

VOLUME 1

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HOUSE

OF REPRESENTATIVES

SEVENTIETH SESSION

OF THE

LEGISLATURE

STATE OF MINNESOTA

1977

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STATE OF MINNESOTA

SEVENTIETH SESSION - 1977

FIRST DAY

SAINT PAUL, MINNESOTA, TUESDAY, JANUARY 4, 1977

In accordance with the Constitution and the Laws of the State of Minnesota, the members-elect of the House of Representatives assembled in the Chamber of the House of Representatives in the Capitol in Saint Paul on Tuesday, the fourth day of January, 1977.

At the hour of twelve o'clock noon and pursuant to Minnesota Statutes 1976, Section 3.05, the Honorable Joan Anderson Growe, Secretary of State, called the members-elect to order and appointed the Honorable Bernard J. Brinkman from District 16B as Clerk pro tempore.

Prayer was offered by the Reverend James A. Gullickson, Chaplain-designate.

The Clerk pro tempore called the roll by legislative district in numerical order, and the following members-elect presented proof of their eligibility to be sworn in and seated as members of the House of Representatives:

District 1A	Art Braun
District 1B	John Corbid
District 2A	Bill Kelly
District 2B	Willis Eken
District 3A	Irv Anderson
District 3B	Norman Prah
District 4A	Doug St. Onge
District 4B	Glen Sherwood
District 5A	Peter X. Fugina
District 5B	John J. Spanish
District 6A	Joseph R. Begich
District 6B	David Battaglia
District 7A	Willard Munger
District 7B	Mike Jaros
District 8A	Arlene Lento
District 8B	Tom Berkelman
District 9A	David Beauchamp
District 9B	Keith Langseth
District 10A	Jim Evans

District 10B	Bob Anderson
District 11A	Gene Wenstrom
District 11B	Dave Fjoslien
District 12A	Bruce Nelsen
District 12B	Stephen G. Wenzel
District 13A	Don Samuelson
District 13B	M. B. (Doc) Nelsen
District 14A	Douglas W. Carlson
District 14B	Mary Murphy
District 15A	Delbert F. Anderson
District 15B	Glen H. Anderson
District 16A	Joe T. Niehaus
District 16B	B. J. Brinkman
District 17A	Al Patton
District 17B	James Pehler
District 18A	Dick Welch
District 18B	Bob McEachern
District 19A	John T. Clawson
District 19B	Tom Mangan
District 20A	Ellsworth Smogard
District 20B	Russ Stanton
District 21A	C. L. "Shorty" Gunter
District 21B	A. O. H. "Setze" Setzepfandt
District 22A	Adolph L. Kvam
District 22B	Harold J. Dahl
District 23A	Raymond J. Albrecht
District 23B	Carl M. Johnson
District 24A	Robert E. Vanasek
District 24B	O. E. "Orv" Birnstihl
District 25A	Jim White
District 25B	Victor Schulz
District 26A	Buzz Anderson
District 26B	Wendell O. Erickson
District 27A	George Mann
District 27B	Darrel L. Peterson
District 28A	Gilbert Esau
District 28B	A. J. (Tony) Eckstein
District 29A	David R. Cummiskey
District 29B	Richard (Dick) Wigley
District 30A	Henry J. Kalis
District 30B	Rod Searle
District 31A	Henry J. Savelkoul
District 31B	Leo Reding
District 32A	John S. Biersdorf
District 32B	Don L. Friedrich
District 33A	J. R. "Dick" Kaley
District 33B	Ken Zubay
District 34A	Richard "Dick" Lemke
District 34B	Tom Stoa
District 35A	Neil Haugerud
District 35B	Al Wieser, Jr.
District 36A	Kenneth J. McDonald
District 36B	Ted L. Suss
District 37A	Shirley Hokanson
District 37B	James C. "Jim" Swanson

District 38A	Bruce D. Williamson
District 38B	Lyle Abeln
District 39A	Mary Forsythe
District 39B	Ray O. Pleasant
District 40A	Douglas R. (Doug) Ewald
District 40B	Jerry Knickerbocker
District 41A	John Arlandson
District 41B	Paul "Pete" Petrafeso
District 42A	Tad Jude
District 42B	Bob Searles
District 43A	O. J. "Lon" Heinitz
District 43B	Dwayne King
District 44A	Lyndon R. Carlson
District 44B	Leo G. Adams
District 45A	Linda Scheid
District 45B	Robert L. "Bob" Ellingson
District 46A	Paul McCarron
District 46B	Wayne Simoneau
District 47A	Joel Jacobs
District 47B	Gordon O. Voss
District 48A	Steve G. Novak
District 48B	John Rose
District 49A	Howard J. Neisen
District 49B	Maurice (Mac) McCollar
District 50A	Michael J. (Mike) George
District 50B	Dick Kostohryz
District 51A	Gary Laidig
District 51B	Michael (Mike) Sieben
District 52A	James P. Metzzen
District 52B	Harry Sieben, Jr.
District 53A	Ray Kempe
District 53B	Robert C. "Bob" Jensen
District 54A	Carl Kroening
District 54B	James I. Rice
District 55A	Stanley J. Fudro
District 55B	John Sarna
District 56A	James R. Casserly
District 56B	Tom Berg
District 57A	Phyllis Kahn
District 57B	Martin Olav Sabo
District 58A	Bill Dean
District 58B	Arne Carlson
District 59A	Linda Berglin
District 59B	Ken Nelson
District 60A	Janet Clark
District 60B	Stanley A. "Stan" Enebo
District 61A	John Brandl
District 61B	Wesley J. "Wes" Skoglund
District 62A	Ann Wynia
District 62B	Walter Hanson
District 63A	Ray W. Faricy
District 63B	Richard (Dick) Cohen
District 64A	Tom Osthoff
District 64B	Peggy Byrne
District 65A	Fred C. Norton

District 65B	Donald M. Moe
District 66A	Eugene Waldorf
District 66B	Randy Kelly
District 67A	Arnold E. Kempe
District 67B	John Tomlinson

134 eligible persons answered to the call by legislative district.

The arrival of the Honorable John C. Lindstrom, District Judge, was announced and he was escorted to the front of the Chamber.

OATH OF OFFICE

The members-elect subscribed to the oath of office as administered to them by the Honorable John C. Lindstrom.

The members took their seats in the Chamber of the House of Representatives.

The Clerk pro tempore called the roll in alphabetical order and the following members answered to their names:

Abeln	Cohen	Jensen	Munger	Searles
Adams	Corbid	Johnson	Murphy	Setzepfandt
Albrecht	Cummiskey	Jude	Neisen	Sherwood
Anderson, B.	Dahl	Kahn	Nelsen, B.	Sieben, H.
Anderson, D.	Dean	Kaley	Nelsen, M.	Sieben, M.
Anderson, G.	Eckstein	Kalis	Nelson	Simoneau
Anderson, I.	Eken	Kelly, R.	Niehaus	Skoglund
Anderson, R.	Ellingson	Kelly, W.	Norton	Smogard
Arlandson	Enebo	Kempe, A.	Novak	Spanish
Battaglia	Erickson	Kempe, R.	Osthoff	Stanton
Beauchamp	Esau	King	Patton	Stoa
Begich	Evans	Knickerbocker	Pehler	Suss
Berg	Ewald	Kostohryz	Peterson	Swanson
Berglin	Faricy	Kroening	Petrafeso	Tomlinson
Berkelman	Fjoslien	Kvam	Pleasant	Vanasek
Biersdorf	Forsythe	Laidig	Prahl	Voss
Birnstihl	Friedrich	Langseth	Reding	Waldorf
Brandl	Fudro	Lehto	Rice	Welch
Braun	Fugina	Lemke	Rose	Wenstrom
Brinkman	George	Mangan	Sabo	Wenzel
Byrne	Gunter	Mann	St. Onge	White
Carlson, A.	Hanson	McCarron	Samuelson	Wieser
Carlson, D.	Haugerud	McCollar	Sarna	Wigley
Carlson, L.	Heinitz	McDonald	Savelkoul	Williamson
Cassery	Hokanson	McEachern	Scheid	Wynia
Clark	Jacobs	Metzen	Schulz	Zubay
Clawson	Jaros	Moe	Searle	

A quorum was present.

ELECTION OF OFFICERS

The Secretary of State announced the next order of business to be the election of a Speaker.

The name of Martin Olav Sabo was placed in nomination by Anderson, I. The nomination was seconded by Vanasek, Samuelson, Clark, Schulz, Fugina, Adams, McEachern and Moe.

The name of Rodney N. Searle was placed in nomination by Savelkoul. The nomination was seconded by Forsythe and Anderson, D.

There being no further nominations, the Secretary of State declared the nominations closed.

The Clerk pro tempore called the roll on the election of a Speaker.

The following members of the House voted for Sabo:

Abeln	Cohen	Kahn	Neisen	Sieben, M.
Adams	Corbid	Kalis	Nelsen, M.	Simoneau
Anderson, B.	Cummiskey	Kelly, R.	Nelson	Skoglund
Anderson, G.	Dahl	Kelly, W.	Norton	Smogard
Anderson, I.	Eckstein	Kempe, A.	Novak	Spanish
Arlandson	Eken	Kempe, R.	Osthoff	Stanton
Battaglia	Ellingson	King	Patton	Stoa
Beauchamp	Enebo	Kostohryz	Pehler	Suss
Begich	Faricy	Kroening	Petraffeso	Swanson
Berg	Fudro	Langseth	Prahl	Tomlinson
Berglin	Fugina	Lehto	Reding	Vanasek
Berkelman	George	Lemke	Rice	Voss
Birnstihl	Gunter	Mangan	Sabo	Waldorf
Brandl	Hanson	Mann	St. Onge	Welch
Braun	Haugerud	McCarron	Samuelson	Wenstrom
Brinkman	Hokanson	McCollar	Sarna	Wenzel
Byrne	Jacobs	McEachern	Scheid	White
Carlson, L.	Jaros	Metzen	Schulz	Wieser
Casserly	Jensen	Moe	Setzepfandt	Williamson
Clark	Johnson	Munger	Sherwood	Wynia
Clawson	Jude	Murphy	Sieben, H.	

Sabo received 104 votes.

The following members of the House voted for Searle:

Albrecht	Dean	Forsythe	Laidig	Rose
Anderson, D.	Erickson	Friedrich	McDonald	Savelkoul
Anderson, R.	Esau	Heinitz	Nelsen, B.	Searle
Biersdorf	Evans	Kaley	Niehaus	Searles
Carlson, A.	Ewald	Knickerbocker	Peterson	Wigley
Carlson, D.	Fjoslien	Kvam	Pleasant	Zubay

Searle received 30 votes.

Sabo, having received the most votes, was declared duly elected Speaker of the House.

Munger, Hokanson, Enebo, Mann and Hanson were appointed to escort the Speaker-elect to the rostrum.

OATH OF OFFICE

The oath of office was administered to the Speaker-elect by the Secretary of State. The Speaker expressed his appreciation for the honor bestowed upon him.

The Speaker announced the next order of business to be the election of the Chief Clerk.

The name of Edward A. Burdick was placed in nomination by Anderson, I. The nomination was seconded by Savelkoul.

There being no further nominations, the Speaker declared the nominations closed.

The Clerk pro tempore called the roll on the election of the Chief Clerk and the following voted for Burdick:

Abeln	Cohen	Jensen	Munger	Setzepfandt
Adams	Corbid	Johnson	Murphy	Sherwood
Albrecht	Cummiskey	Jude	Neisen	Sieben, H.
Anderson, B.	Dahl	Kahn	Neisen, B.	Sieben, M.
Anderson, D.	Dean	Kaley	Nelsen, M.	Simoneau
Anderson, G.	Eckstein	Kalis	Nelson	Skoglund
Anderson, I.	Eken	Kelly, R.	Niehaus	Smogard
Anderson, R.	Ellingson	Kelly, W.	Norton	Spanish
Arlandson	Enebo	Kempe, A.	Novak	Stanton
Battaglia	Erickson	Kempe, R.	Osthoff	Stoa
Beauchamp	Esau	King	Patton	Suss
Begich	Evans	Knickerbocker	Pehler	Swanson
Berg	Ewald	Kostohryz	Peterson	Tomlinson
Berglin	Faricy	Kroening	Petrafeso	Vanasek
Berkelman	Fjoslien	Kvam	Pleasant	Voss
Biersdorf	Forsythe	Laidig	Prahl	Waldorf
Birnsthil	Friedrich	Langseth	Reding	Welch
Brandl	Fudro	Lehto	Rice	Wenstrom
Braun	Fugina	Lemke	Rose	Wenzel
Brinkman	George	Mangan	St. Onge	White
Byrne	Gunter	Mann	Samuelson	Wieser
Carlson, A.	Hanson	McCarron	Sarna	Wigley
Carlson, D.	Haugerud	McCollar	Savelkoul	Williamson
Carlson, L.	Heinitz	McDonald	Scheid	Wynia
Casserly	Hokanson	McEachern	Schulz	Zubay
Clark	Jacobs	Metzen	Searle	Speaker Sabo
Clawson	Jaros	Moe	Searles	

Burdick, having received the vote of the majority of all members, was declared elected Chief Clerk of the House of Representatives.

OATH OF OFFICE

The oath of office was administered to the Chief Clerk-elect by the Speaker.

The Speaker announced the next order of business to be the election of other elected officers of the House of Representatives.

Fudro moved that the election of other elective officers be made on one roll call unless there should be more than one nomination for any one office. The motion prevailed.

The following names were placed in nomination:

The name of Betty M. Hayenga was placed in nomination for First Assistant Chief Clerk by Wynia.

The name of Daniel L. Kane was placed in nomination for Second Assistant Chief Clerk by Berg.

The name of Paige Piper was placed in nomination for Postmaster by Kalis.

The name of M. J. Hedstrom was placed in nomination for Assistant Sergeant at Arms by Nelson.

The name of Julie Roles was placed in nomination for Assistant Sergeant at Arms by Pehler.

The name of Shirley Tschida was placed in nomination for Assistant Sergeant at Arms by Osthoff.

The name of Stephen E. Fischer was placed in nomination for Index Clerk by Norton.

There being no further nominations, the Speaker declared the nominations closed.

The Chief Clerk called the roll on the election of the other officers and the following members voted for the other officers:

Abeln	Cassery	Hanson	Lemke	Prahl
Adams	Clark	Haugerud	Mangan	Reding
Albrecht	Clawson	Heinitz	Mann	Rice
Anderson, B.	Cohen	Hokanson	McCarron	Rose
Anderson, D.	Corbid	Jacobs	McCollar	St. Onge
Anderson, G.	Cummiskey	Jaros	McDonald	Samuelson
Anderson, I.	Dahl	Jensen	McEachern	Sarna
Anderson, R.	Dean	Johnson	Metzen	Savelkoul
Arlandson	Eckstein	Jude	Moe	Scheid
Battaglia	Eken	Kahn	Munger	Schulz
Beauchamp	Ellingson	Kaley	Murphy	Searle
Begich	Enebo	Kalis	Neisen	Searles
Berg	Erickson	Kelly, R.	Nelsen, B.	Setzepfandt
Berglin	Esau	Kelly, W.	Nelsen, M.	Sherwood
Berkelman	Evans	Kempe, A.	Nelson	Sieben, H.
Biersdorf	Ewald	Kempe, R.	Niehaus	Sieben, M.
Birnstihl	Faricy	King	Norton	Simoneau
Brandl	Fjoslien	Knickerbocker	Novak	Skoglund
Braun	Forsythe	Kostohryz	Osthoff	Smogard
Brinkman	Friedrich	Kroening	Patton	Spanish
Byrne	Fudro	Kvam	Pehler	Stanton
Carlson, A.	Fugina	Laidig	Peterson	Stoa
Carlson, D.	George	Langseth	Petrafeso	Suss
Carlson, L.	Gunter	Lehto	Pleasant	Swanson

Tomlinson
Vanasek
Voss

Waldorf
Welch
Wenstrom

Wenzel
White
Wieser

Wigley
Williamson
Wynia

Zubay
Speaker Sabo

The nominees, having received the vote of the majority of all members, were declared duly elected to their respective offices.

OATH OF OFFICE

The oath of office was administered to those elected to the above offices by the Speaker.

Anderson, I., offered the following resolution and moved its adoption:

Resolved, that the Rules of the House for the 69th Regular Session as the same were in effect on Wednesday, April 7, 1976, but with the following amendments:

- (1) Strike Rule 6.1 and insert in lieu thereof:

"6.1 COMMITTEES. Standing committees of the House shall be appointed by the Speaker as follows:

Agriculture

Appropriations

Divisions: Education

Health, Welfare, Corrections

State Departments

Semi-State

Commerce and Economic Development

Criminal Justice

Education

Division: School Aids

Environment and Natural Resources

Financial Institutions and Insurance

General Legislation and Veterans Affairs

Governmental Operations

Health and Welfare

Higher Education

Labor-Management Relations

Local and Urban Affairs

Rules and Legislative Administration

Taxes

Transportation”;

(2) Strike paragraph 3 of Rule 1.16;

(3) Strike paragraph 5 of Rule 3.4 and insert in lieu thereof:

“The notice of intention to move reconsideration shall not be in order after May 2, 1977 through May 23, 1977.”;

be and the same are hereby adopted as the temporary Rules of this House for the 70th session until such time as the Committee on Rules and Legislative Administration shall have made its report and new permanent Rules shall have been adopted.

The question was taken on the adoption of the resolution and the roll was called. There were 134 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Abeln	Cohen	Jensen	Munger	Setzepfandt
Adams	Corbid	Johnson	Murphy	Sherwood
Albrecht	Cummiskey	Jude	Neisen	Sieben, H.
Anderson, B.	Dahl	Kahn	Nelsen, B.	Sieben, M.
Anderson, D.	Dean	Kaley	Nelsen, M.	Simoneau
Anderson, G.	Eckstein	Kalis	Nelson	Skoglund
Anderson, I.	Eken	Kelly, R.	Niehaus	Smogard
Anderson, R.	Ellingson	Kelly, W.	Norton	Spanish
Arlandson	Enebo	Kempe, A.	Novak	Stanton
Battaglia	Erickson	Kempe, R.	Osthoff	Stoa
Beauchamp	Esau	King	Patton	Suss
Begich	Evans	Knickerbocker	Pehler	Swanson
Berg	Ewald	Kostohryz	Peterson	Tomlinson
Berglin	Faricy	Kroening	Petrafeso	Vanasek
Berkelman	Fjoslien	Kvam	Pleasant	Voss
Biersdorf	Forsythe	Laidig	Prahl	Waldorf
Birnstihl	Friedrich	Langseth	Reding	Welch
Brandl	Fudro	Lehto	Rice	Wenstrom
Braun	Fugina	Lemke	Rose	Wenzel
Brinkman	George	Mangan	St. Onge	White
Byrne	Gunter	Mann	Samuelson	Wieser
Carlson, A.	Hanson	McCarron	Sarna	Wigley
Carlson, D.	Haugerud	McCollar	Savelkoul	Williamson
Carlson, L.	Heinitz	McDonald	Scheid	Wynia
Casserly	Hokanson	McEachern	Schulz	Zubay
Clark	Jacobs	Metzen	Searle	Speaker Sabo
Clawson	Jaros	Moe	Searles	

The motion prevailed and the resolution was adopted.

