internal Revenue Code of 1954, in the event and to the extent that such reserve is distributed to shareholders such distribution shall be taxed as a dividend for purposes of this act.

Items of gross income includible within these definitions shall be deemed such regardless of the form in which received. Items of gross income shall be included in gross income of the taxable year in which received by a taxpayer unless properly to be accounted for as of a different taxable year under methods of accounting permitted by section 290.07, except that (1) amounts transferred from a reserve or other account, if in effect transfers to surplus, shall, to the extent that such amounts were accumulated through deductions from gross income or entered into the computation of taxable net income during any taxable year, be treated as gross income for the year in which the transfer occurs, but only to the extent that such amounts resulted in a reduction of the tax imposed by this act, and (2) amounts received as refunds on account of taxes deducted from gross income during any taxable year shall be treated as gross income for the year in which actually received, but only to the extent that such amounts resulted in a reduction of the tax imposed by this act.

(d) Modification in computing taxable income of the estate of a decedent. Amounts allowable under section 291.07, subdivision 1(2) in computing Minnesota inheritance tax liability shall not be allowed as a deduction in computing the taxable income of the estate unless there is filed within the time and in the manner and form prescribed by the commissioner a statement that the amounts have not been allowed as a deduction under section 291.07 and a waiver of the right to have such amounts allowed at any time as deductions under section 291.07. The provisions of this paragraph shall not apply with respect to deductions allowed under section 290.077 (relating to income in respect of decedents). In the event that the election made for federal tax purposes under section 642(g) of the Internal Revenue Code of 1954 differs from the election made under this paragraph appropriate modification of the estate's federal taxable income shall be made to implement the election made under this paragraph in accordance with regulations prescribed by the commissioner.

Sec. 8. Minnesota Statutes, 1979 Supplement, Section 290.06, Subdivision 14, is amended to read:

Subd. 14. [RESIDENTIAL ENERGY CREDIT.] A credit of 20 percent of the first \$10,000 of renewable energy source expenditures, including the expenditures described in clauses (a), (b) and (d) if made by an individual taxpayer on a Minnesota building of six dwelling units or less and expenditures for biomass conversion equipment described in clause (c), and a credit of 15 percent of the first \$2,000 of energy conservation expenditures made by a taxpayer and installed in or on a dwelling unit located in Minnesota, may be deducted from the tax due under this chapter for the taxable year in which the expenditures were made. For purposes of this subdivision, the term "building" shall include a condominium or townhouse used by the taxpayer as a residence. In the case of qualifying expenditures incurred in connection with a building under construction by a contractor, the credit shall be deducted from the tax liability of the first individual to purchase the building for use as a principal residence or for residential rental purposes; the contractor shall not be eligible for the credit given pursuant to this subdivision for that expenditure.

A "renewable energy source expenditure" which qualifies shall include:

(a) Expenditures which qualify for the federal renewable energy credit, pursuant to Section 44C of the Internal Revenue Code of 1954, as amended through December 31, 1978, and any regulations promulgated pursuant thereto;

(b) Expenditures for earth sheltered dwelling units. For purposes of this credit, an "earth sheltered dwelling unit" shall mean a structure which complies with applicable building standards and which is constructed so that:

(1) 80 percent or more of the wall roof area is covered with a minimum depth of 12 inches of earth; and

(2) 50 percent or more of the wall area is covered with a minimum depth of 12 inches of earth; and

(3) Those portions of the structure not insulated with a minimum of seven feet of earth shall have additional insulation;

(c) Expenditures for biomass conversion equipment which produces ethanol, methane or methanol for use as a liquid fuel which is not offered for sale; and

(d) Expenditures for passive solar energy systems. For purposes of this credit, a "passive solar energy system" is defined to include systems which utilize elements of the building and its operable components to heat or cool a building unit with the sun's energy by means of conduction, convection, radiation, or evaporation. A passive system shall include:

(1) Collection aperture, including glazing installed in south facing walls and roofs; and

(2) Storage element, including thermal mass in the form of water, masonry, rock, concrete, or other mediums which is designed to store heat collected from solar radiation.

A passive system may include:

(1) Control and distribution element, including fans, louvers, and air ducts; and/or

(2) Retention element, including movable insulation used to minimize heat loss caused by nocturnal radiation through areas used for direct solar heat gain during daylight hours.