ANNOUNCEMENT BY THE SPEAKER

The Speaker announced the appointment of Lawrence W. Bothwell as Chief Sergeant at Arms.

OATH OF OFFICE

The oath of office was administered to the Chief Sergeant at Arms by the Speaker.

Jaros offered the following resolution and moved its adoption :

Resolved, that the Chief Clerk be instructed to inform the Senate that the House is duly organized pursuant to law and to invite the Senate to meet with the House in joint convention at 11:45 a.m., Wednesday, January 5, 1977, to receive the message of the Governor which will be delivered at 12:00 noon.

The motion prevailed and the resolution was adopted.

Berglin offered the following resolution and moved its adoption :

Resolved, that an invitation be extended to the Governor to address a joint convention of the House and Senate to be held in the House chamber on Wednesday, January 5, 1977, said joint convention to convene at 11:45 a.m. and said message to be delivered at 12:00 noon; and that the Speaker appoint a committee of seven members of the House to act with a similar committee of the Senate to extend the invitation to the Governor and to notify him that the Senate and House of Representatives are now duly organized pursuant to law.

The motion prevailed and the resolution was adopted.

ANNOUNCEMENT BY THE SPEAKER

The Speaker announced the appointment of the following members on the committee to invite the Governor to address the joint convention and to notify him that the House is now organized :

Eckstein, Spanish, Haugerud, Scheid, Biersdorf, Begich, and Zubay.

Stanton offered the following resolution and moved its adoption :

Resolved, that the Speaker be and he is hereby directed to appoint a committee of seven members on the part of the House to act with a similar committee on the part of the Senate to escort the Governor to the joint convention to be held in the House chamber on Wednesday, January 5, 1977.

The motion prevailed and the resolution was adopted.

ANNOUNCEMENT BY THE SPEAKER

The Speaker announced the appointment of the following members on the committee to escort the Governor to the House chamber:

Prahl, Lemke, Swanson, Pleasant, Battaglia, Lehto, and Dean.

Petrafeso offered the following resolution and moved its adoption:

Resolved, that necessary employees as directed by the Committee on Rules and Legislative Administration be authorized by the House effective today, January 4, 1977, to better expedite the business of the House.

The question was taken on the adoption of the resolution and the roll was called. There were 127 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Abeln	Corbid	Kahn	Neisen	Sieben, H.
Adams	Cummiskey	Kaley	Nelsen, B.	Sieben, M.
Albrecht	Dahl	Kalis	Nelsen, M.	Simoneau
Anderson, B.	Dean	Kelly, R.	Nelson	Skoglund
Anderson, D.	Eken	Kelly, W.	Niehaus	Smogard
Anderson, G.	Ellingson	Kempe, A.	Norton	Stanton
Anderson, I.	Enebo	Kempe, R.	Novak	Stoa
Anderson, R.	Erickson	King	Osthoff	Suss
Arlanson	Esau	Knickerbocker	Patton	Swanson
Battaglia	Evans	Kostohryz	Pehler	Tomlinson
Beauchamp	Ewald	Kroening	Peterson	Vanasek
Berg	Faricy	Kvam	Pctrafeso	Voss
Berglin	Forsythe	Laidig	Pleasant	Waldorf
Berkelman	Friedrich	Longsæth	Prahl	Welch
Birnsthil	Fudro	Lehto	Reding	Wenstrom
Brandl	Fugina	Lemke	Rice	Wenzel
Braun	George	Mangan	Rose	White
Brinkman	Gunter	Mann	St. Onge	Wieser
Byrne	Hanson	McCarron	Samuelson	Wigley
Carlson, A.	Heinitz	McCollar	Sarna	Williamson
Carlson, D.	Hokanson	McDonald	Savelkoul	Wynia
Carlson, L.	Jacobs	McEachern	Schulz	Zubay
Cassery	Jaros	Metzen	Searle	Speaker Sabo
Clark	Jensen	Moe	Searles	
Clawson	Johnson	Munger	Setzpfandt	
Cohen	Jude	Murphy	Sherwood	

The motion prevailed and the resolution was adopted.

ANNOUNCEMENT BY THE SPEAKER

The Speaker announced the appointment of the following members to the committee on Rules and Legislative Administration:

Anderson, I., Chairman; Berg; Berglin; Biersdorf; Brinkman; Carlson, A.; Faricy; Forsythe; Fudro; Fugina; Haugerud;

Jaros; Johnson; Kelly, W.; Mann; Munger; Neisen; Norton; Petrafeso; Sabo; Savelkoul; Searle; Sieben, H.; Stanton; Swanson; Voss and Wigley.

ANNOUNCEMENTS BY THE SPEAKER

The Speaker announced the following committee assignments:

AGRICULTURE

Mann, Chairman	Eken	McDonald
Braun,	Erickson	Nelsen, B.
Vice-Chairman	Gunter	Suss
Anderson, B.	Kahn	Wenzel
Birnstihl	Kalis	White
Brinkman	Kempe, R.	Wigley
Carlson, D.	King	
Eckstein	Lemke	

APPROPRIATIONS

Norton, Chairman		
Voss, Vice-Chairman		
Division on Education:		Faricy, Chairman
		Sieben, M.
		Vice-Chairman
Division on Health,		Samuelson, Chairman
Welfare and Corrections:		McCarron,
		Vice-Chairman
Division on Semi-State:		Eckstein, Chairman
		Dahl, Vice-Chairman
Division on State Departments:		Haugerud, Chairman
		Kahn, Vice-Chairman
Anderson, D.	Erickson	St. Onge
Anderson, G.	Forsythe	Searle
Arlandson	Hanson	Swanson
Carlson, D.	King	Welch
Corbid	Laidig	Wieser
Dean	Munger	
Enebo	Rice	

COMMERCE AND ECONOMIC DEVELOPMENT

Hanson, Chairman	Ewald	Nelsen, M.
Prahl,	Faricy	Peterson
Vice-Chairman	Friedrich	Pleasant
Adams	Fudro	Reding
Albrecht	Jaros	Sieben, M.
Anderson, G.	Kelly, R.	Simoneau
Anderson, R.	Kroening	Smogard
Arlandson	Metzen	Stanton
Beauchamp	Murphy	White
Casserly	Neisen	

CRIMINAL JUSTICE

Moe, Chairman	Cohen	McCarron
Nelson,	Esau	Novak
Vice-Chairman	Haugerud	Savelkoul
Albrecht	Jaros	Sherwood
Arlandson	Johnson	Sieben, M.
Battaglia	Kaley	Spanish
Byrne	Kempe, A.	Tomlinson
Carlson, A.	Laidig	Welch
Clark	Lehto	

EDUCATION

Johnson, Chairman		
McEachern,		
Vice-Chairman		
Division on School Aids:		Eken, Chairman
		Tomlinson,
		Vice-Chairman
Berg	Kelly, R.	Nelsen, M.
Berkelman	Kempe, R.	Nelson
Brandl	Knickerbocker	Peterson
Byrne	Kostohryz	Setzepfandt
Carlson, A.	Langseth	Stanton
Carlson, L.	Mangan	Suss
Esau	Mann	Williamson
Fjoslien	Metzen	
Kalis	Nelsen, B.	

ENVIRONMENT AND NATURAL RESOURCES

Munger, Chairman	Dean	Patton
Sherwood,	Ellingson	Rose
Vice-Chairman	Fjoslien	Sarna
Battaglia	Gunter	Searle
Begich	Jacobs	Setzepfandt
Biersdorf	Jensen	Sieben, H.
Braun	Kahn	Skoglund
Carlson, A.	Kostohryz	Stoa
Carlson, D.	Lehto	Vanasek
Cohen	Nelson	Wynia

FINANCIAL INSTITUTIONS AND INSURANCE

Brinkman,	Faricy	Niehaus
Chairman	Fjoslien	Norton
Anderson, G.,	Friedrich	Schulz
Vice-Chairman	George	Suss
Abeln	Haugerud	Swanson
Anderson, R.	Heinitz	Voss
Braun	Kelly, R.	Wenzel
Corbid	Kempe, A.	Wieser
Ellingson	McCollar	Wynia
Ewald	Nelsen, M.	

GENERAL LEGISLATION AND VETERANS AFFAIRS

Rice, Chairman	Jacobs	Osthoff
Kostohyryz,	Jensen	Samuelson
Vice-Chairman	Knickerbocker	Savelkoul
Biersdorf	Langseth	Smogard
Birnstihl	Lehto	Stoa
Cummiskey	McCarron	Waldorf
Enebo	McDonald	
Fudro	Nelsen, B.	

GOVERNMENTAL OPERATIONS

Sieben, H.,	Cummiskey	Osthoff
Chairman	Ewald	Petrafeso
Patton,	George	Reding
Vice-Chairman	Hokanson	Rose
Adams	Jude	Sarna
Albrecht	Kaley	Simoneau
Battaglia	Kroening	Smogard
Beauchamp	Lemke	Stoa
Berglin	McDonald	Wenstrom
Biersdorf	Moe	Wenzel
Clawson	Neisen	Zubay

HEALTH AND WELFARE

Swanson,	Clawson	Niehaus
Chairman	Dahl	Petrafeso
Carlson, L.,	Forsythe	Scheid
Vice-Chairman	Fugina	Spanish
Abeln	Heinitz	Waldorf
Anderson, B.	Kaley	Welch
Berglin	Kvam	Wenstrom
Berkelman	Langseth	Wigley
Brandl	Mangan	
Clark	McCollar	

HIGHER EDUCATION

Fugina, Chairman	Erickson	Rice
Spanish,	Hokanson	Rose
Vice-Chairman	Jude	St. Onge
Anderson, D.	King	Wenstrom
Berkelman	Kroening	Wieser
Cohen	Laidig	Zubay
Cummiskey	Mangan	
Ellingson	Patton	

LABOR-MANAGEMENT RELATIONS

Enebo, Chairman	Forsythe	Prahl
St. Onge,	Gunter	Searle
Vice-Chairman	McEachern	Searles
Begich	Metzen	Simoneau
Byrne	Moe	Skoglund
Carlson, L.	Murphy	Williamson
Evans	Pehler	Zubay

LOCAL AND URBAN AFFAIRS

Berg, Chairman	Corbid	Niehaus
Schulz,	Dahl	Pehler
Vice-Chairman	Evans	Petrafeso
Adams	Friedrich	Scheid
Anderson, R.	George	Searles
Beauchamp	Heinitz	Setzepfandt
Begich	Kelly, W.	Sieben, H.
Berglin	Knickerbocker	Voss
Brandl	McEachern	Waldorf
Casserly	Munger	Williamson
Clawson	Murphy	Wynia

RULES AND LEGISLATIVE ADMINISTRATION

Anderson, I.,	Fugina	Sabo
Chairman	Haugerud	Savelkoul
Berg	Jaros	Searle
Berglin	Johnson	Sieben, H.
Biersdorf	Kelly, W.	Stanton
Brinkman	Mann	Swanson
Carlson, A.	Munger	Voss
Faricy	Neisen	Wigley
Forsythe	Norton	
Fudro	Petrafeso	

TAXES

Kelly, W.,	Fugina	Prahl
Chairman	Jacobs	Sabo
Vanasek,	Jaros	Savelkoul
Vice-Chairman	Johnson	Schied
Abeln	Kempe, A.	Schulz
Anderson, I.	Kvam	Searles
Berg	McCollar	Skoglund
Brinkman	Novak	Tomlinson
Casserly	Pehler	White
Eken	Peterson	
Evans	Pleasant	

TRANSPORTATION

Fudro, Chairman	Hanson	Osthoff
Lemke,	Hokanson	Pleasant
Vice-Chairman	Jensen	Reding
Anderson, B.	Jude	Samuelson
Anderson, D.	Kalis	Sarna
Birnstihl	Kempe, R.	Sherwood
Clark	Kvam	Stanton
Dean	Mann	Vanasek
Eckstein	Neisen	Wigley
Esau	Novak	

The Speaker announced the following schedule of committee meetings for the 1977 regular session:

1977 HOUSE COMMITTEE SCHEDULE

<i>Committee</i>	<i>Chairman</i>	<i>Meeting Room</i>	<i>Hour</i>
MONDAY THROUGH THURSDAY			
Appropriations	Norton	57	8:00- 9:45 a.m.
AT CALL			
Rules and Legislative Administration	Anderson, I.	95	At Call
MONDAY			
Governmental Operations	Sieben, H.	83	8:00- 9:45 a.m.
Education	Johnson	81	8:00- 9:45 a.m.
Local and Urban Affairs	Berg	83	10:00-11:45 a.m.
Criminal Justice	Moe	81	10:00-11:45 a.m.
Transportation	Fudro	83	12:00- 1:45 p.m.
Labor-Management Relations	Enebo	81	12:00- 1:45 p.m.
TUESDAY			
Governmental Operations	Sieben, H.	83	8:00- 9:45 a.m.
Taxes	Kelly, W.	81	8:00- 9:45 a.m.
Health and Welfare	Swanson	57	10:00-11:45 a.m.
Environment and Natural Resources	Munger	83	10:00-11:45 a.m.
Commerce and Economic Development	Hanson	81	10:00-11:45 a.m.
Local and Urban Affairs	Berg	83	12:00- 1:45 p.m.
Higher Education	Fugina	22	12:00- 1:45 p.m.

<i>Committee</i>	<i>Chairman</i>	<i>Meeting Room</i>	<i>Hour</i>
WEDNESDAY			
Governmental Operations	Sieben, H.	83	8:00- 9:45 a.m.
Education	Johnson	81	8:00- 9:45 a.m.
Local and Urban Affairs	Berg	83	10:00-11:45 a.m.
Criminal Justice	Moe	81	10:00-11:45 a.m.
Agriculture	Mann	57	10:00-11:45 a.m.
Transportation	Fudro	83	12:00- 1:45 p.m.
Financial Institutions and Insurance	Brinkman	81	12:00- 1:45 p.m.
THURSDAY			
Governmental Operations	Sieben, H.	83	8:00- 9:45 a.m.
Taxes	Kelly, W.	81	8:00- 9:45 a.m.
Health and Welfare	Swanson	57	10:00-11:45 a.m.
Environment and Natural Resources	Munger	83	10:00-11:45 a.m.
Commerce and Economic Development	Hanson	81	10:00-11:45 a.m.
General Legislation and Veterans Affairs	Rice	81	12:00- 1:45 p.m.

Appropriation Divisions will meet when full committee is not meeting in the following rooms at 8:00 a.m. Monday through Thursday:

Education	57
Health, Welfare and Corrections	22
State Departments	51

Environment and Natural Resources Subcommittees will meet in the following rooms at 10:00 a.m. on Tuesdays, January through March 29, 1977:

Game and Fish	22
Recreation and Open Space	14
Environmental Protection	83

Kostohryz offered the following resolution and moved its adoption:

Resolved, that the following order shall prevail in the selection of permanent desks:

1. That all members who are serving their sixth session or more, the majority leader and assistant majority leaders, the minority leader and assistant minority leader, the Chairman of the Committee on Appropriations, the Chairman of the Committee on Taxes, and all members with impaired hearing, impaired sight, or other physical handicaps shall be permitted to select their desks.

2. The Chief Clerk shall prepare a list of members who are serving their fifth session and place the names in a box from which the names will be drawn and announced until the names are exhausted, and the members being called will have the right to select their desks in the order in which they are called.

3. The Chief Clerk shall then prepare a list of members who are serving their fourth session and proceed in a like manner until all names are exhausted.

4. The Chief Clerk shall then prepare a list of members who are serving their third session and proceed in a like manner until all names are exhausted.

5. The Chief Clerk shall then prepare a list of members who are serving their second session and proceed in a like manner until all names are exhausted.

6. The Chief Clerk shall then prepare a list of members who are serving their first session and proceed in a like manner until all names are exhausted.

Members of the 1st and 2nd groups shall remain in the chamber until their names have been drawn.

Members of the 3rd and 4th groups shall wait in the Reception area (East of the chamber) until notified orally by the Sergeant at Arms that their names have been drawn, at which time they shall enter and select their permanent desks.

Members of the 5th and 6th groups shall wait in the Retiring room (North of the chamber) until notified orally by the Sergeant at Arms that their names have been drawn, at which time they shall enter and select their permanent desks.

Be it further resolved, that sections 1 and 6 (those sections in front of the voting boards at the north end of the chamber) and the Speaker's desk including the Chief Clerk's desk shall be reserved for cigarette smoking only.

The motion prevailed and the resolution was adopted.

Anderson, I., moved that the House recess subject to the call of the Chair. The motion prevailed.

RECESS

During the recess the members selected their permanent desks for the 1977-78 Regular Session.

RECONVENED

The House reconvened and was called to order by the Speaker.

MOTIONS AND RESOLUTIONS

Anderson, I., introduced:

House Concurrent Resolution No. 1, A house concurrent resolution relating to adjournment.

SUSPENSION OF RULES

Anderson, I., moved that the Rules be so far suspended that House Concurrent Resolution No. 1 be now considered and be placed upon its adoption. The motion prevailed.

HOUSE CONCURRENT RESOLUTION NO. 1

A house concurrent resolution relating to adjournment.

Be It Resolved, by the House of Representatives, the Senate concurring, that when either the House of Representatives or the Senate adjourns on January 5, 1977, it may adjourn to any date not later than January 10, 1977.

Anderson, I., moved that House Concurrent Resolution No. 1 be now adopted. The motion prevailed and the resolution was adopted.