Eligible passive expenditures shall be for equipment, materials or devices that are an integral part of the components listed above and essential to the functioning of a passive design which qualifies pursuant to rules promulgated by the commissioner of revenue in cooperation with the director of the energy agency. Expenditures for equipment, materials, or devices which are a part of the normal heating, cooling, or insulation system of a building are not eligible for the credit.

*An "energy conservation expenditure" is an expenditure which qualifies for the federal energy conservation credit pursuant to section 44C of the Internal Revenue Code of 1954, as amended through December 31, 1979, and any regulations promulgated pursuant thereto.*

*If a credit for a renewable energy expenditure was allowed to a taxpayer under this subdivision for any prior taxable year, the dollar amount of the maximum renewable energy expenditure for which a taxpayer may qualify for a credit under this subdivision in subsequent years shall be \$10,000 reduced by the amount of renewable energy expenditures which a credit was claimed pursuant to this subdivision in prior years. If a credit for an energy conservation expenditure was allowed to a taxpayer under this subdivision for any prior taxable year, the dollar amount of the maximum energy conservation expenditure for which a taxpayer may qualify for a credit under this subdivision in subsequent years shall be \$2,000 reduced by the amount of energy conservation expenditures for which a credit was claimed pursuant to this subdivision in prior years.*

*The A credit provided in this subdivision shall not be allowed in a taxable year if the amount sum of the credit credits provided in this subdivision would be less than \$10.*

*If the a credit allowable under this subdivision exceeds the amount of tax due in a taxable year, the excess credit shall not be refunded but may be carried forward to the succeeding taxable year and added to the credit allowable for that year. No amount attributable to renewable energy source expenditures may be carried forward to a taxable year beginning after December 31, 1984. No amount attributable to energy conservation expenditures may be carried forward to a taxable year beginning after December 31, 1982. In the case of energy conservation expenditures, excess credits may be carried back two years, in chronological order. No credit may be carried back to a taxable year beginning before January 1, 1978. For the purposes of sections 290.46 and 290.50, if the claim for refund relates to an overpayment attributable to an energy conservation credit carryback*

*under this subdivision, in lieu of the period of limitation prescribed in sections 290.46 and 290.50, the period of limitation shall be that period which ends with the expiration of the 15th day of the 46th month following the end of the taxable year of the energy conservation credit which results in the carryback. In the case in which a taxpayer is entitled to a refund in a carryback year due to the carryback of the energy conservation credit, interest shall be computed only from the end of the taxable year in which the energy conservation credit occurs.*

A shareholder in a family farm corporation and each partner in a partnership operating a family farm shall be eligible for the credit credits provided by this subdivision in the same manner and to the same extent allowed a joint owner of property under ~~clause (a)~~ section 44C (d) of the Internal Revenue Code of 1954, as amended through December 31, 1979. "Family farm corporation" and "family farm" have the meanings given in section 500.24.

The credit credits provided in this subdivision ~~is~~ are subject to the provisions of Section 44C, (c) (7), (d) (1) to (3), and (e), of the Internal Revenue Code of 1954, as amended through December 31, 1978, and any regulations promulgated pursuant thereto.

The commissioner of revenue in cooperation with the director of the energy agency shall promulgate rules establishing additional qualifications and definitions for the credits provided in ~~clauses (a) to (d)~~ this subdivision.

Notwithstanding section 290.61, the commissioner of revenue may request the energy agency to assist in the review and auditing of the information furnished by the taxpayer for purposes of claiming this credit. The provisions of section 290.61 shall apply to employees of the energy agency who receive information furnished by the taxpayer for purposes of claiming this credit.

~~This subdivision~~ The credit for renewable energy source expenditures is effective for expenditures made during taxable years beginning after December 31, 1978 and before January 1, 1983. The credit for energy conservation expenditures is effective for expenditures made during taxable years beginning after December 31, 1979, and before January 1, 1983.