Eckstein, for the Committee to inform the Governor that the House is organized pursuant to law, reported that the Governor will be present to address the Joint Convention of the House of Representatives and the Senate at 12:00 noon tomorrow, Wednesday, January 5, 1977.

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Mr. Speaker:

I have the honor to announce that the Senate of the State of Minnesota is now duly organized pursuant to Law with the election of the following officers:

Edward J. Gearty, President

Patrick E. Flahaven, Secretary of the Senate

Joseph C. Vavrosky, First Assistant Secretary of the Senate

Janine Mattson, Second Assistant Secretary of the Senate

Kay Ganje, Engrossing Secretary

Catherine Morrison, Engrossing Clerk

Eugene Daly, Sergeant at Arms

William Larson, Assistant Sergeant at Arms

Father Nicholas J. Finn, Chaplain

The Senate also adopted a resolution naming Nicholas D. Coleman as Majority Leader and Robert O. Ashbach as Minority Leader.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

I have the honor to announce that the Senate has appointed a committee of seven members of the Senate to act with a like committee on the part of the House to notify the Governor that the Senate and the House of Representatives of the State of Minnesota are duly organized pursuant to law and are ready to receive any message that he may have.

Messrs. Purfeerst; Benedict; Engler; Nelson; Vega; Ulland, J. and Mrs. Staples have been appointed to such committee on the part of the Senate.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

I have the honor to announce that the Senate has appointed a committee of seven members of the Senate to act with a similar committee on the part of the House to escort the Governor to the Joint Convention to be held in the House Chamber, Wednesday, January 5, 1977, at 12:00 noon.

Messrs. Perpich; Benedict; Engler; Nelson; Vega; Ulland, J. and Mrs. Staples have been appointed to such committee on the part of the Senate.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

I hereby announce the adoption by the Senate of the following Senate Concurrent Resolution, herewith transmitted:

Senate Concurrent Resolution No. 1, A Concurrent Resolution relating to the adoption of temporary joint rules.

PATRICK E. FLAHAVEN, Secretary of the Senate

SUSPENSION OF RULES

Anderson, I., moved that the Rules be so far suspended that Senate Concurrent Resolution No. 1 be now considered and be placed upon its adoption. The motion prevailed.

SENATE CONCURRENT RESOLUTION NO. 1

A senate concurrent resolution relating to the adoption of temporary joint rules.

Be It Resolved, by the Senate of the State of Minnesota, the House of Representatives concurring therein:

The joint rules of the Senate and the House of Representatives for the 69th session of the Legislature are adopted as the temporary joint rules of the 70th session, to be effective until the adoption of permanent joint rules by the Senate and House.

Anderson, I., moved that Senate Concurrent Resolution No. 1 be now adopted. The motion prevailed and the resolution was adopted.

Mr. Speaker:

I hereby announce the adoption by the Senate of the following Senate Concurrent Resolution, herewith transmitted:

Senate Concurrent Resolution No. 2, A Concurrent Resolution relating to parking space on the Capitol grounds, Capitol Approach and Aurora Avenue for members of the Legislature and staff.

PATRICK E. FLAHAVEN, Secretary of the Senate

SUSPENSION OF RULES

Anderson, I., moved that the Rules be so far suspended that Senate Concurrent Resolution No. 2 be now considered and be placed upon its adoption. The motion prevailed.

SENATE CONCURRENT RESOLUTION NO. 2

A senate concurrent resolution relating to parking space on the Capitol grounds, Capitol Approach and Aurora Avenue for members of the Legislature and staff.

Be It Resolved, by the Senate of the State of Minnesota, the House of Representatives concurring therein:

The custodian of the Capitol is directed to reserve all parking space necessary on the Capitol grounds, Capitol Approach and Aurora Avenue for the use of the members and staff of the Legislature for the 70th session of the Legislature, allowing reasonable space for parking to the general public having business at the Capitol. The Committee on Rules and Administration of the Senate and the Committee on Rules and Legislative Administration of the House of Representatives are authorized to designate necessary personnel to assist the custodian of the Capitol in this matter.

The Secretary of the Senate and the Chief Clerk of the House of Representatives are authorized to deduct from the check of any legislator or legislative employee in each year of the 70th session of the Legislature a sum adequate to cover the exercise of the parking privilege herein defined in conformity with the practice of the department of administration.

Anderson, I., moved that Senate Concurrent Resolution No. 2 be now adopted. The motion prevailed and the resolution was adopted.

Mr. Speaker:

I have the honor to inform the House that the Senate is duly organized pursuant to law and is ready to meet with the House at 11:45 a.m., Wednesday, January 5, 1977, to receive the message of the Honorable Rudy Perpich, Governor of the State of Minnesota.

PATRICK E. FLAHAVEN, Secretary of the Senate

ADJOURNMENT

Anderson, I., moved that when the House adjourns today it adjourn until 11:30 a.m., Wednesday, January 5, 1977. The motion prevailed.

Anderson, I., moved that the House adjourn. The motion prevailed and the Speaker declared the House adjourned until 11:30 a.m., Wednesday, January 5, 1977.

EDWARD A. BURDICK, Chief Clerk, House of Representatives

STATE OF MINNESOTA

SEVENTIETH SESSION - 1977

SECOND DAY

SAINT PAUL, MINNESOTA, WEDNESDAY, JANUARY 5, 1977

The House of Representatives convened at 11:30 a.m. and was called to order by the Speaker.

Prayer was offered by the Chaplain.

The roll was called and the following members were present:

Abeln	Cohen	Johnson	Murphy	Sherwood
Adams	Corbid	Jude	Neisen	Sieben, H.
Albrecht	Cummiskey	Kahn	Neisen, B.	Sieben, M.
Anderson, B.	Dahl	Kaley	Nelsen, M.	Simoneau
Anderson, D.	Dean	Kalis	Nelson	Skoglund
Anderson, G.	Eckstein	Kelly, R.	Niehaus	Smogard
Anderson, I.	Eken	Kelly, W.	Norton	Spanish
Anderson, R.	Ellingson	Kempe, A.	Novak	Stanton
Arlandson	Enebo	Kempe, R.	Osthoff	Stoa
Battaglia	Erickson	King	Patton	Suss
Beauchamp	Esau	Knickerbocker	Pehler	Swanson
Begich	Evans	Kostohryz	Peterson	Tomlinson
Berg	Ewald	Kroening	Petrafeso	Vanasek
Berglin	Faricy	Kvam	Pleasant	Voss
Berkelman	Fjoslien	Laidig	Prahl	Waldorf
Biersdorf	Forsythe	Langseth	Reding	Welch
Birnstihl	Friedrich	Lehto	Rice	Wenstrom
Brandl	Fudro	Lemke	Rose	Wenzel
Braun	Fugina	Mangan	St. Onge	White
Brinkman	George	Mann	Samuelson	Wieser
Byrne	Gunter	McCarron	Sarna	Wigley
Carlson, A.	Hanson	McCollar	Savelkoul	Wynia
Carlson, D.	Haugerud	McDonald	Scheid	Zubay
Carlson, L.	Heinitz	McEachern	Schulz	Speaker Sabo
Casserly	Hokanson	Metzen	Searle	
Clark	Jacobs	Moe	Searles	
Clawson	Jaros	Munger	Setzepfandt	

A quorum was present.

Jensen and Williamson were excused.

The Chief Clerk proceeded to read the Journal of the preceding day. Samuelson moved that further reading of the Journal be dispensed with and that the Journal be approved as corrected by the Chief Clerk. The motion prevailed.

Anderson, I., moved that the House recess subject to the call of the Chair for the purpose of meeting with the Senate in Joint Convention. The motion prevailed, and the Speaker declared the House recessed.

RECESS

RECONVENED

The Speaker called the House to order at 11:45 a.m.

The Sergeant at Arms announced the arrival of the members of the Senate, and they were escorted to the seats reserved for them at the front of the Chamber.

JOINT CONVENTION

The Speaker of the House as President of the Joint Convention called the Joint Convention to order.

Prayer was offered by the Chaplain.

The roll being called, the following Senators answered to their names: Anderson and Ashbach.

Anderson, I., moved that further proceedings of the roll call be dispensed with. The motion prevailed, and a quorum was declared present.

The Sergeant at Arms announced the arrival of the Constitutional Officers, and they were escorted to the seats reserved for them at the rostrum.

The Sergeant at Arms announced the arrival of the Honorable Robert J. Sheran, Chief Justice of the Supreme Court, and the Associate Justices of the Supreme Court. They were escorted to the seats reserved for them near the rostrum.

The Sergeant at Arms announced the arrival of His Excellency, Rudy Perpich, Governor of the State of Minnesota, and his official party. The Governor was escorted to the rostrum by the appointed committees.

ADDRESS BY THE GOVERNOR

Governor Rudy Perpich was presented by the President of the Joint Convention, and the Governor delivered his message, "The State of the State", to the members of the Convention and their guests.

Following the address, Anderson, I., moved that the Joint Convention arise. The motion prevailed, and the President declared the Joint Convention adjourned.

RECONVENED

The House reconvened and was called to order by the Speaker.

MESSAGES FROM THE SENATE

The following message was received from the Senate:

Mr. Speaker :

I hereby announce the adoption by the Senate of the following House Concurrent Resolution, herewith returned.

House Concurrent Resolution No. 1

A house concurrent resolution relating to adjournment.

PATRICK E. FLAHAVEN, Secretary of the Senate

ADJOURNMENT

Anderson, I., moved that when the House adjourns today it adjourn until 2:00 p.m., Monday, January 10, 1977. The motion prevailed.

Anderson, I., moved that the House adjourn. The motion prevailed, and the Speaker declared the House stands adjourned until 2:00 p.m., Monday, January 10, 1977.

EDWARD A. BURDICK, Chief Clerk, House of Representatives

STATE OF MINNESOTA
SEVENTIETH SESSION - 1977

THIRD DAY

SAINT PAUL, MINNESOTA, THURSDAY, JANUARY 6, 1977

The Senate met on Thursday, January 6, 1977, which was the Third Legislative Day of the Seventieth Session of the Minnesota State Legislature. The House of Representatives did not meet on this date.

STATE OF MINNESOTA

SEVENTIETH SESSION - 1977

FOURTH DAY

SAINT PAUL, MINNESOTA, MONDAY, JANUARY 10, 1977

The House of Representatives convened at 2:00 p.m. and was called to order by the Speaker Pro Tempore, Norton.

Prayer was offered by the Chaplain.

The roll was called and the following members were present:

Abeln	Clawson	Jensen	Moe	Searle
Adams	Cohen	Johnson	Munger	Searles
Albrecht	Corbid	Jude	Murphy	Setzepfandt
Anderson, B.	Cummiskey	Kahn	Neisen	Sherwood
Anderson, D.	Dahl	Kaley	Nelsen, B.	Sieben, H.
Anderson, G.	Dean	Kalis	Nelsen, M.	Sieben, M.
Anderson, L.	Eckstein	Kelly, R.	Nelson	Simoneau
Anderson, R.	Enebo	Kelly, W.	Niehaus	Skoglund
Arlandson	Erickson	Kempe, A.	Norton	Spanish
Battaglia	Esau	Kempe, R.	Novak	Stanton
Beauchamp	Evans	King	Osthoff	Stoa
Begich	Ewald	Knickerbocker	Patton	Suss
Berg	Farcy	Kostohryz	Pehler	Swanson
Berglin	Fjoslien	Kroening	Peterson	Tomlinson
Berkelman	Forsythe	Kvam	Petrafaso	Vanasek
Biersdorf	Friedrich	Laidig	Pleasant	Voss
Birnstihl	Fudro	Langseth	Prahl	Waldorf
Brandl	Fugina	Lehto	Reding	Welch
Braun	George	Lemke	Rice	Wenzel
Brinkman	Gunter	Mangan	Rose	White
Byrne	Hanson	Mann	St. Onge	Wieser
Carlson, A.	Haugerud	McCarron	Samuelson	Williamson
Carlson, D.	Heinitz	McCollar	Sarna	Wynia
Carlson, L.	Hokanson	McDonald	Savelkoul	Zubay
Casserly	Jacobs	McEachern	Scheid	
Clark	Jaros	Metzen	Schulz	

A quorum was present.

Eken, Ellingson, Smogard, Wenstrom, Wigley and Speaker Sabo were excused.

The Chief Clerk proceeded to read the Journals of the preceding days. Vanasek moved that further reading of the Journals be dispensed with and that the Journals be approved as corrected by the Chief Clerk. The motion prevailed.

PETITIONS AND COMMUNICATIONS

The following communication was received:

STATE OF MINNESOTA
OFFICE OF THE GOVERNOR
ST. PAUL 55155

July 22, 1976

The Honorable Martin O. Sabo
Speaker of the House
State of Minnesota

Dear Sir:

The following appointments are hereby respectfully submitted to the House for confirmation as required by law:

Mrs. Connie Burchett, 9849 Zilla Street N.W., Coon Rapids, Anoka County, has been appointed by me to the Ethical Practices Board, effective July 20, 1976, for a term expiring January 2, 1978.

Roger Noreen, 4684 James Road, Mendota Heights, Dakota County, has been appointed by me to the Ethical Practices Board, effective April 29, 1976, for a term expiring January 7, 1980.

Sincerely,

WENDELL R. ANDERSON
Governor

The communication from the Governor relating to appointments was referred to the Committee on General Legislation and Veterans Affairs.

INTRODUCTION AND FIRST READING
OF HOUSE BILLS

The following House Files were introduced:

McCarron, Sabo, Swanson, Biersdorf and Petrafeso introduced:

H. F. No. 1, A bill for an act relating to public welfare; establishing a formula for allocating state funds to counties for social service programs; prescribing county duties; providing for social service tax levies; prescribing duties of the commissioner of public welfare; appropriating money; amending Minnesota Statutes 1976, Sections 144.065; 145.55, Subdivision 1; 245.62; 245.68; 245.70; 252.22; 252.23; 252.26; 252.27, Subdivision 1; 253A.02, by adding a subdivision; 253A.07, Subdivisions 1 and 7; 253A.09, Subdivision 1; 253A.10, Subdivision 4; 253A.14, Subdivision 1; 253A.15, Subdivisions 6, 11, 12 and 13; 254A.05, Subdivision 1; 254A.07, Subdivisions 1 and 2; 254A.08, Subdivision 1; 256.12, Subdivision 9; 256.871, Subdivision 5; 256.95; 260.251, Subdivision 1a; 275.50, Subdivision 5; 393.07, Subdivisions 2 and 3; 477A.01, Subdivision 2; 626.556, Subdivision 2; repealing Minnesota Statutes 1976, Sections 144.13; 145.01; 145.03; 145.05; 145.06; 145.07; 145.08, Subdivisions 2, 3 and 4; 145.12; 145.123; 145.125, Subdivisions 1 and 2; 145.47; 145.48; 145.49; 145.50; 145.51; 145.52; 145.53; 145.54; 145.921; 245.61; 245.63; 245.64; 245.66; 245.67; 245.69; 245.691; 245.72; 245.83; 245.84; 245.85; 245.86; 245.87; 252.21; 252.24; 252.25; 254A.02, Subdivision 12; 254A.07, Subdivision 3; 254A.08, Subdivision 3; 254A.14; 254A.15; 254A.16; 254A.17; 256.977; 393.01; 393.02; 393.03; 393.04; 393.06; 393.07, Subdivision 8; 393.08; 393.09; 393.11.

The bill was read for the first time and referred to the Committee on Health and Welfare.

Samuelson, Berglin, Forsythe, Rice and Swanson introduced:

H. F. No. 2, A bill for an act relating to the operation of state government; establishing a department of health and social services; transferring duties and powers; abolishing the departments of corrections and health; prescribing salaries; appropriating money; amending Minnesota Statutes 1976, Sections 3.755; 15.01; 15A.081, Subdivision 1; 15.46; 16A.72; 43.09, Subdivision 2a; 62D.02, Subdivision 3; 116C.03, Subdivision 2; 144.05; 144.053, Subdivisions 1, 3, and 4; 144.176, Subdivision 3; 144.422, Subdivisions 6, 9, and 10; 144.424, Subdivisions 10 and 11; 144.425; 144.53; 144.571; 144.696, Subdivision 2; 144A.-01, Subdivision 2; 144A.05; 144A.10, Subdivisions 1, 3, and 8; 144A.19, Subdivision 1; 144A.52, Subdivisions 1, 2, and 3; 144A.-53, Subdivisions 1 and 4; 144A.54, Subdivision 2; 144.652, Subdivision 1; 144.691, Subdivision 4; 144.692; 144.693; 145.411, Subdivision 3; 145.72, Subdivision 5; 145.74; 145.75; 145.76, Subdivision 1; 145.78; 145.892, Subdivision 10; 145.896; 146.14; 146.20; 214.04, Subdivision 1; 214.06, Subdivision 1; 214.07; 214.13; 214.14; 241.01, Subdivision 1; 241.045, Subdivisions 1 and 3a; 241.08, Subdivisions 1 and 2; 241.09, Subdivisions 1 and 2; 241.10; 241.13; 241.15; 241.251, Subdivision 5; 241.31, Subdivision 6; 241.41; 241.42, Subdivision 2; 242.02; 242.09; 242.14; 242.19, Subdivision 2; 242.21; 242.25; 242.29; 242.37; 242.385,

Subdivision 1; 242.46, Subdivisions 1, 2, and 3; 245.03; 245.0311; 245.65, Subdivision 2; 245.75; 245.782, Subdivision 8; 246.01; 246.14; 246.15, Subdivision 1; 246.16, Subdivisions 1 and 2; 246.18; 246.28; 246.33, Subdivision 1; 246.43, Subdivisions 1, 2, 7, 8, 9, 10, and 12; 246.50, Subdivision 2; 246.59, Subdivisions 2, 3, and 4; 246.60; 251.043, Subdivision 1; 251.16; 252.31; 252A.02, Subdivision 3; 252A.04, Subdivision 4; 253.20; 253A.02, Subdivisions 12 and 22; 253A.14, Subdivision 1; 254A.02, Subdivision 13; 256.01, Subdivision 2; 256.12, Subdivision 19; 256.482, Subdivision 1; 256.736, Subdivisions 2, 3, 4, 5, and 7; 256.74, Subdivisions 1 and 2; 256.93, Subdivisions 1 and 2; 256.94; 256.96; 256.965; 256.971; 256.975, Subdivisions 1 and 2; 256B.51, Subdivisions 1 and 2; 257.42; 259.21, Subdivision 5; 259.261, Subdivisions 1 and 3; 376.29; 376.423; 376.50, Subdivision 3; 376.52; 376.62; 376.65; 376.66; 462A.03, Subdivision 7; 473.149, Subdivision 4; Laws 1976, Chapters 305, Section 2; and 327, Section 2; repealing Minnesota Statutes 1976, Sections 15.45, Subdivision 3; 15.47; 144.01; 144.02; 144.03; 144.04; 144.13; 241.01, Subdivisions 2 and 4; 242.03; 245.04; 245.05; 245.06; 245.07; 246.15, Subdivision 2; 246.32, Subdivision 4; 253.201; 256.01, Subdivisions 1, 5, 6, 7, 9, and 10; 256.02; 256.05; 256.06; 256.07; 256.08; 256.09; and 256.10.

The bill was read for the first time and referred to the Committee on Health and Welfare.

Sieben, H.; Hokanson; Anderson, I.; Swanson and Biersdorf introduced:

H. F. No. 3, A bill for an act relating to state government; creating a department of economic security; transferring powers; abolishing the departments of employment services and vocational rehabilitation; appropriating money; amending Minnesota Statutes 1976, Sections 15.01; 15A.081, Subdivision 1; 15.0411, Subdivision 2; 43.09, Subdivision 2a; 62E.52, Subdivision 7; 129A.01; 144.656; 144A.611, Subdivision 3; 144A.10, Subdivision 8; 145.895; 245.75; 245.76; 245.765, Subdivision 1; 245.77; 256.01, Subdivision 2; 256.011; 256.045; 256.462, Subdivision 3; 256.482, Subdivision 1; 256.73, Subdivision 2; 256.736, Subdivisions 2, 3, 4, 5 and 7; 256.75; 256.863; 256.871, Subdivision 7; 256.88; 256.89; 256.90; 256.91; 256.92; 256.965; 256.978; 256B.02, Subdivision 5; 256B.041, Subdivision 6; 256B.064, Subdivision 2; 256B.26; 256B.27; 256B.30; 256B.35, Subdivision 2; 256D.01, Subdivisions 1 and 2; 256D.02, Subdivisions 2, 3, 4 and 11; 256D.11, Subdivisions 1, 2, 6, 7 and 9; 256D.22; 256D.35, Subdivisions 1, 5 and 6; 256D.39; 256D.41; 261.003; 261.232; 261.25; 268.04, Subdivision 8; and Laws 1976, Chapter 332, Section 9, Subdivisions 1, 7 and 8; repealing Minnesota Statutes 1976, Sections 129A.02, Subdivision 1; 256.01, Subdivisions 3 and 4; 256.12, Subdivisions 10, 14 and 15; and 256.73, Subdivision 5.

The bill was read for the first time and referred to the Committee on Governmental Operations.

George, Voss, Dean, Novak and Berg introduced:

H. F. No. 4, A bill for an act relating to metropolitan government; providing for election of council members; amending Minnesota Statutes 1976, Sections 10A.01, Subdivision 5; 10A.17, Subdivision 3; 10A.20, Subdivisions 3, and 5; 10A.21, Subdivision 1; 10A.22, Subdivision 5; 10A.27, Subdivision 1; and 473.123, Subdivisions 2 and 3, and by adding subdivisions.

The bill was read for the first time and referred to the Committee on Local and Urban Affairs.

Jacobs, Kroening, Hanson and Mangan introduced:

H. F. No. 5, A bill for an act relating to the metropolitan government; providing for election of council members; amending Minnesota Statutes 1976, Section 473.123, Subdivisions 2, 4, and 5; and by adding subdivisions.

The bill was read for the first time and referred to the Committee on Local and Urban Affairs.

Enebo, Kahn, St. Onge, McCarron and Anderson, I., introduced:

H. F. No. 6, A bill for an act relating to human rights; prohibiting employment and education discrimination based on age; amending Minnesota Statutes 1976, Sections 363.01, by adding a subdivision; 363.02, Subdivision 1, and by adding subdivisions; 363.03, Subdivisions 1 and 5, and by adding a subdivision; 363.05, Subdivision 1; 363.11; 363.115; and 363.12, Subdivision 1.

The bill was read for the first time and referred to the Committee on Labor-Management Relations.

Enebo, Osthoff, Byrne, Simoneau and Williamson introduced:

H. F. No. 7, A bill for an act relating to labor relations; providing for successor clauses in collective bargaining agreements; requiring successor employers to assume certain obligations; requiring notice of collective bargaining agreements to successor employers; requiring notice of successor transactions to exclusive representatives; allowing successor transactions in violation of a collective bargaining agreement to be enjoined; amending Minnesota Statutes 1976, Chapter 179, by adding a section.

The bill was read for the first time and referred to the Committee on Labor-Management Relations.

Faricy; Sieben, M.; Wynia; Pleasant and Hanson introduced:

H. F. No. 8, A bill for an act relating to trade regulations; providing for unit pricing of certain packaged commodities; providing for exemptions.

The bill was read for the first time and referred to the Committee on Commerce and Economic Development.

Pehler, Johnson, Fugina, Searle and Faricy introduced:

H. F. No. 9, A bill for an act relating to education; higher education coordinating board; providing for non-citizen students to be eligible for scholarships and grants-in-aid; amending Minnesota Statutes 1976, Section 136A.121, Subdivisions 1 and 2.

The bill was read for the first time and referred to the Committee on Higher Education.

Schulz, Lemke, King, Biersdorf and Setzepandt introduced:

H. F. No. 10, A bill for an act relating to arrest; authorizing the arrest of a person involved in a motor vehicle collision who is believed to have committed the offense of driving while under the influence of an alcoholic beverage although the alleged offense was not committed in a peace officer's presence; amending Minnesota Statutes 1976, Section 629.34.

The bill was read for the first time and referred to the Committee on Criminal Justice.

Kelly, R.; Novak; McCarron; Anderson, G.; and Sherwood introduced:

H. F. No. 11, A bill for an act relating to the administration of criminal justice; establishing a contingent fund to be used by law enforcement agencies for the purchase of narcotics and contraband; appropriating money.

The bill was read for the first time and referred to the Committee on Criminal Justice.

Clawson introduced:

H. F. No. 12, A bill for an act relating to Independent School District No. 15 and Independent School District No. 911; providing for a transfer of property between the districts.

The bill was read for the first time and referred to the Committee on Education.

Nelson, Stanton, Novak and Dean introduced:

H. F. No. 13, A bill for an act relating to solid waste pollution; requiring beverage containers to have certain refund values after a certain date; providing penalties.

The bill was read for the first time and referred to the Committee on Environment and Natural Resources.

Fjoslien; Anderson, D.; Wenstrom; Anderson, G.; and Brinkman introduced:

H. F. No. 14, A bill for an act relating to public utilities; restricting construction of electric transmission lines to certain areas; amending Minnesota Statutes 1976, Section 116C.57, by adding a subdivision.

The bill was read for the first time and referred to the Committee on Environment and Natural Resources.

Simoneau, McCarron, Scheid, Ellingson, and Neisen introduced:

H. F. No. 15, A bill for an act relating to parks; appropriating money for the development of recreation facilities for the handicapped at Islands of Peace park.

The bill was read for the first time and referred to the Committee on Environment and Natural Resources.

Kempe, R., and Kempe A., introduced:

H. F. No. 16, A bill for an act relating to insurance; providing for interest on unpaid benefits; amending Minnesota Statutes 1976, Chapter 61A, by adding a section.

The bill was read for the first time and referred to the Committee on Financial Institutions and Insurance.

Skoglund introduced:

H. F. No. 17, A bill for an act relating to elections; providing that vacancies in the United States senate be filled by special election; amending Minnesota Statutes 1976, Section 202A.61; repealing Minnesota Statutes 1976, Section 202A.72.

The bill was read for the first time and referred to the Committee on General Legislation and Veterans Affairs.

Sherwood, Prahl, St. Onge and Carlson D., introduced:

H. F. No. 18, A bill for an act relating to elections; providing for the number and duties of election officers; counts and recounts; school events on election days; duties of the secretary of state; and preparation and reception of absentee ballots; amending Minnesota Statutes 1976, Sections 204A.17, Subdivisions 3 and 5; 204A.36; 204A.39, Subdivision 2; 204A.41, Subdivision 2; 204A.51, Subdivisions 2 and 3; 204A.53, Subdivision 2 and 3; 206.075; 206.19, Subdivision 1; 206.23; 207.11; and 207.19, Subdivision 1.

The bill was read for the first time and referred to the Committee on General Legislation and Veterans Affairs.

Jude, Biersdorf, Osthoff, Sarna and McCarron introduced:

H. F. No. 19, A bill for an act relating to elections; providing for a presidential primary election; regulating the selection of convention delegates.

The bill was read for the first time and referred to the Committee on General Legislation and Veterans Affairs.

McCarron, Enebo, Voss, Knickerbocker and Pehler introduced:

H. F. No. 20, A bill for an act relating to elections; eliminating indications of incumbency on ballots for judicial elections; amending Minnesota Statutes 1976, Sections 203A.12, Subdivision 5; 487.03, Subdivision 2; 488A.021, Subdivision 3; and 488A.19, Subdivision 3; repealing Minnesota Statutes 1976, Section 203A.12, Subdivision 6.

The bill was read for the first time and referred to the Committee on General Legislation and Veterans Affairs.

Johnson; Sieben, M.; Smogard; Biersdorf; and Anderson, B., introduced:

H. F. No. 21, A bill for an act relating to elections; providing that certificates of election to the legislature be sent to the legislature; amending Minnesota Statutes 1976, Section 204A.54, Subdivision 1.

The bill was read for the first time and referred to the Committee on General Legislation and Veterans Affairs.

Jude, Zubay, Stoa, Hokanson and Sarna introduced:

H. F. No. 22, A bill for an act relating to the operation of state government; establishing a system of periodic review of certain agencies; providing a hearing; creating guidelines; setting termination dates.

The bill was read for the first time and referred to the Committee on Governmental Operations.

Carlson, D.; Mann; Setzepfandt; Lemke and Fjoslien introduced:

H. F. No. 23, A bill for an act relating to state government; setting department head salaries; making the salaries of agriculture department heads identical to those of natural resource department heads; amending Minnesota Statutes 1976, Section 15A.081, Subdivision 1.

The bill was read for the first time and referred to the Committee on Governmental Operations.

Faricy; Sieben, M.; Pleasant; Haugerud and Kahn introduced:

H. F. No. 24, A bill for an act relating to children; enacting the uniform child custody jurisdiction act.

The bill was read for the first time and referred to the Committee on Health and Welfare.

Kempe, R.; Waldorf; Sarna and Biersdorf introduced:

H. F. No. 25, A resolution applying to Congress to call a constitutional convention to provide for protection of all human life.

The bill was read for the first time and referred to the Committee on Health and Welfare.

Simoneau, Fudro, Arlandson, McCarron and Sieben, M., introduced:

H. F. No. 26, A bill for an act relating to labor; granting public employees paid leaves of absence to engage in world athletic competition.

The bill was read for the first time and referred to the Committee on Labor-Management Relations.

White and Suss introduced:

H. F. No. 27, A bill for an act authorizing the city of Kenyon to construct, furnish and equip a medical clinic, to lease the medical clinic, to issue general obligation bonds for such purpose; validating action heretofore taken.

The bill was read for the first time and referred to the Committee on Local and Urban Affairs.

Cummiskey, Beauchamp, Stoa, Wenstrom and Sherwood introduced:

H. F. No. 28, A bill for an act relating to the legislature; appropriating money for toll-free telephone calls to legislators.

The bill was read for the first time and referred to the Committee on Rules and Legislative Administration.

Kempe, A., introduced:

H. F. No. 29, A bill for an act relating to taxation; providing for an income tax deduction or credit for the cost of removal of diseased trees; amending Minnesota Statutes 1976, Sections 290.-06, by adding a subdivision; and 290.09, by adding a subdivision.

The bill was read for the first time and referred to the Committee on Taxes.

Schulz, Lemke, White, Biersdorf and Setzepfandt introduced:

H. F. No. 30, A bill for an act relating to taxation; exempting certain payments to deceased military personnel from the estate tax; amending Minnesota Statutes 1976, Section 291.05.

The bill was read for the first time and referred to the Committee on Taxes.

Schulz, Lemke, Biersdorf, Setzepfandt and Stoa introduced:

H. F. No. 31, A bill for an act relating to taxation; authorizing noncontiguous land classified for agricultural uses to be granted homestead status for taxation purposes; amending Minnesota Statutes 1976, Section 273.13, Subdivision 6.

The bill was read for the first time and referred to the Committee on Taxes.

Kelly, R.; Tomlinson; Novak; Langseth and Waldorf introduced:

H. F. No. 32, A bill for an act relating to highway traffic regulations; prohibiting the installation or use of certain equipment in motor vehicles; amending Minnesota Statutes 1976, Chapter 169, by adding a section.

The bill was read for the first time and referred to the Committee on Transportation.

Kahn, Laidig, Hokanson, Pehler and McEachern introduced:

H. F. No. 33, A bill for an act relating to motor vehicles; requiring that certain optional insurance coverage be offered motorcycle owners; defining motorized bicycles; providing for the registration of motorized bicycles and the licensing of their operators; providing operating rules; amending Minnesota Statutes 1976, Sections 65B.48, Subdivision 5; 65B.49, by adding a subdivision; 168.011, Subdivision 26, and by adding a subdivision; 168.013, by adding a subdivision; 169.01, Subdivision 4, and by adding a subdivision; 169.221, Subdivisions 1 and 4, and by adding a subdivision; 169.305, Subdivision 1; and 169.974, Subdivision 4.

The bill was read for the first time and referred to the Committee on Transportation.

Carlson, A., introduced:

H. F. No. 34, A bill for an act relating to taxation; providing for credit against income tax for contributions to candidates for local elective offices; amending Minnesota Statutes 1976, Section 290.06, Subdivision 11.

The bill was read for the first time and referred to the Committee on General Legislation and Veterans Affairs.

Carlson, A., introduced:

H. F. No. 35, A bill for an act relating to taxation; providing for a credit against income tax for contributions to arts organizations; amending Minnesota Statutes 1976, Section 290.06, by adding a subdivision.

The bill was read for the first time and referred to the Committee on Taxes.

Carlson, A., introduced:

H. F. No. 36, A bill for an act relating to taxation; providing for a checkoff of income taxes to be used for support of the arts; amending Minnesota Statutes 1976, Chapter 290, by adding a section.

The bill was read for the first time and referred to the Committee on Taxes.

REPORTS FROM THE COMMITTEE ON RULES AND
LEGISLATIVE ADMINISTRATION

Anderson, I., for the Committee on Rules and Legislative Administration, offered the following resolution and moved its adoption:

Be It Resolved, by the Committee on Rules and Legislative Administration, that each member of the House of Representatives is eligible to receive 3,000 first-class postage stamps for immediate use and an additional 1,400 first-class postage stamps upon convening of the House in 1978.

The question was taken on the adoption of the resolution and the roll was called. There were 120 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Abeln	Casserly	Heinitz	McEachern	Scheid
Adams	Clark	Hokanson	Metzen	Schulz
Albrecht	Clawson	Jacobs	Moe	Searle
Anderson, B.	Cohen	Jaros	Munger	Searles
Anderson, D.	Corbid	Jensen	Murphy	Setzepfandt
Anderson, G.	Cummiskey	Johnson	Neisen	Sherwood
Anderson, I.	Dahi	Jude	Nelsen, M.	Sieben, H.
Anderson, R.	Dean	Kaley	Nelson	Sieben, M.
Arlandson	Eckstein	Kalis	Niehaus	Simoneau
Battaglia	Enebo	Kelly, W.	Norton	Skoglund
Beauchamp	Erickson	Kempe, A.	Novak	Spanish
Begich	Esau	Kempe, R.	Osthoff	Stanton
Berg	Evans	King	Patton	Stoa
Berglin	Ewald	Knickerbocker	Pehler	Suss
Berkelman	Faricy	Kostohryz	Peterson	Swanson
Biersdorf	Fjoslien	Kroening	Petrafeso	Tomlinson
Birnstihl	Forsythe	Kvam	Pleasant	Vanasek
Brandl	Friedrich	Laidig	Reding	Waldorf
Braun	Fudro	Langseth	Rice	Wenzel
Brinkman	Fugina	Lehto	Rose	White
Byrne	George	Lemke	St. Onge	Wieser
Carlson, A.	Gunter	Mangan	Samuelson	Williamson
Carlson, D.	Hanson	Mann	Sarna	Wynia
Carlson, L.	Haugerud	McCollar	Savelkoul	Zubay

The motion prevailed and the resolution was adopted.

Anderson, I., for the Committee on Rules and Legislative Administration, offered the following resolution and moved its adoption:

Be It Resolved, by the Committee on Rules and Legislative Administration, that those members and members-elect who attended the Freshman Orientation and Legislative Orientation Programs held in preparation for the 70th Session shall be reimbursed in the same manner and in the same amounts as reimbursement was made to legislators who attended interim meetings of legislative committees during the 69th Legislative Session.

The question was taken on the adoption of the resolution and the roll was called. There were 125 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Abeln	Clark	Jacobs	Moe	Schulz
Adams	Clawson	Jaros	Munger	Searle
Albrecht	Cohen	Jensen	Murphy	Searles
Anderson, B.	Corbid	Johnson	Neisen	Setzepfandt
Anderson, D.	Cummiskey	Jude	Nelsen, B.	Sherwood
Anderson, G.	Dahl	Kahn	Nelsen, M.	Sieben, H.
Anderson, I.	Dean	Kaley	Nelson	Sieben, M.
Anderson, R.	Eckstein	Kalis	Niehau	Simoneau
Arlandson	Enebo	Kelly, W.	Norton	Skoglund
Battaglia	Erickson	Kempe, A.	Novak	Spanish
Beauchamp	Esau	Kempe, R.	Osthoff	Stanton
Begich	Evans	King	Patton	Stoa
Berg	Ewald	Knickerbocker	Pehler	Suss
Berglin	Faricy	Kostohryz	Peterson	Swanson
Berkelman	Fjoslien	Kroening	Petrafaso	Tomlinson
Eiersdorf	Forsythe	Kvam	Pleasant	Vanasek
Birnstihl	Friedrich	Langseth	Prahl	Voss
Brandl	Fudro	Lehto	Reding	Waldorf
Braun	Fugina	Lemke	Rice	Welch
Brinkman	George	Mangan	Rose	Wenzel
Byrne	Gunter	Mann	St. Onge	White
Carlson, A.	Hanson	McCarron	Samuelson	Wieser
Carlson, D.	Haugerud	McCollar	Sarna	Williamson
Carlson, L.	Heinitz	McEachern	Savelkoul	Wynia
Cassery	Hokanson	Metzen	Scheid	Zubay

The motion prevailed and the resolution was adopted.