Sec. 9. Minnesota Statutes 1978, Section 462A.05, is amended by adding a subdivision to read:

*Subd. 15b. It may make grants to assist in energy conservation rehabilitation measures for existing owner occupied housing including, but not limited to: insulation, storm windows and doors, furnace or space heater repair or replacement, chimney construction or improvement, weatherstripping and caulking, and structural or other directly related repairs essential for energy conservation. The grant to any household shall not exceed \$2,000.*

To be eligible for an emergency conservation grant, a household must be certified as eligible to receive emergency residential heat-

ing assistance under either the federal or the state program, and either (1) have had a heating cost for the preceding heating season that exceeded 120 percent of the regional average for the preceding heating season for that energy source as determined by the energy agency, or (2) be eligible to receive a federal energy conservation grant, but be precluded from receiving the grant because of a need for directly related repairs that cannot be paid for under the federal program. The housing finance agency shall make a reasonable effort to determine whether other state or federal loan and grant programs are available and adequate to finance the intended improvements. An emergency energy conservation grant may be made in conjunction with grants or loans from other state or federal programs that finance other needed rehabilitation work. The receipt of a grant pursuant to this section shall not affect the applicant's eligibility for other housing finance agency loan or grant programs.

Temporary rules to implement this subdivision may be promulgated and amended pursuant to chapter 15. The temporary rules may remain in effect until July 1, 1981.

Sec. 10. Minnesota Statutes 1978, Section 462A.21, is amended by adding a subdivision to read:

Subd. 4g. It may make emergency energy conservation grants as provided in section 9 and may pay the costs and expenses necessary and incidental to the development of the emergency energy conservation grant program.

Sec. 11. [STATE PLAN FOR SPENDING FEDERAL MONEY.] Subdivision 1. The governor shall submit to the appropriate federal agency a state delivery plan for money the state receives under the Federal Home Energy Assistance Act of 1980, that includes the following elements:

(a) Those households in which one or more individuals are eligible for (a) aid to families with dependent children, (b) supplemental security income payments, (c) food stamps, or (d) certain veteran's benefits as limited by the Home Energy Assistance Act of 1980 shall be categorically eligible for assistance under the state plan, and procedures for simplified application shall be developed.

(b) Users of wood as a primary heating source, whether the wood is purchased or not, shall be eligible for assistance if otherwise eligible under federal law.

(c) Grants under the state plan may be in the form of a direct payment to an eligible household or as a line of credit to an energy supplier. The plan shall describe the conditions under which direct payment is permitted.

(d) Eligible households that have medically necessary cooling costs, as limited by federal law, shall be eligible for assistance.

(e) The state plan shall provide that three percent of the federal money shall be set aside for the emergency uses specified in federal law.



*Subd. 2. Before the state plan is submitted to the appropriate federal agency, the governor shall deliver the plan to the appropriate committees of the legislature for review and comment. Thereafter, the governor shall notify the committees of any changes made in the plan.*

*Sec. 12. [APPROPRIATIONS.] Subdivision 1. The sum of \$27,000,000 is appropriated from the general fund to the commissioner of economic security for the purposes specified in this subdivision, to be available for the fiscal year ending June 30 in the year indicated.*

	1980	1981
(a) For the purposes specified in Section 1.	\$ 7,000,000	
<i>Any unencumbered balance remaining in the first year does not cancel, but is available for the second year of the biennium for the purposes specified in clause (c)</i>		
(b) For the purposes specified in section 4	\$ 500,000	\$ 500,000
(c) For emergency residential heating assistance		\$ 7,000,000
<i>(1) If for any reason, federal money is not available, this appropriation may be used for grants to be made pursuant to the current state plan.</i>		
<i>(2) If federal money is available to pay energy grants to persons eligible under section 1, up to \$5,000,000 of the money appropriated in clause (c) is available for any state matching requirement required by a federal energy assistance program.</i>		
<i>(3) If a household's income does not exceed 168 percent of office of management and budget nonfarm poverty guidelines and the household is not eligible for assistance under the federal program for fiscal year 1981, the money appropriated in clauses (b) and (c) is available for grants in the same manner, and form as is specified in the state plan for the federal energy assistance program for fiscal year 1981.</i>		
(d) If grants are paid from the appropriation of state money in clauses (b) and (c) to persons eligible to receive grants for the same purpose from federal money, the appropriations		

1980

1981

*shall be reimbursed for those grants from federal money when the federal money becomes available if reimbursement is permitted under federal law.*