MOTIONS AND RESOLUTIONS

Anderson, I., introduced:

House Concurrent Resolution No. 2, A house concurrent resolution relating to adjournment.

SUSPENSION OF RULES

Anderson, I., moved that the Rules be so far suspended that House Concurrent Resolution No. 2 be now considered and be placed upon its adoption. The motion prevailed.

HOUSE CONCURRENT RESOLUTION NO. 2

A house concurrent resolution relating to adjournment.

Be It Resolved, by the House of Representatives, the Senate concurring, that when either the House of Representatives or the Senate adjourns on January 17, 1977, it may adjourn to any date not later than January 24, 1977.

Anderson, I., moved that House Concurrent Resolution No. 2 be now adopted. The motion prevailed and the resolution was adopted.

ADJOURNMENT

Anderson, I., moved that when the House adjourns today it adjourn until 2:00 p.m., Thursday, January 13, 1977. The motion prevailed.

Anderson, I., moved that the House adjourn. The motion prevailed, and the Speaker Pro Tempore declared the House stands adjourned until 2:00 p.m., Thursday, January 13, 1977.

EDWARD A. BURDICK, Chief Clerk, House of Representatives

STATE OF MINNESOTA

SEVENTIETH SESSION - 1977

FIFTH DAY

SAINT PAUL, MINNESOTA, THURSDAY, JANUARY 13, 1977

The House of Representatives convened at 2:00 p.m. and was called to order by the Speaker.

Prayer was offered by the Chaplain.

The roll was called and the following members were present:

Abeln	Cohen	Jensen	Munger	Setzepfandt
Adams	Corbid	Johnson	Murphy	Sherwood
Albrecht	Cummiskey	Jude	Neisen	Sieben, H.
Anderson, B.	Dahl	Kahn	Nelsen, B.	Sieben, M.
Anderson, D.	Dean	Kaley	Nelsen, M.	Simoneau
Anderson, G.	Eckstein	Kalis	Nelson	Skoglund
Anderson, I.	Eken	Kelly, R.	Niehaus	Smogard
Anderson, R.	Ellingson	Kelly, W.	Norton	Spanish
Arlandson	Enebo	Kempe, A.	Novak	Stanton
Battaglia	Erickson	Kempe, R.	Osthoff	Stoa
Beauchamp	Esau	King	Patton	Suss
Begich	Evans	Knickerbocker	Pehler	Swanson
Berg	Ewald	Kostohryz	Peterson	Tomlinson
Berglin	Faricy	Kroening	Petrafeso	Vanasek
Berkelman	Fjoslien	Kvam	Pleasant	Waldorf
Biersdorf	Forsythe	Laidig	Prahl	Welch
Birnstihl	Friedrich	Langseth	Reding	Wenstrom
Brandl	Fudro	Lehto	Rice	Wenzel
Braun	Fugina	Lemke	Rose	White
Brinkman	George	Mangan	St. Onge	Wieser
Byrne	Gunter	Mann	Samuelson	Wigley
Carlson, A.	Hanson	McCarron	Sarna	Wynia
Carlson, D.	Haugerud	McCollar	Savelkoul	Zubay
Carlson, L.	Heinitz	McDonald	Scheid	Speaker Sabo
Casserly	Hokanson	McEachern	Schulz	
Clark	Jacobs	Metzen	Searle	
Clawson	Jaros	Moe	Searles	

A quorum was present.

Voss was excused.

The Chief Clerk proceeded to read the Journal of the preceding day. McCollar moved that further reading of the Journal be dispensed with and that the Journal be approved as corrected by the Chief Clerk. The motion prevailed.

PETITIONS AND COMMUNICATIONS

The following report was received and filed in the Chief Clerk's Office: The Impact of Fluctuating School Enrollments on Minnesota Educational Systems submitted by The Advisory Council on Fluctuating School Enrollment.

INTRODUCTION AND FIRST READING
OF HOUSE BILLS

The following House Files were introduced:

Jacobs, Hokanson, Hanson, Carlson, A., and Adams introduced:

H. F. No. 37, A bill for an act relating to commerce; requiring individually marked prices on certain retail food packaging.

The bill was read for the first time and referred to the Committee on Commerce and Economic Development.

Sieben, M., introduced:

H. F. No. 38, A bill for an act relating to housing; providing implied and express warranties on the sale of new housing upon the seller.

The bill was read for the first time and referred to the Committee on Commerce and Economic Development.

Arlandson, Reding, Neisen and Friedrich introduced:

H. F. No. 39, A bill for an act relating to public utilities; regulating telephone company rates; amending Minnesota Statutes 1976, Chapter 237, by adding a section; repealing Minnesota Statutes 1976, Section 237.08.

The bill was read for the first time and referred to the Committee on Commerce and Economic Development.

Kelly, R.; Adams; Beauchamp; Hanson and Arlandson introduced:

H. F. No. 40, A bill for an act relating to real estate brokers and salespersons; establishing a prelicense educational requirement and a continuing educational requirement; amending Minnesota Statutes 1976, Section 82.22, Subdivision 6, and by adding a subdivision.

The bill was read for the first time and referred to the Committee on Commerce and Economic Development.

Knickerbocker, Petrafeso, Clark, Rose and Pehler introduced:

H. F. No. 41, A bill for an act relating to public safety; requiring fire detection devices in certain residential housing; directing the commissioner of administration to amend the state building code; amending Minnesota Statutes 1976, Section 16.85, by adding a subdivision.

The bill was read for the first time and referred to the Committee on Commerce and Economic Development.

Jensen, Skoglund, Munger, Kalis and Sherwood introduced:

H. F. No. 42, A bill for an act relating to firearms; clarifying the requirements for transportation of muzzle loading firearms; amending Minnesota Statutes 1976, Section 100.29, Subdivision 5.

The bill was read for the first time and referred to the Committee on Criminal Justice.

Faricy; Kempe, A.; Kelly, R.; and Laidig introduced:

H. F. No. 43, A bill for an act relating to crimes and corrections; sentencing and post conviction disposition of criminal offenders; transferring the powers and duties of the Minnesota corrections board to the commissioner of corrections; abolishing the Minnesota corrections board; providing for determinate sentencing; providing for a mutual agreement program; amending Minnesota Statutes 1976, Sections 152.15, Subdivisions 1, 2, 3 and 4; 299F.811; 299F.815, Subdivision 1; 401.13; 609.03; 609.10; 609.135, Subdivision 1; 609.145, Subdivision 1; 609.165, Subdivision 2; 609.17, Subdivision 4; 609.175, Subdivision 2; 609.18; 609.185; 609.19; 609.195; 609.20; 609.205; 609.21; 609.215; 609.225; 609.235; 609.24; 609.245; 609.25, Subdivision 2; 609.255; 609.26; 609.27, Subdivision 2; 609.31; 609.32; 609.342; 609.343; 609.344; 609.345; 609.355, Subdivision 2; 609.365; 609.375, Subdivision 2; 609.39; 609.395; 609.405, Subdivision 2; 609.42, Subdivision 1; 609.425; 609.445; 609.455; 609.465; 609.48, Subdivisions 1 and 4; 609.485, Subdivision 4; 609.495, Subdivision 1; 609.493, Subdivision 1; 609.52, Subdivisions 2 and 3; 609.521; 609.525, Subdivision 1; 609.53, Subdivisions 1 and 3; 609.54; 609.55, Subdivision 2; 609.551, Subdivision 1; 609.561; 609.562; 609.563, Subdivision 1; 609.576; 609.58, Subdivision 2; 609.59; 609.595, Subdivision 1; 609.60; 609.611; 609.615; 609.62, Subdivision 2; 609.625; 609.63; 609.635; 609.64; 609.645; 609.65; 609.67, Subdivision 2; 609.71; 609.713; 609.785; 609.82; 609.825, Subdivision 2; 609.83; and Chapter 609, by adding a section; repealing Minnesota Statutes 1976, Sections 152.15, Subdivision 5; 241.045; 242.24; 243.06; 243.14; 243.18; 246.43; 609.11; 609.13, Subdivision 1; 609.155; 609.16; 609.293, Subdivisions 2, 3, and 4; and 609.346.

The bill was read for the first time and referred to the Committee on Criminal Justice.

Sieben, M.; Wenzel; Dean; Nelson and Faricy introduced:

H. F. No. 44, A bill for an act relating to education; providing for minimum reading standards and tests of reading achievement; providing state aid for reading teachers; appropriating money.

The bill was read for the first time and referred to the Committee on Education.

Munger, Sabo, Skoglund, Dean and Nelson introduced:

H. F. No. 45, A bill for an act relating to environmental protection; prohibiting sale of milk in non-refillable plastic containers; prescribing penalties.

The bill was read for the first time and referred to the Committee on Environment and Natural Resources.

Forsythe, Munger, Casserly, Hanson and Carlson, A., introduced:

H. F. No. 46, A bill for an act relating to taxation; exempting from sales, use, and property tax certain property to be used to provide a solar energy heating or cooling system for buildings; amending Minnesota Statutes 1976, Sections 272.02, Subdivision 1; and 297A.25, Subdivision 1.

The bill was read for the first time and referred to the Committee on Environment and Natural Resources.

Sieben, M., introduced:

H. F. No. 47, A bill for an act relating to the environment; prohibiting sale of milk in non-refillable plastic containers; prescribing penalties.

The bill was read for the first time and referred to the Committee on Environment and Natural Resources.

George, Vanasek, Arlandson, Cummiskey and Stanton introduced:

H. F. No. 48, A bill for an act proposing an amendment to the Minnesota Constitution, Article VII, Section 6; providing that all eligible voters may hold most elective offices.

The bill was read for the first time and referred to the Committee on General Legislation and Veterans Affairs.

Sieben, M., introduced:

H. F. No. 49, A bill for an act proposing an amendment to the Minnesota Constitution, Article IV, Sections 2 and 3; providing for congressional and legislative apportionments by a commission.

The bill was read for the first time and referred to the Committee on General Legislation and Veterans Affairs.

Samuelson, Eken, Beauchamp, Nelsen, B., and Setzepfandt introduced:

H. F. No. 50, A bill for an act relating to elections; providing for payment of costs of certain special elections; amending Minnesota Statutes 1976, Section 204A.24.

The bill was read for the first time and referred to the Committee on General Legislation and Veterans Affairs.

Searle, Samuelson, Biersdorf and Anderson, I., introduced:

H. F. No. 51, A bill for an act relating to elections; providing for election judges in certain precincts; amending Minnesota Statutes 1976, Sections 204A.17, Subdivision 5; and 204A.18, Subdivision 1.

The bill was read for the first time and referred to the Committee on General Legislation and Veterans Affairs.

Knickerbocker introduced:

H. F. No. 52, A bill for an act relating to elections; providing for elections to vacancies in the United States senate; amending Minnesota Statutes 1976, Sections 202A.61; 202A.62, Subdivision 2; 202A.67, Subdivision 3; and 202A.72.

The bill was read for the first time and referred to the Committee on General Legislation and Veterans Affairs.

Petrafeso, Knickerbocker, Clawson, Beauchamp and Kelly, W., introduced:

H. F. No. 53, A bill for an act relating to the Minnesota municipal board; providing for per diem compensation and reimbursement of expenses for board members; amending Minnesota Statutes 1976, Section 414.01, Subdivision 6a.

The bill was read for the first time and referred to the Committee on Governmental Operations.

Faricy introduced:

H. F. No. 54, A bill for an act relating to state government; purchase of products and services from sheltered workshops and work activity programs; setting standards for price determination; amending Minnesota Statutes 1976, Section 16.281, Subdivision 1.

The bill was read for the first time and referred to the Committee on Governmental Operations.

McDonald introduced:

H. F. No. 55, A bill for an act relating to state government; requiring an economic impact statement for proposed administrative rules; amending Minnesota Statutes 1976, Section 15.0412, Subdivision 4, and by adding a subdivision.

The bill was read for the first time and referred to the Committee on Governmental Operations.

Sieben, M., introduced:

H. F. No. 56, A bill for an act relating to children; providing visitation rights to minor children in certain cases; amending Minnesota Statutes 1976, Section 257.022, Subdivision 2.

The bill was read for the first time and referred to the Committee on Health and Welfare.

Heinitz, Swanson, Clark, Kroening and Forsythe introduced:

H. F. No. 57, A bill for an act relating to health and safety; licensing and certification of ambulance services; amending Minnesota Statutes 1976, Chapter 144, by adding a section; Sections 144.801; 144.802; 144.803; 144.804; and 144.805.

The bill was read for the first time and referred to the Committee on Health and Welfare.

Faricy, Byrne and White introduced:

H. F. No. 58, A bill for an act relating to health; providing standards of consent for abortions; amending Minnesota Statutes 1976, Chapter 145, by adding a section.

The bill was read for the first time and referred to the Committee on Health and Welfare.

Vanasek; Anderson, G.; Samuelson; Carlson, D.; and Haugerud introduced:

H. F. No. 59, A bill for an act relating to ambulance services; reimbursing volunteer ambulance attendants for training school expenses; appropriating money; amending Minnesota Statutes 1976, Chapter 144, by adding a section.

The bill was read for the first time and referred to the Committee on Health and Welfare.

Forsythe, Hanson, Kostohryz, Wenstrom and Carlson, D., introduced:

H. F. No. 60, A bill for an act relating to health care; establishing a program for the care and treatment of hemophiliacs; providing certain financial assistance to hemophiliacs; appropriating money; amending Minnesota Statutes 1976, Chapter 144, by adding a section.

The bill was read for the first time and referred to the Committee on Health and Welfare.

Sieben, M., introduced:

H. F. No. 61, A bill for an act relating to the city of Cottage Grove; authorizing the rendering of emergency service by a physician's trained mobile intensive care paramedic; authorizing reasonable charges for the services; granting limited immunity from civil liability for paramedics and physicians advising or instructing paramedics.

The bill was read for the first time and referred to the Committee on Local and Urban Affairs.

Niehaus, Schulz, McEachern, Dahl and McDonald introduced:

H. F. No. 62, A bill for an act relating to towns; annual audit report; eliminating the requirement that a copy of the report be furnished to the state auditor; amending Minnesota Statutes 1976, Section 366.22.

The bill was read for the first time and referred to the Committee on Local and Urban Affairs.

Erickson and Anderson, B., introduced:

H. F. No. 63, A bill for an act relating to the city of Luverne; authorizing the taking of a special federal census, and providing that the results thereof shall be the population of the city for all purposes.

The bill was read for the first time and referred to the Committee on Local and Urban Affairs.

Pehler, Patton, Berg, Zubay and Pleasant introduced:

H. F. No. 64, A bill for an act relating to shade tree disease control; changing the size of cities eligible for grants-in-aid for wood utilization or disposal; amending Minnesota Statutes 1976, Section 18.023, Subdivision 3a.

The bill was read for the first time and referred to the Committee on Local and Urban Affairs.

Braun; Anderson, I.; Mann and Fjoslien introduced:

H. F. No. 65, A bill for an act relating to Lake of the Woods county; authorizing issuance of one off-sale liquor license.

The bill was read for the first time and referred to the Committee on Local and Urban Affairs.

Sieben, M., introduced:

H. F. No. 66, A bill for an act relating to shade tree disease control; providing for grants-in-aid to municipalities with approved shade tree disease control programs; appropriating money.

The bill was read for the first time and referred to the Committee on Local and Urban Affairs.

Carlson, A., introduced:

H. F. No. 67, A bill for an act relating to state government; establishing and empowering a Minnesota municipal bond bank for the purpose of assisting counties, municipalities and public bodies in financing public improvements through the issuance and purchase of municipal bonds, notes and evidences of debt.

The bill was read for the first time and referred to the Committee on Local and Urban Affairs.

Suss; Kelly, W.; Savelkoul; Haugerud and Sieben, H., introduced:

H. F. No. 68, A bill for an act relating to the tax court; establishing the tax court as a full time court; creating a small claims division; providing penalties; appropriating money; amending Minnesota Statutes 1976, Sections 15A.083, Subdivision 4; 124.-212, Subdivision 11; 271.01, Subdivisions 1 and 4a, and by adding a subdivision; 271.02; 271.04; 271.06, Subdivisions 1, 2, 3, 4, 6, and by adding a subdivision; 271.07; 271.08; 271.09, Subdivisions 1, 2, and 3; 271.10, Subdivisions 1 and 2; 271.12; 271.-13; 271.15; 271.17; 271.18; 271.20; and 490.121, Subdivision 2; and Chapter 271, by adding sections; repealing Minnesota Statutes 1976, Sections 271.001; 271.01, Subdivisions 2, and 2a; 271.06, Subdivision 5; 271.11; 271.14; and 271.16.

The bill was read for the first time and referred to the Committee on Taxes.

Anderson, G.; Wenstrom; Vanasek; Pleasant and Johnson introduced:

H. F. No. 69, A bill for an act relating to taxation; providing for an individual credit for taxpayers providing home for foreign students; amending Minnesota Statutes 1976, Section 290.06, Subdivision 3c.

The bill was read for the first time and referred to the Committee on Taxes.

Jaros, Adams, Skoglund, Fugina and Wynia introduced:

H. F. No. 70, A bill for an act relating to taxation; exempting sales of electricity, gas, water, steam, and heating fuels sold for residential use from the sales tax; amending Minnesota Statutes 1976, Sections 297A.01, Subdivision 3, and 297A.25, Subdivision 1.

The bill was read for the first time and referred to the Committee on Taxes.

Rose introduced:

H. F. No. 71, A bill for an act relating to taxation; increasing the amount of rent considered to constitute property taxes for purposes of income-adjusted homestead credit; amending Minnesota Statutes 1976, Section 290A.03, Subdivision 11.

The bill was read for the first time and referred to the Committee on Taxes.

Wigley introduced :

H. F. No. 72, A bill for an act relating to taxation; extending and increasing pollution control equipment credits; amending Minnesota Statutes 1976, Section 290.06, Subdivisions 9 and 9a.

The bill was read for the first time and referred to the Committee on Taxes.

Anderson, R., introduced :

H. F. No. 73, A bill for an act relating to taxation; increasing the maximum income-adjusted homestead credit amount for persons over 65 or disabled; amending Minnesota Statutes 1976, Section 290A.04, Subdivision 1.

The bill was read for the first time and referred to the Committee on Taxes.

Knickerbocker introduced :

H. F. No. 74, A bill for an act relating to taxation; providing for optional rent credit amount in lieu of income-adjusted homestead credit; amending Minnesota Statutes 1976, Section 290A.04, Subdivision 1, and by adding a subdivision.

The bill was read for the first time and referred to the Committee on Taxes.

Sieben, M., introduced :

H. F. No. 75, A bill for an act relating to public safety; requiring railroad companies to reimburse local governments for expenses incurred to extinguish locomotive caused fires.

The bill was read for the first time and referred to the Committee on Transportation.

Niehaus, Schulz, McEachern, Dahl and Albrecht introduced :

H. F. No. 76, A bill for an act relating to highways; providing for the removal of trees, shrubs and other obstructions within highway limits; amending Minnesota Statutes 1976, Sections 160.22, Subdivision 8; and 160.27, Subdivision 6; repealing Minnesota Statutes 1976, Section 160.22, Subdivision 7.

The bill was read for the first time and referred to the Committee on Transportation.

McDonald introduced:

H. F. No. 77, A bill for an act relating to motor vehicles; ownership and operation; requiring a valid drivers license to purchase a passenger automobile or station wagon; providing a mandatory one year drivers license revocation upon conviction of second or subsequent offense of driving under the influence of drugs or alcoholic beverages; prescribing penalties; amending Minnesota Statutes 1976, Chapter 168, by adding a section; and Section 169.121, Subdivision 4.

The bill was read for the first time and referred to the Committee on Transportation.

HOUSE ADVISORIES

Pursuant to rule 5.3, the following House Advisories were introduced:

Jensen and Sherwood introduced:

H. A. No. 1, A proposal for protection of our natural waterways and the preservation of groves and woodlands.

The advisory was referred to the Committee on Environment and Natural Resources.

Haugerud, Tomlinson and Carlson, D., introduced:

H. A. No. 2, A proposal for judicial selection and retention.

The advisory was referred to the Committee on Governmental Operations.

MESSAGES FROM THE SENATE

The following message was received from the Senate:

Mr. Speaker:

I hereby announce the adoption by the Senate of the following House Concurrent Resolution, herewith returned:

House Concurrent Resolution No. 2, A house concurrent resolution relating to adjournment.

PATRICK E. FLAHAVEN, Secretary of the Senate

REPORT FROM THE COMMITTEE ON RULES AND
LEGISLATIVE ADMINISTRATION

Anderson, I., for the Committee on Rules and Legislative Administration, offered the following resolution and moved its adoption:

Be It Resolved, by the Committee on Rules and Legislative Administration, that the Chief Clerk is authorized and directed to make payment for long distance telephone expenses incurred by each member of the House of Representatives not exceeding \$600.00 per year. Such payment shall be made directly to the billing telephone company and shall be made only upon the presentation to the Chief Clerk, by the member, the bill issued by such company on the credit account established for such member in his capacity as a state representative.

The question was taken on the adoption of the resolution and the roll was called. There were 127 yeas and 2 nays as follows:

Those who voted in the affirmative were:

Abeln	Clawson	Jensen	Murphy	Setzepfandt
Adams	Cohen	Johnson	Neisen	Sherwood
Albrecht	Corbid	Kahn	Nelsen, B.	Sieben, H.
Anderson, B.	Cummiskey	Kaley	Nelsen, M.	Sieben, M.
Anderson, D.	Dahl	Kalis	Nelson	Simoneau
Anderson, G.	Dean	Kelly, R.	Niehaus	Skoglund
Anderson, I.	Eckstein	Kelly, W.	Norton	Smogard
Anderson, R.	Eken	Kempe, A.	Novak	Spanish
Arlandson	Ellingson	Kempe, R.	Osthoff	Stanton
Battaglia	Enebo	King	Patton	Stoa
Beauchamp	Erickson	Kostohryz	Pehler	Suss
Begich	Esau	Kroening	Peterson	Tomlinson
Berg	Evans	Kvam	Petraleso	Vanasek
Berglin	Faricy	Laidig	Pleasant	Waldorf
Berkelman	Fjoslien	Langseth	Prahl	Welch
Biersdorf	Forsythe	Lehto	Reding	Wenstrom
Birnstihl	Friedrich	Lemke	Rice	Wenzel
Brandl	Fudro	Mangan	Rose	White
Braun	Fugina	Mann	St. Onge	Wieser
Brinkman	George	McCarron	Samuelson	Wigley
Byrne	Gunter	McCollar	Sarna	Wynia
Carlson, A.	Hanson	McDonald	Savelkoul	Zubay
Carlson, D.	Hangerud	McEachern	Scheid	Speaker Sabo
Carlson, L.	Hokanson	Metzen	Schulz	
Casserly	Jacobs	Moe	Searle	
Clark	Jaros	Munger	Searles	

Those who voted in the negative were:

Ewald Heinitz

The motion prevailed and the resolution was adopted.

MOTIONS AND RESOLUTIONS

Jacobs moved that the name of Abeln be added as an author on H. F. No. 5. The motion prevailed.

Faricy moved that the name of Cohen be added as an author on H. F. No. 43. The motion prevailed.

Sieben, M., moved that the name of Faricy be added as an author on H. F. No. 47. The motion prevailed.

Kalis introduced:

House Resolution No. 1, A house resolution congratulating the Elmore High School Band on its participation in the Inauguration of Jimmy Carter and Walter F. Mondale.

The resolution was referred to the Committee on Rules and Legislative Administration.

Anderson, I., introduced:

House Resolution No. 2, A house resolution authorizing living expense and mileage reimbursement during the 70th Legislature.

The resolution was referred to the Committee on Rules and Legislative Administration.

ADJOURNMENT

Anderson, I., moved that when the House adjourns today it adjourn until 1:30 p.m., Monday, January 17, 1977. The motion prevailed.

Anderson, I., moved that the House adjourn. The motion prevailed, and the Speaker declared the House stands adjourned until 1:30 p.m., Monday, January 17, 1977.

EDWARD A. BURDICK, Chief Clerk, House of Representatives

STATE OF MINNESOTA
SEVENTIETH SESSION - 1977

SIXTH DAY

SAINT PAUL, MINNESOTA, MONDAY, JANUARY 17, 1977

The House of Representatives convened at 1:30 p.m. and was called to order by the Speaker.

Prayer was offered by the Chaplain.

The roll was called and the following members were present:

Aabeln	Corbid	Jensen	Moe	Setzepfandt
Adams	Cummiskey	Johnson	Munger	Sherwood
Albrecht	Dahl	Jude	Murphy	Sieben, H.
Anderson, B.	Dean	Kahn	Neisen	Sieben, M.
Anderson, D.	Eckstein	Kaley	Nelsen, B.	Simoneau
Anderson, G.	Eken	Kalis	Nelsen, M.	Skoglund
Anderson, I.	Ellingson	Kelly, R.	Nelson	Smogard
Anderson, R.	Enebo	Kelly, W.	Niehaus	Spanish
Arlandson	Erickson	Kempe, A.	Norton	Stanton
Fattaglia	Esau	Kempe, R.	Novak	Stoa
Begich	Evans	King	Osthoff	Suss
Berg	Ewald	Knickerbocker	Patton	Swanson
Berkelman	Faricy	Kostohryz	Pehler	Tomlinson
Biersdorf	Fjoslien	Kroening	Peterson	Vanasek
Birnstihl	Forsythe	Kvam	Petraleso	Voss
Brandl	Friedrich	Laidig	Pleasant	Waldorf
Braun	Fudro	Langseth	Reding	Welch
Brinkman	Fugina	Lehto	Rose	Wenstrom
Byrne	George	Lemke	St. Onge	Wenzel
Carlson, A.	Gunter	Mangan	Samuelson	White
Carlson, D.	Hanson	Mann	Sarna	Wieser
Carlson, L.	Haugerud	McCarron	Savelkoul	Wigley
Casserly	Heinitz	McCollar	Scheid	Williamson
Clark	Hokanson	McDonald	Schulz	Wynia
Clawson	Jacobs	McEachern	Searle	Zubay
Cohen	Jaros	Metzen	Searles	Speaker Sabo

A quorum was present.

Beauchamp, Berglin, Prah and Rice were excused.

The Chief Clerk proceeded to read the Journal of the preceding day. McCollar moved that further reading of the Journal be dispensed with and that the Journal be approved as corrected by the Chief Clerk. The motion prevailed.

PETITIONS AND COMMUNICATIONS

The following report was received and filed in the Chief Clerk's Office: The Minnesota Family Farm Security Act of 1976 prepared by the Minnesota Family Farm Advisory Council.

The following communication was received:

STATE OF MINNESOTA
OFFICE OF THE GOVERNOR
ST. PAUL 55155

January 17, 1977

The Honorable Edward J. Gearty
President of the Senate
The Honorable Martin O. Sabo
Speaker of the House

Sirs:

I respectfully request the opportunity of addressing a joint session of the House and Senate of the 70th Session of the Minnesota Legislature on Tuesday, January 25, 1977, at 12:00 noon for the purpose of presenting my budget recommendations for the 1977-78 biennium to the Legislature.

Sincerely,

RUDY PERPICH
Governor

Anderson, I., moved that the House accede to the request of the Governor for a Joint Convention to hear the budget message of the Governor at 12:00 noon, Tuesday, January 25, 1977; that the Chief Clerk be instructed to invite the Senate to meet in Joint Convention at 11:50 a.m. and advise the Governor regarding the Joint Convention; and that the Speaker appoint a committee of five members to act with a similar committee to be appointed by the Senate to escort the Governor to the Joint Convention. The motion prevailed.

INTRODUCTION AND FIRST READING
OF HOUSE BILLS

The following House Files were introduced:

Stanton, Fjoslien, Erickson, Kahn and Anderson, B., introduced:

H. F. No. 78, A bill for an act relating to weather modification; prescribing powers and duties for the commissioner of agriculture; providing for weather modification research; requiring the obtaining of licenses and permits prior to engaging in weather modification; prescribing penalties; creating a weather modification advisory council.

The bill was read for the first time and referred to the Committee on Agriculture.

Anderson, B.; Stanton; Biersdorf; Evans and Sherwood introduced:

H. F. No. 79, A bill for an act relating to real estate; placing restrictions on who may acquire title; providing enforcement powers; providing penalty; amending Minnesota Statutes 1976, Chapter 500, by adding a section; repealing Minnesota Statutes 1976, Section 500.22.

The bill was read for the first time and referred to the Committee on Commerce and Economic Development.

Peterson; Anderson, G.; Metzen; Faricy and Anderson, R., introduced:

H. F. No. 80, A bill for an act relating to economic development; establishing and empowering a Minnesota small business development authority for the purpose of aiding small businesses within the state; authorizing revenue bonds; appropriating funds.

The bill was read for the first time and referred to the Committee on Commerce and Economic Development.

Pleasant, Reding, Knickerbocker, Adams and Ewald introduced:

H. F. No. 81, A bill for an act relating to housing; allowing townhouse developments to be governed by the Minnesota condominium act; making necessary clarifications and revisions; amending Minnesota Statutes 1976, Sections 515.01; 515.02, Subdivision 2 and by adding a subdivision; and 515.26.

The bill was read for the first time and referred to the Committee on Commerce and Economic Development.

Stanton; Carlson, A.; Casserly and Nelson introduced:

H. F. No. 82, A bill for an act relating to crimes; raising the amount of pecuniary gain which must be received by a person incident to a violation of law before the violation is categorized as a felony; amending Minnesota Statutes 1976, Sections 609.27, Subdivision 2; 609.52, Subdivision 3; 609.53, Subdivision 1; 609.551, Subdivision 1; 609.563, Subdivision 1; 609.576, Subdivision 1; 609.595, Subdivision 1; and 609.615.

The bill was read for the first time and referred to the Committee on Criminal Justice.

Carlson, A.; Clark; Esau; Samuelson and Faricy introduced:

H. F. No. 83, A bill for an act relating to crime victims reparations; eliminating the minimum claim amount necessary for reparations; raising the amount of reparations paid to claimants suffering economic loss; amending Minnesota Statutes 1976, Sections 299B.03, Subdivision 2; and 299B.04.

The bill was read for the first time and referred to the Committee on Criminal Justice.

Munger, Kahn, Searle, Faricy and Laidig introduced:

H. F. No. 84, A bill for an act relating to state parks; authorizing the commissioner of natural resources to acquire lands within the boundaries of state parks by eminent domain proceedings; amending Minnesota Statutes 1976, Section 85.012, Subdivision 1.

The bill was read for the first time and referred to the Committee on Environment and Natural Resources.

Wenstrom, Clawson, Nelson, Carlson, A., and Smogard introduced:

H. F. No. 85, A bill for an act relating to state agencies; providing for an open appointment process; requiring reports from appointing authorities and the secretary of state.

The bill was read for the first time and referred to the Committee on Governmental Operations.

Kelly, R.; McEachern; Byrne; Williamson and Begich introduced:

H. F. No. 86, A bill for an act relating to education; school employees; providing a limitation on contract negotiations.

The bill was read for the first time and referred to the Committee on Labor-Management Relations.

Setzepfandt, Schulz, Begich, Kvam and Lemke introduced:

H. F. No. 87, A bill for an act relating to regional development commissions; requiring a report on the commission's effectiveness; providing procedures for terminating commissions; amending Minnesota Statutes 1976, Section 462.393; and Chapter 462, by adding a section.

The bill was read for the first time and referred to the Committee on Local and Urban Affairs.

Setzepfandt, Schulz, Smogard, Dahl and Carlson, D., introduced:

H. F. No. 88, A bill for an act relating to planning, development and zoning; county planning; subdivision regulation; enforcement; prescribing penalties; amending Minnesota Statutes 1976, Section 394.37, Subdivision 1.

The bill was read for the first time and referred to the Committee on Local and Urban Affairs.

Carlson, A., introduced:

H. F. No. 89, A bill for an act relating to shade tree disease; permitting tax levies; providing a tax deduction; requiring subsidies to private property owners; providing reimbursement to municipalities; establishing education programs; providing an appropriation; amending Minnesota Statutes 1976, Sections 18.023, Subdivisions 3a, 4, 6, 10, and by adding subdivisions; and 290.09, by adding a subdivision.

The bill was read for the first time and referred to the Committee on Local and Urban Affairs.

Kempe, A., introduced:

H. F. No. 90, A bill for an act relating to the city of West St. Paul; authorizing one additional on-sale intoxicating liquor license.

The bill was read for the first time and referred to the Committee on Local and Urban Affairs.

Evans, Rose, Esau and Albrecht introduced:

H. F. No. 91, A bill for an act relating to taxation; providing for increased withholding based on itemized deductions; amending Minnesota Statutes 1976, Section 290.92, by adding a subdivision.

The bill was read for the first time and referred to the Committee on Taxes.

Sherwood; Munger; Anderson, I.; Eken and Nelsen, B., introduced:

H. F. No. 92, A bill for an act relating to counties; payments in lieu of taxes on certain tax exempt land; appropriating funds.

The bill was read for the first time and referred to the Committee on Taxes.

Faricy, Sieben, M., and Norton introduced:

H. F. No. 93, A bill for an act relating to taxation; establishing filing requirements for a condominium association; amending Minnesota Statutes 1976, Section 290.37, Subdivision 1.

The bill was read for the first time and referred to the Committee on Taxes.

Pleasant, Schulz, McDonald and Knickerbocker introduced:

H. F. No. 94, A bill for an act relating to taxation; providing that amounts paid as social security taxes be excluded from gross income for purposes of income tax calculations; amending Minnesota Statutes 1976, Section 290.01, Subdivision 20.

The bill was read for the first time and referred to the Committee on Taxes.

Dean, Novak, Casserly, Nelson and Carlson, D., introduced:

H. F. No. 95, A bill for an act relating to taxation; providing for a deduction from income of the cost of removing diseased trees from residential property outside shade tree disease control areas; amending Minnesota Statutes 1976, Section 290.09, by adding a subdivision.

The bill was read for the first time and referred to the Committee on Taxes.

Pleasant, Reding, Knickerbocker, Adams and Clark introduced:

H. F. No. 96, A bill for an act relating to taxation; exempting from property taxation the increased value of property when equipped with solar energy system; amending Minnesota Statutes 1976, Chapter 273, by adding a section; and Section 273.11, Subdivision 1.

The bill was read for the first time and referred to the Committee on Taxes.

Peterson, Kahn, Munger, Kaley and Neisen introduced:

H. F. No. 97, A bill for an act relating to taxation; increasing the rate of tax on sale of cigarettes and providing that revenue from the increase be used for cancer research; appropriating money; amending Minnesota Statutes 1976, Section 297.02, Subdivision 1.

The bill was read for the first time and referred to the Committee on Taxes.

Setzepfandt; Anderson, G.; Friedrich; Gunter and Lemke introduced:

H. F. No. 98, A bill for an act relating to taxation; extending the tax credit for feedlot pollution control equipment and providing for a carryback and carryover of the credit from one year to another; exempting feedlot pollution control equipment under certain conditions from the sales and use tax; amending Minnesota Statutes 1976, Sections 290.06, Subdivision 9a; and 297A.25, Subdivision 1.

The bill was read for the first time and referred to the Committee on Taxes.

Hanson, Osthoff, Kvam, Brinkman and Jacobs introduced:

H. F. No. 99, A bill for an act relating to the taxation of railroads; amending Minnesota Statutes 1976, Chapter 270, by adding sections; repealing Minnesota Statutes 1976, Sections 295.01, Subdivisions 2 and 3; 295.02; 295.03; 295.04; 295.05; 295.12; 295.13; and 295.14.

The bill was read for the first time and referred to the Committee on Taxes.

Eken; Anderson, G.; Vanasek; Biersdorf and Gunter introduced:

H. F. No. 100, A bill for an act relating to agriculture; family farm security program; providing that certain interest earned by the seller on a family farm security loan shall be excludable from gross income; amending Minnesota Statutes 1976, Sections 41.58, by adding a subdivision; and 290.01, Subdivision 20.