- (e) *Local administrative agencies may retain up to five percent of the appropriations in clauses (a), (b), and (c) for administrative costs. The state administrative agency may retain up to two percent of the appropriation for administrative costs.*

- (f) *Weatherization of residences pursuant to section 6 to be available until June 30, 1981. Local administrative agencies may retain up to 7½ percent of the appropriation in clause (f) for administrative costs. The state administrative agency may retain up to two percent of the appropriation in clause (f) for administrative costs.* \$12,000,000

*Subd. 2. The sum of \$5,000,000 is appropriated from the general fund to the housing development fund created by Section 462A.20, for the purpose of the emergency energy conservation grant program specified in sections 9 and 10, and for the payment of related costs and expenses. The complement of the housing finance agency is increased by two positions.*

*Subd. 3. The sum of \$1,000,000 is appropriated from the general fund to the commissioner of public welfare to reimburse counties for the county portion of expenses incurred by them in providing residential heating assistance under the emergency assistance and special needs allowance programs during fiscal years 1980 and 1981. No county match is required for this money.*

**Sec. 13. [EFFECTIVE DATE.]** *This act is effective the day after final enactment. Sections 1 to 5 expire January 2, 1982. Section 7 is effective for federal credits received for taxable years beginning after December 31, 1978."*

**Delete the title and insert:**

*"A bill for an act relating to energy; creating a state emergency residential heating grant program; broadening the scope of state weatherization programs; providing a credit for energy conservation expenditures; providing a passthrough of federal energy credits; reimbursing counties; appropriating money; amending Minnesota Statutes 1978, Sections 462A.05, by adding a subdivision; and 462A.21, by adding a subdivision; and Minnesota Statutes, 1979 Supplement, Sections 268.37; 290.01, Subdivision 20; and 290.06, Subdivision 14."*

**We request adoption of this report and repassage of the bill.**

**Senate Conferees:** (Signed) Hubert H. Humphrey, III; Neil Dieterich; Harmon T. Ogdahl; Jerald C. Anderson; Bill McCutcheon

House Conferees: (Signed) Ken G. Nelson; James C. Pehler; C. Thomas Osthoff; Bob Anderson

Mr. Humphrey moved that the foregoing recommendations and Conference Committee Report on S. F. No. 1670 be now adopted, and that the bill be repassed as amended by the Conference Committee. The motion prevailed. So the recommendations and Conference Committee Report were adopted.

S. F. No. 1670 was read the third time, as amended by the Conference Committee, and placed on its repassage.

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

The roll was called, and there were yeas 44 and nays 19, as follows:

Those who voted in the affirmative were:

Anderson	Hanson	McCutcheon	Peterson	Stern
Barrette	Humphrey	Menning	Purfeerst	Stokowski
Benedict	Johnson	Moe	Schaaf	Strand
Chmielewski	Keefe, S.	Nelson	Schmitz	Stumpf
Coleman	Kleinbaum	Ogdahl	Setzepfandt	Tennessen
Davies	Knoll	Olhoft	Sikorski	Vega
Dieterich	Laufenburger	Olson	Solon	Wegener
Gearty	Lessard	Penny	Spear	Willet
Gunderson	Luther	Perpich	Staples	

Those who voted in the negative were:

Ashbach	Engler	Kirchner	Omann	Sieloff
Bang	Frederick	Knaak	Pillsbury	Ueland, A.
Bernhagen	Jensen	Knutson	Renneke	Ulland, J.
Dunn	Keefe, J.	Nichols	Rued	

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

### CALENDAR

H. F. No. 1789: A bill for an act relating to occupations and professions; providing for licensing of public accountants; amending Minnesota Statutes, 1979 Supplement, Section 326.191.

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 62 and nays 0, as follows:

Those who voted in the affirmative were:

Ashbach	Dunn	Keefe, J.	Luther	Omann
Bang	Engler	Keefe, S.	McCutcheon	Penny
Barrette	Frederick	Kirchner	Menning	Perpich
Benedict	Gearty	Kleinbaum	Moe	Peterson
Bernhagen	Gunderson	Knaak	Nelson	Pillsbury
Chmielewski	Hanson	Knoll	Nichols	Purfeerst
Coleman	Humphrey	Knutson	Ogdahl	Renneke
Davies	Jensen	Laufenburger	Olhoft	Rued
Dieterich	Johnson	Lessard	Olson	Schaaf

Schmitz	Solon	Stokowski	Tennessen	Vega
Setzepfandt	Spear	Strand	Ueland, A.	Wegener
Sieloff	Staples	Stumpf	Ulland, J.	Willet
Sikorski	Stern			

So the bill passed and its title was agreed to.

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

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 3, as follows:

Those who voted in the affirmative were:

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

Messrs. McCutcheon, Spear and Tennessen voted in the negative.

So the bill passed and its title was agreed to.

### CONSENT CALENDAR

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.

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

So the bill passed and its title was agreed to.

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.

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 62 and nays 0, as follows:

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

### GENERAL ORDERS

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

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

S. F. Nos. 2122, 1708, 1783, 2111, 2017, 1838, 2172, 1993, 1950 and H. F. Nos. 2119, 1169, 1732, 2051, 1695, and 1846, which the committee recommends to pass.

S. F. No. 657, which the Committee recommends be re-referred to the Committee on Energy and Housing.

S. F. No. 2168, which the committee recommends to pass with the following amendments offered by Messrs. Chmielewski and Hanson:

Mr. Chmielewski moved to amend S. F. No. 2168 as follows:

Page 1, line 10, delete "city of" and insert "school district of"

The motion prevailed. So the amendment was adopted.

Mr. Hanson moved to amend S. F. No. 2168 as follows:

Page 1, after line 12, insert:

"Sec. 2. [138.581] [STATE HISTORIC SITES; REGISTRY, LANDS OWNED BY GOVERNMENTAL UNITS OUTSIDE THE STATE.] *Subdivision 1. The land and water areas enumerat-*

*ed in this section are designated "state historic sites," and this section is a registry of state historic sites situated on property owned by governmental units outside the state or by instrumentalities of those government units.*

*Subd. 2. The Canadian National Depot, owned by the Canadian National Railroad, is in Roseau county and is located on Main Street in the city of Warroad.*

Sec. 3. Minnesota Statutes 1978, Section 138.59, is amended to read:

**138.59 [NOTICE TO MINNESOTA HISTORICAL SOCIETY OF LAND ACQUISITION.]** Whenever the state or any governmental subdivision thereof acquires any of the property enumerated in section 138.58 or in section 2 as a state historic site, it is the duty of the officer in charge of such the acquisition to notify in writing, as promptly as may be expedient, the Minnesota historical society of such the acquisition."

Amend the title as follows:

Page 1, line 2, delete "an"

Page 2, line 3, delete "site" and insert "sites" and after the semicolon, insert "requiring notice to the Minnesota Historical Society when the state or a political subdivision acquires certain property;"

Page 1, line 4, delete "Section" and insert "Sections"

Page 1, line 5, before the period, insert "; and 138.59"

The motion prevailed. So the amendment was adopted.

S. F. No. 1877, which the committee recommends to pass with the following amendments offered by Messrs. Vega and Frederick:

Mr. Vega moved to amend S. F. No. 1877 as follows:

Page 3, line 32, after "fired" insert "for cause"

The motion prevailed. So the amendment was adopted.

Mr. Frederick moved to amend S. F. No. 1877 as follows:

Page 1, line 17, after "individual" insert ", 17 years of age or older,"

The motion prevailed. So the amendment was adopted.

Mr. Frederick then moved to amend S. F. No. 1877 as follows:

Page 2, line 26, before "hours" insert "approximate"

The motion prevailed. So the amendment was adopted.

Mr. Coleman moved that the report of the Committee of the Whole, as kept by the Secretary, be now adopted.

### CALL OF THE SENATE

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

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

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

Mr. Humphrey requested that the report on S. F. No. 657 be divided out.

The question was taken on the adoption of the motion of Mr. Coleman. The motion prevailed.

The question was taken on the adoption of the report on S. F. No. 657. The motion did not prevail.

### 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.

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. 2244, 1618, 1655 and H. F. Nos. 1871, 1207, 1837 and 2028 makes the following report:

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

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

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

### MOTIONS AND RESOLUTIONS—CONTINUED

Mr. Coleman moved that the Senate do now adjourn until 1:00 o'clock p.m., Wednesday, March 19, 1980. The motion prevailed.

Patrick E. Flahaven, Secretary of the Senate