The bill was read for the first time and referred to the Committee on Taxes.

Forsythe, Skoglund, Kvam, Jaros and Casserly introduced:

H. F. No. 101, A bill for an act relating to licensed occupations; providing for licensing and regulation of tax preparers by the commissioner of revenue; amending Minnesota Statutes 1976, Chapter 326, by adding a section.

The bill was read for the first time and referred to the Committee on Taxes.

Erickson, Fudro, Mann, Peterson and Esau introduced:

H. F. No. 102, A bill for an act relating to the legislature; establishing an interim study commission on expanded Amtrak passenger train service; appropriating money.

The bill was read for the first time and referred to the Committee on Transportation.

Forsythe, Clark, Osthoff, Sarna and Esau introduced:

H. F. No. 103, A bill for an act relating to highway traffic regulations; providing that a person may lawfully stop or park his motor vehicle on highways and streets under specified conditions for the purpose of aiding distressed motorists; amending Minnesota Statutes 1976, Chapter 169, by adding a section.

The bill was read for the first time and referred to the Committee on Transportation.

Simoneau, Novak, Neisen, Berkelman and McCollar introduced:

H. F. No. 104, A bill for an act relating to taxation; reducing the sales tax rate; amending Minnesota Statutes 1976, Section 297A.02.

The bill was read for the first time and referred to the Committee on Taxes.

Anderson, I., and Braun introduced:

H. F. No. 105, A resolution relating to the eastern timber wolf; urging the Secretary of the Interior to return management control of the eastern timber wolf to the state of Minnesota.

The bill was read for the first time and referred to the Committee on Environment and Natural Resources.

Patton and Pehler introduced:

H. F. No. 106, A bill for an act relating to the city of St. Cloud; firemen's widows benefits; amending Laws 1974, Chapter 382, Section 5, Subdivision 2.

The bill was read for the first time and referred to the Committee on Governmental Operations.

Patton and Pehler introduced:

H. F. No. 107, A bill for an act relating to state property; authorizing the conveyance of certain state property in Stearns county to the city of St. Cloud, Minnesota.

The bill was read for the first time and referred to the Committee on Governmental Operations.

Berg introduced:

H. F. No. 108, A bill for an act relating to taxation; authorizing a special levy for shade tree disease control; amending Minnesota Statutes 1976, Section 275.50, Subdivision 5.

The bill was read for the first time and referred to the Committee on Local and Urban Affairs.

Neisen, Simoneau, Clark, Peterson and Kostohryz introduced:

H. F. No. 109, A bill for an act relating to taxation; providing for deduction of cost of insulating residence from gross income of individual; amending Minnesota Statutes 1976, Section 290.09, by adding a subdivision.

The bill was read for the first time and referred to the Committee on Taxes.

Anderson, I., and Braun introduced:

H. F. No. 110, A bill for an act relating to agriculture; providing compensation for timber wolf losses; appropriating money.

The bill was read for the first time and referred to the Committee on Agriculture.

HOUSE ADVISORIES

Pursuant to rule 5.3, the following House Advisories were introduced:

Mann introduced:

H. A. No. 3, A proposal for underground water survey.

The advisory was referred to the Committee on Agriculture.

Mann, Fudro and Lemke introduced:

H. A. No. 4, A proposal for snow and ice control on roads and streets.

The advisory was referred to the Committee on Transportation.

REPORT FROM THE COMMITTEE ON RULES AND LEGISLATIVE ADMINISTRATION

Anderson, I., from the Committee on Rules and Legislative Administration to which was referred:

House Resolution No. 2, A house resolution authorizing living expense and mileage reimbursement during the 70th Legislature.

Reported the same back with the following amendments:

Strike everything after the title and insert:

“Be It Resolved, by the House of Representatives that the Chief Clerk of the House of Representatives is hereby authorized and directed to prepare and issue warrants in payment of living expenses and mileage to each member of the House from the Legislative Expense Fund for each calendar day of the Sessions of the 70th Legislature.

Resolved Further, that living expenses in the sum of \$48 per diem shall be paid to the Speaker of the House and to each mem-

ber of the House who has moved from his usual place of lodging during a substantial part of the Sessions of the 70th Legislature.

Provided Further, that the per diem living expenses of a member of the House who has not so changed his place of lodging for a substantial part of said Sessions of the 70th Legislature shall be the sum of \$40 per day.

Provided Further, that those members of the House who are eligible to be paid the per diem of \$48 shall in addition be reimbursed for travel to and from their homes at the rate of fifteen cents per mile, or such greater amount as may be authorized by the Commissioner of Personnel for state employees, for not to exceed one round trip per week of the Sessions.

Provided Also, that each member of the House shall certify in writing to the Chief Clerk of the House of Representatives, prior to the issuance of the first of such warrants for each of the Sessions of the 70th Legislature for such living expenses whether or not he has moved from his usual place of lodging.

Provided Further, in event the 70th Legislature shall increase the compensation provided for members of the House of Representatives the Committee on Rules and Legislative Administration shall review per diem allowances provided by this resolution and adjust them if that shall be deemed by the Committee on Rules and Legislative Administration to be reasonable.”

With the recommendation that when so amended the resolution be adopted.

The report was adopted.

Anderson, I., moved that House Resolution No. 2, as amended by the Committee on Rules and Legislative Administration, be now adopted.

Kvam moved to amend House Resolution No. 2, as amended by the Committee on Rules and Legislative Administration, as follows:

Strike everything after the title and insert in lieu thereof, the following:

“*Be It Resolved*, by the House of Representatives that the Chief Clerk of the House of Representatives is hereby authorized and directed to prepare and issue warrants in payment of living expenses and mileage to each member of the House from the Legislative Expense Fund for each calendar day of the Sessions of the 70th Legislature.

Whereas, it is recognized that if fiscal responsibility is to become a reality that elected state legislators should be the pace-setters;

Whereas, state department administrators recognize the restraints that are being imposed on department heads because of the state's decline in economic activity and revenue;

Whereas, county and local units of government recognize the imposition of levy limits on their political subdivisions;

Whereas, legislators, during the regular legislative sessions, disrupt their normal living pattern and that additional expenses are incurred in service to the people of the State of Minnesota;

Therefore Be It Resolved that per diem living expenses be reimbursed as is evidenced by receipted vouchers and shall be reimbursable to a maximum of \$25.00 for each day of lodging.

Be It Further Resolved that those members of the House who are eligible for a daily per diem shall in addition be reimbursed for travel to and from their homes at the rate of 15¢ per mile, not to exceed one round trip per week of the session.

Provided Further, in event the 70th Legislature shall increase the compensation provided for members of the House of Representatives the Committee on Rules and Legislative Administration shall review per diem allowances provided by this resolution and adjust them if that shall be deemed by the Committee on Rules and Legislative Administration to be reasonable.”.

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

The question recurred on the adoption of House Resolution No. 2, as amended by the Committee on Rules and Legislative Administration, and the roll was called. There were 86 yeas and 44 nays as follows:

Those who voted in the affirmative were:

Abeln	Casserly	George	Kostohryz	Neisen
Adams	Clark	Hanson	Kroening	Nelsen, M.
Anderson, G.	Clawson	Haugerud	Langseth	Nelson
Anderson, I.	Corbid	Hokanson	Lemke	Norton
Arlandson	Cummiskey	Jacobs	Mangan	Osthoff
Battaglia	Dahl	Jaros	Mann	Patton
Begich	Dean	Jensen	McCarron	Pehler
Berg	Eckstein	Johnson	McCollar	Petrafeso
Birnstihl	Eken	Kahn	McEachern	Reding
Braun	Ellingson	Kalis	Metzen	St. Onge
Brinkman	Enebo	Kelly, W.	Moe	Samuelson
Carlson, A.	Fudro	King	Munger	Sarna
Carlson, L.	Fugina	Knickerbocker	Murphy	Savelkoul

Scheid	Sieben, H.	Stanton	Wenstrom	Speaker Sabo
Schulz	Sieben, M.	Suss	Wenzel	
Searle	Simoneau	Swanson	White	
Setzepfandt	Skoglund	Vanasek	Williamson	
Sherwood	Smogard	Voss	Wynia	

Those who voted in the negative were:

Albrecht	Cohen	Gunter	Lehto	Spanish
Anderson, B.	Erickson	Heinitz	McDonald	Stoa
Anderson, D.	Esau	Jude	Nelsen, B.	Tomlinson
Anderson, R.	Evans	Kaley	Niehaus	Waldorf
Berkelman	Ewald	Kelly, R.	Novak	Welch
Biersdorf	Faricy	Kempe, A.	Peterson	Wieser
Brandl	Fjoslien	Kempe, R.	Pleasant	Wigley
Byrne	Forsythe	Kvam	Rose	Zubay
Carlson, D.	Friedrich	Laidig	Searles	

The motion prevailed and House Resolution No. 2, as amended by the Committee on Rules and Legislative Administration, was adopted.

MOTIONS AND RESOLUTIONS

Sieben, M., moved that the names of Jacobs and Berg be added as authors on H. F. No. 47. The motion prevailed.

Sieben, M., moved that the name of Pleasant be added as an author on H. F. No. 66. The motion prevailed.

Rose moved that the name of Jaros be added as an author on H. F. No. 71. The motion prevailed.

Skoglund moved that the names of Tomlinson, Stoa, Enebo, and Biersdorf be added as authors on H. F. No. 17. The motion prevailed.

Kempe, A., moved that the name of Metzen be added as an author on H. F. No. 90. The motion prevailed.

Knickerbocker moved that the names of Pleasant and Cohen be added as authors on H. F. No. 52. The motion prevailed.

Sieben, M., moved that the name of Wenzel be added as an author on H. F. No. 49. The motion prevailed.

Faricy moved that the name of Jacobs be added as an author on H. F. No. 93. The motion prevailed.

Arlandson moved that the name of Adams be added as an author on H. F. No. 39. The motion prevailed.

Mann moved that the name of Kalis be added as an author on House Advisory No. 4. The motion prevailed.

Anderson, I., and Braun introduced:

House Resolution No. 3, A house resolution relating to the eastern timber wolf; recommending and urging that the commissioner of natural resources pursue legal means to regain management control over the eastern timber wolf.

The resolution was referred to the Committee on Rules and Legislative Administration.

ADJOURNMENT

Anderson, I., moved that when the House adjourns today it adjourn until 2:00 p.m., Monday, January 24, 1977. The motion prevailed.

Anderson, I., moved that the House adjourn. The motion prevailed, and the Speaker declared the House stands adjourned until 2:00 p.m., Monday, January 24, 1977.

EDWARD A. BURDICK, Chief Clerk, House of Representatives

STATE OF MINNESOTA

SEVENTIETH SESSION - 1977

SEVENTH DAY

ST. PAUL, MINNESOTA, MONDAY, JANUARY 24, 1977

The House of Representatives convened at 2:00 p.m. and was called to order by the Speaker.

Prayer was offered by the Chaplain.

The roll was called and the following members were present:

Abeln	Cohen	Jensen	Munger	Sherwood
Adams	Corbid	Johnson	Murphy	Sieben, H.
Albrecht	Cummiskey	Jude	Neisen	Sieben, M.
Anderson, B.	Dahl	Kahn	Nelsen, B.	Simoneau
Anderson, D.	Dean	Kaley	Nelsen, M.	Skoglund
Anderson, G.	Eckstein	Kalis	Nelson	Smogard
Anderson, I.	Eken	Kelly, R.	Niehaus	Spanish
Anderson, R.	Ellingson	Kelly, W.	Novak	Stanton
Arlandson	Enebo	Kempe, A.	Osthoff	Stoa
Battaglia	Erickson	Kempe, R.	Patton	Suss
Beauchamp	Esau	King	Pehler	Swanson
Begich	Evans	Knickerbocker	Peterson	Tomlinson
Berg	Ewald	Kostohryz	Petrafeso	Vanasek
Berglin	Faricy	Kroening	Pleasant	Voss
Berkelman	Fjoslien	Kvam	Prahl	Waldorf
Biersdorf	Forsythe	Laidig	Reding	Welch
Birnstihl	Friedrich	Langseth	Rice	Wenstrom
Brandl	Fudro	Lehto	Rose	Wenzel
Braun	Fugina	Lemke	St. Onge	White
Brinkman	George	Mangan	Samuelson	Wieser
Byrne	Gunter	Mann	Sarna	Wigley
Carlson, A.	Hanson	McCarron	Savelkoul	Williamson
Carlson, D.	Haugerud	McCollar	Scheid	Wynia
Carlson, L.	Heinitz	McDonald	Schulz	Zubay
Casserly	Hokanson	McEachern	Searle	Speaker Sabo
Clark	Jacobs	Metzen	Searles	
Clawson	Jaros	Moe	Setzepfandt	

A quorum was present.

Norton was excused.

The Chief Clerk proceeded to read the Journal of the preceding day. Esau moved that further reading of the Journal be dispensed with and that the Journal be approved as corrected by the Chief Clerk. The motion prevailed.

PETITIONS AND COMMUNICATIONS

The following reports were received and filed in the Chief Clerk's Office: Metropolitan Council 1976 Annual Report to the Minnesota State Legislature, Motor Vehicle Registration Study submitted by the Department of Public Safety Division of Motor Vehicles, Report of the Commission on Minnesota's Future, Bus Service Expansion Program Progress Report submitted by the Metropolitan Transit Commission, Biennial Report of the Minnesota Department of Natural Resources, Program for Vocational Technical Education Facility submitted by the Building Advisory Committee University of Minnesota Twin Cities Campus, Summary of Health-Related Regulatory Boards' Reports prepared by Division of Health Manpower Minnesota Department of Health, and 1976 Annual Report of the Commerce Department.

REPORTS OF STANDING COMMITTEES

Johnson from the Committee on Education to which was referred:

H. F. No. 12, A bill for an act relating to Independent School District No. 15 and Independent School District No. 911; providing for a transfer of property between the districts.

Reported the same back with the recommendation that the bill pass.

The report was adopted.

SECOND READING OF HOUSE BILLS

H. F. No. 12 was read for the second time.

INTRODUCTION AND FIRST READING
OF HOUSE BILLS

The following House Files were introduced:

Cummisky introduced:

H. F. No. 111, A bill for an act relating to agriculture; providing identification numbers for bee keepers; amending Minnesota Statutes 1976, Sections 19.19, by adding a subdivision; and 19.21.

The bill was read for the first time and referred to the Committee on Agriculture.

Stanton, St. Onge, Stoa, Beauchamp and Pehler introduced:

H. F. No. 112, A bill for an act relating to human rights; prohibiting discrimination against students in housing; amending Minnesota Statutes 1976, Sections 363.03, Subdivision 2; and 363.12, Subdivision 1.

The bill was read for the first time and referred to the Committee on Commerce and Economic Development.

Clark, Arlandson, Neisen, Sieben, M., and Pleasant introduced:

H. F. No. 113, A bill for an act relating to commerce; regulating open contract sales; providing that the contract of sale involved in an open contract sale and a statement of its charges and payment be returned to the purchaser upon payment of the obligation.

The bill was read for the first time and referred to the Committee on Commerce and Economic Development.

Moe introduced:

H. F. No. 114, A bill for an act relating to intoxicating liquor; regulation and taxation of liquor sold in commemorative bottles; amending Minnesota Statutes 1976, Sections 340.11, Subdivision 15; 340.44; and 340.50.

The bill was read for the first time and referred to the Committee on Commerce and Economic Development.

George; Corbid; Sieben, H.; Laidig and Hanson introduced:

H. F. No. 115, A bill for an act relating to commerce; extending the effective date of certain provisions of law that require tents and sleeping bags to be flame resistant; amending Laws 1975, Chapter 341, Section 6.

The bill was read for the first time and referred to the Committee on Commerce and Economic Development.

Williamson; Prah!; Kelly, R.; Hanson and Jaros introduced:

H. F. No. 116, A bill for an act relating to landlords and tenants; requiring notice of rent increase; amending Minnesota Statutes 1976, Chapter 504, by adding a section.

The bill was read for the first time and referred to the Committee on Commerce and Economic Development.

McCarron, Novak, Kaley, Lehto and Kempe, A., introduced:

H. F. No. 117, A bill for an act relating to crimes; prohibiting devices intended to be used to avoid payment of long distance telecommunications services; prescribing penalties; amending Minnesota Statutes 1976, Section 609.785.

The bill was read for the first time and referred to the Committee on Criminal Justice.

Peterson, Kostohryz, Mann, Kempe, R., and Carlson, A., introduced:

H. F. No. 118, A bill for an act relating to education; program evaluation; establishing a system of statewide assessment of minimal competency of pupils and remedial assistance in teaching of basic skills; appropriating money.

The bill was read for the first time and referred to the Committee on Education.

Wieser, Lemke and Schulz introduced:

H. F. No. 119, A bill for an act relating to natural resources; restricting acquisition of agricultural land for inclusion in the Richard J. Dorer Memorial Hardwood Forest.

The bill was read for the first time and referred to the Committee on Environment and Natural Resources.

Wigley; Mann; Anderson, G., Friedrich and Eken introduced:

H. F. No. 120, A resolution memorializing Congress and the President of the United States to authorize replacement of Locks and Dam No. 26 in Alton, Illinois.

The bill was read for the first time and referred to the Committee on Environment and Natural Resources.

Williamson; Nelsen, B.; Osthoff; Rice and Anderson, I., introduced:

H. F. No. 121, A bill for an act establishing a special advisory committee on presidential primary elections; appropriating money.

The bill was read for the first time and referred to the Committee on General Legislation and Veterans Affairs.

Pehler; Carlson, A.; Faricy; Osthoff and McCarron introduced:

H. F. No. 122, A bill for an act proposing an amendment repealing Article XIII, Section 5, of the Minnesota Constitution; permitting lotteries.

The bill was read for the first time and referred to the Committee on General Legislation and Veterans Affairs.

Adams, Osthoff, Abeln, White and McCarron introduced:

H. F. No. 123, A bill for an act relating to elections; providing protection for employees who become candidates; providing penalties; amending Minnesota Statutes 1976, Chapter 10A, by adding a section.

The bill was read for the first time and referred to the Committee on General Legislation and Veterans Affairs.

Niehaus, Neisen, Albrecht, Schulz and Evans introduced:

H. F. No. 124, A bill for an act relating to elections; making town treasurers eligible to serve as election judges; amending Minnesota Statutes 1976, Section 204A.17, Subdivision 5.

The bill was read for the first time and referred to the Committee on General Legislation and Veterans Affairs.

McDonald; Nelsen, B.; Johnson; Niehaus and Murphy introduced:

H. F. No. 125, A bill for an act relating to elections; making town treasurers eligible to serve as election judges; amending Minnesota Statutes 1976, Section 204A.17, Subdivision 5.

The bill was read for the first time and referred to the Committee on General Legislation and Veterans Affairs.

Moe, Patton, Reding and Wigley introduced:

H. F. No. 126, A bill for an act relating to retirement; additional employer contributions to amortize the deficit in the teachers' retirement fund; amending Minnesota Statutes 1976, Section 354.42, Subdivision 5.

The bill was read for the first time and referred to the Committee on Governmental Operations.

Niehaus, Schulz, Esau, Eken and Brinkman introduced:

H. F. No. 127, A bill for an act relating to unemployment compensation; providing that a person voluntarily terminating employment without good cause is disqualified from benefits; amending Minnesota Statutes 1976, Section 268.09, Subdivision 1.

The bill was read for the first time and referred to the Committee on Governmental Operations.

Enebo, Dean, Kahn, Pehler and Carlson, A., introduced:

H. F. No. 128, A bill for an act relating to adoption; authorizing release of birth information to adopted persons; requiring waiting period for objections from parents; amending Minnesota Statutes 1976, Sections 144.151, by adding a subdivision; 144.176, Subdivision 1, and by adding subdivisions.

The bill was read for the first time and referred to the Committee on Health and Welfare.

Pehler, Cummiskey, Kroening, Patton and Peterson introduced:

H. F. No. 129, A bill for an act relating to education; encouraging post-secondary institutions to grant comparable credit for comparable work at another institution; directing the higher education coordinating board to perform certain duties.

The bill was read for the first time and referred to the Committee on Higher Education.

Pehler, Stanton, Beauchamp, Cummiskey and Faricy introduced:

H. F. No. 130, A bill for an act relating to local control of campus liquor policy; amending Minnesota Statutes 1976, Section 624.701, Subdivision 1.

The bill was read for the first time and referred to the Committee on Higher Education.

Adams; Carlson, L.; McCollar; Scheid and Knickerbocker introduced:

H. F. No. 131, A bill for an act relating to metropolitan government; providing for election of the chairman and other members of the council; amending Minnesota Statutes 1976, Section 473.123, Subdivisions 2, 3, 4, and 5; and by adding subdivisions.

The bill was read for the first time and referred to the Committee on Local and Urban Affairs.

Searles introduced:

H. F. No. 132, A bill for an act relating to metropolitan government; changing the method for election of metropolitan council members; amending Minnesota Statutes 1976, Sections 473.121, by adding a subdivision; and 473.123, by adding subdivisions.

The bill was read for the first time and referred to the Committee on Local and Urban Affairs.

Kempe, A., introduced:

H. F. No. 133, A bill for an act relating to metropolitan government; providing for election of council members; amending Minnesota Statutes 1976, Sections 10A.01, Subdivision 5; 10A.17, Subdivision 3; 10A.20, Subdivisions 3 and 5; 10A.21, Subdivision 1; 10A.22, Subdivision 5; 10A.25, Subdivision 2; and 473.123, Subdivisions 2, 3 and by adding subdivisions.

The bill was read for the first time and referred to the Committee on Local and Urban Affairs.

George, Ellingson, Brandl, Wynia and Hokanson introduced:

H. F. No. 134, A bill for an act relating to metropolitan government; providing for election of council members; amending Minnesota Statutes 1976, Sections 10A.01, Subdivision 5; 10A.17, Subdivision 3; 10A.20, Subdivisions 3 and 5; 10A.21, Subdivision 1; and 10A.22, Subdivision 5; 473.123; and 473.141, Subdivision 3.

The bill was read for the first time and referred to the Committee on Local and Urban Affairs.

Wieser, Lemke and Schulz introduced:

H. F. No. 135, A bill for an act relating to taxation; providing for optional payments in lieu of taxes to counties containing state forest lands; appropriating funds; amending Minnesota Statutes 1976, Section 89.036, and Chapter 89, by adding sections.

The bill was read for the first time and referred to the Committee on Taxes.

McDonald introduced :

H. F. No. 136, A bill for an act relating to taxation; eliminating the homestead credit; increasing the amount of rent paid to be considered as property taxes paid; increasing amounts provided for income-adjusted homestead credit; amending Minnesota Statutes 1976, Sections 273.13, Subdivisions 6 and 7; 276.04; 290A.03, Subdivision 11; and 290A.04, Subdivision 2.

The bill was read for the first time and referred to the Committee on Taxes.

Cummiskey, Simoneau, Voss, Hanson and Haugerud introduced :

H. F. No. 137, A bill for an act relating to motor vehicles; registration and taxation; providing for the registration and taxation of certain vehicles without renewal for the period of time that the vehicle is owned by the registering owner; amending Minnesota Statutes 1976, Section 168.013, Subdivisions 1, 1b, and 1d.

The bill was read for the first time and referred to the Committee on Transportation.

Rice, Enebo, St. Onge, Murphy and Simoneau introduced :

H. F. No. 138, A bill for an act relating to labor relations; changing negotiable terms of employment for certain public professional employees; amending Minnesota Statutes 1976, Section 179.63, Subdivision 18.

The bill was read for the first time and referred to the Committee on Education.

Clawson introduced :

H. F. No. 139, A bill for an act relating to natural resources; revising certain provisions relating to St. Croix Wild River state park.

The bill was read for the first time and referred to the Committee on Environment and Natural Resources.

Lehto, Munger, Biersdorf, Sherwood and Jaros introduced:

H. F. No. 140, A bill for an act relating to natural resources; imposing limits on the issuance of licenses for commercial fishing on Lake Superior; providing maximum amounts of gill net to be licensed in Lake Superior; amending Minnesota Statutes 1976, Sections 98.46, Subdivision 12; and 102.28, Subdivision 4.

The bill was read for the first time and referred to the Committee on Environment and Natural Resources.

Suss, Corbid, Lemke, Friedrich and Brinkman introduced:

H. F. No. 141, A bill for an act relating to business or agricultural loans; rate of interest therein; amending Minnesota Statutes 1976, Section 334.011, Subdivision 1; repealing Minnesota Statutes 1976, Section 334.011, Subdivision 4.

The bill was read for the first time and referred to the Committee on Financial Institutions and Insurance.

Scheid, Kahn, McDonald, Osthoff and Adams introduced:

H. F. No. 142, A bill for an act relating to public employees; providing for an automatic pay increase to state employees who pass the certified professional secretary examination.

The bill was read for the first time and referred to the Committee on Governmental Operations.

Niehaus, Eken, Reding, Nelsen, B., and Fjoslien introduced:

H. F. No. 143, A bill for an act relating to eminent domain; permitting an alternate means of compensation to landowners whose land is condemned by certain companies, associations or utilities; amending Minnesota Statutes 1976, Chapter 117, by adding a section.

The bill was read for the first time and referred to the Committee on Governmental Operations.

Sherwood, St. Onge, Kalis, Niehaus and Smogard introduced:

H. F. No. 144, A bill for an act relating to health; authorizing the licensing of physicians from Canada without an examination; amending Minnesota Statutes 1976, Section 147.03.

The bill was read for the first time and referred to the Committee on Health and Welfare.

Niehaus, Patton, Pehler, Sherwood and Albrecht introduced:

H. F. No. 145, A bill for an act relating to highways; requiring a hearing by a county board prior to the adoption of a resolution revoking a county highway that would revert to a town; amending Minnesota Statutes 1976, Section 163.11, by adding a subdivision.

The bill was read for the first time and referred to the Committee on Local and Urban Affairs.

Skoglund, Enebo, Brandl, Dean and Rice introduced:

H. F. No. 146, A bill for an act relating to cities of the first class; establishing procedures for refunds of certain special assessments; amending Minnesota Statutes 1976, Section 430.07.

The bill was read for the first time and referred to the Committee on Local and Urban Affairs.

Enebo, Kahn, Nelson, Clark and Dean introduced:

H. F. No. 147, A bill for an act relating to municipalities; amending the definition of municipality for shade tree disease control; amending Minnesota Statutes, 1975 Supplement, Section 18.023, Subdivision 1.

The bill was read for the first time and referred to the Committee on Local and Urban Affairs.

Brandl, Nelson, Berglin, Skoglund and Carlson, A., introduced:

H. F. No. 148, A bill for an act relating to the city of Minneapolis; selection of supervisor of license inspection for the Minneapolis police department; providing for the establishment of qualifications by the Minneapolis city council; amending Laws 1961, Chapter 108, Section 2, as amended.

The bill was read for the first time and referred to the Committee on Local and Urban Affairs.

Casserly, Enebo, Dean, Sarna and Fudro introduced:

H. F. No. 149, A bill for an act relating to recreational activities; creating the metropolitan sports facilities commission and prescribing its powers and duties; requiring the television broadcast within the metropolitan area of certain games; authorizing the metropolitan council to issue revenue bonds; providing for the construction and operation of a sports facility; authorizing a tax on certain sales of intoxicating liquor and fermented malt beverages in the metropolitan area; providing for admissions tax at certain facilities; requiring the completion of an environmental impact statement prior to construction of a sports facility; providing for a tax levy; amending Minnesota Statutes 1976, Chapter 473, by adding sections; repealing Minnesota Statutes 1976, Section 340.11, Subdivision 11a.

The bill was read for the first time and referred to the Committee on Local and Urban Affairs.

Niehaus, Eken, Schulz, Albrecht and Reding introduced:

H. F. No. 150, A bill for an act relating to taxation; providing a gasoline excise tax exemption for agricultural vehicles; providing for certificates of exemption; providing penalties; amending Minnesota Statutes 1976, Sections 296.01, by adding a subdivision; 296.12, Subdivision 3; 296.18, Subdivision 1; and Chapter 296, by adding a section.

The bill was read for the first time and referred to the Committee on Taxes.

Kroening, Sabo, Berg, Carlson, A., and Sarna introduced:

H. F. No. 151, A bill for an act relating to taxation; providing for state reimbursement of taxing districts for tax reduction granted to Title II and certain other property; amending Minnesota Statutes 1976, Section 276.04; and Chapter 273, by adding a section.

The bill was read for the first time and referred to the Committee on Taxes.

Skoglund, Kahn, Casserly, Tomlinson and Carlson, A., introduced:

H. F. No. 152, A bill for an act relating to taxation; delayed assessment of value added by restoration, preservation, and rehabilitation of historically designated buildings.

The bill was read for the first time and referred to the Committee on Taxes.

Fjoslien, Prahl, Setzepfandt, Anderson, D., and Munger introduced:

H. F. No. 153, A bill for an act relating to taxation; exempting insulation products and wood sold for use as heating fuel from the sales tax; amending Minnesota Statutes 1976, Section 297A.-25, Subdivision 1.

The bill was read for the first time and referred to the Committee on Taxes.

Erickson; Schulz; Anderson, G.; Evans and Searles introduced:

H. F. No. 154, A bill for an act relating to taxation; providing progressive rates of taxation of corporate income; amending Minnesota Statutes 1976, Section 290.06, Subdivision 1.

The bill was read for the first time and referred to the Committee on Taxes.

HOUSE ADVISORIES

Pursuant to rule 5.3, the following House Advisories were introduced:

Erickson; Mann; Nelsen, B.; Anderson, G.; and Anderson, D., introduced:

H. A. No. 5, A proposal for agriculture; rental of state owned lands; state policy.

The advisory was referred to the Committee on Agriculture.

Suss and Eken introduced:

H. A. No. 6, A proposal for preservation of agricultural land.

The advisory was referred to the Committee on Agriculture.

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Mr. Speaker:

I have the honor to inform the House that the Senate is ready to meet with the House at 11:50 a.m., Tuesday, January 25, 1977, to receive the Budget Message of the Honorable Rudy Perpich,

Governor of the State of Minnesota; said message to be delivered at 12:00 noon.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

I hereby announce the adoption by the Senate of the following Senate Concurrent Resolution, herewith transmitted:

Senate Concurrent Resolution No. 4, A senate concurrent resolution relating to the engrossment and enrolling of bills.

PATRICK E. FLAHAVEN, Secretary of the Senate

SUSPENSION OF RULES

Anderson, I., moved that the Rules be so far suspended that Senate Concurrent Resolution No. 4 be now considered and be placed upon its adoption. The motion prevailed.

SENATE CONCURRENT RESOLUTION NO. 4

A Senate Concurrent Resolution relating to the engrossment and enrolling of bills.

Be It Resolved by the Senate of the State of Minnesota, the House of Representatives concurring therein, that pursuant to Minnesota Statutes 1974, Section 482.09, Subdivision 8, request is hereby made of the Revisor of Statutes to assist in all of the functions relating to the enrollment and engrossment of bills and related documents during the 70th Legislature, commencing at the regular session thereof beginning January 4, 1977; Senate bills and related documents to be under the supervision of the Secretary of the Senate and House bills and related documents to be under the supervision of the Chief Clerk of the House of Representatives.

Anderson, I., moved that Senate Concurrent Resolution No. 4 be now adopted. The motion prevailed and the resolution was adopted.

MOTIONS AND RESOLUTIONS

Mann moved that the name of Munger be added as an author on House Advisory No. 3. The motion prevailed.

Rice moved that a statement be printed in the journal of the House. The motion prevailed. Following is the statement: "I was excused pursuant to the Rules of the House on Monday, Janu-

ary 17, 1977, when the final vote was taken on House Resolution No. 2. Had I been present, I would have voted in the affirmative."

ANNOUNCEMENT BY THE SPEAKER

The Speaker announced the appointment of the following members on the committee to escort the Governor to the Joint Convention being held in the House Chamber on Tuesday, January 25, 1977: Lehto, Murphy, Scheid, Wynia and Evans.

ADJOURNMENT

Anderson, I., moved that when the House adjourns today it adjourn until 11:30 a.m., Tuesday, January 25, 1977. The motion prevailed.

Anderson, I., moved that the House adjourn. The motion prevailed, and the Speaker declared the House stands adjourned until 11:30 a.m., Tuesday, January 25, 1977.

EDWARD A. BURDICK, Chief Clerk, House of Representatives

STATE OF MINNESOTA

SEVENTIETH SESSION - 1977

EIGHTH DAY

SAINT PAUL, MINNESOTA, TUESDAY, JANUARY 25, 1977

The House of Representatives convened at 11:30 a.m. and was called to order by the Speaker.

Prayer was offered by the Chaplain.

The roll was called and the following members were present:

Abeln	Cohen	Jensen	Munger	Setzepfandt
Adams	Corbid	Johnson	Murphy	Sherwood
Albrecht	Cummiskey	Jude	Neisen	Sieben, H.
Anderson, B.	Dahl	Kahn	Nelsen, B.	Sieben, M.
Anderson, D.	Dean	Kaley	Nelsen, M.	Simoneau
Anderson, G.	Eckstein	Kalis	Nelson	Skoglund
Anderson, I.	Eken	Kelly, R.	Niehau	Smogard
Anderson, R.	Ellingson	Kelly, W.	Norton	Spanish
Arlandson	Enebo	Kempe, A.	Novak	Stanton
Battaglia	Erickson	Kempe, R.	Osthoff	Stoa
Beauchamp	Esau	King	Patton	Suss
Begich	Evans	Knickerbocker	Pehler	Swanson
Berg	Ewald	Kostohryz	Peterson	Tomlinson
Berglin	Faricy	Kroening	Petrafeso	Vanasek
Berkelman	Fjoslien	Kvam	Pleasant	Voss
Bieradorf	Forsythe	Laidig	Prahl	Waldorf
Birnstihl	Friedrich	Langseth	Reding	Welch
Brandl	Fudro	Lehto	Rice	Wenstrom
Braun	Fugina	Lemke	Rose	Wenzel
Brinkman	George	Mangan	St. Onge	White
Byrne	Gunter	Mann	Samuelson	Wieser
Carlson, A.	Hanson	McCarron	Sarna	Wigley
Carlson, D.	Haugerud	McCollar	Savelkoul	Williamson
Carlson, L.	Heinitz	McDonald	Scheid	Wynia
Casserly	Hokanson	McEachern	Schulz	Zubay
Clark	Jacobs	Metzen	Searle	Speaker Sabo
Clawson	Jaros	Moe	Searles	

A quorum was present.

The Chief Clerk proceeded to read the Journal of the preceding day. Esau moved that further reading of the Journal be dispensed with and that the Journal be approved as corrected by the Chief Clerk. The motion prevailed.

REPORTS OF CHIEF CLERK

Pursuant to Rules of the House, printed copies of H. F. No. 12 have been placed in the members' files.

INTRODUCTION AND FIRST READING
OF HOUSE BILLS

The following House Files were introduced:

Stanton; Anderson, G.; Anderson, B.; Smogard and Erickson introduced:

H. F. No. 155, A bill for an act relating to public utilities; regulation of rural electric cooperatives; amending Minnesota Statutes 1976, Sections 216B.01; 216B.02, Subdivision 4; and 216B.38, Subdivision 5.

The bill was read for the first time and referred to the Committee on Commerce and Economic Development.

Berg, Arlandson, Dahl and Savelkoul introduced:

H. F. No. 156, A bill for an act relating to real property; registration of title thereto; providing for changes in the persons who may register land and in the contents of the application for registration; permitting the registration of appurtenant easements over unregistered land and establishing procedures for such registration; changing the period during which the application shall constitute notice; changing the period for appeal from a final decree and establishing a period for appeal to the supreme court from an order of the district court made after the original registration of land; providing that money judgments may be filed on certificates of title only when the judgment debtor has a registered interest therein; prescribing fees of the registrar for the assurance fund; clarifying the limitation on recovery from the assurance fund; amending Minnesota Statutes 1976, Sections 508.03; 508.04; 508.06; 508.11; 508.23; 508.29; 508.63; 508.74; and 508.78.

The bill was read for the first time and referred to the Committee on Commerce and Economic Development.

Sieben, M.; Casserly and Faricy introduced:

H. F. No. 157, A bill for an act relating to public utilities; prohibiting certain discounts and rate reductions based on volume; providing for refund of overcharges if certain rates become effective before approval by the public service commission; removing construction in progress from rate bases; prohibiting approval of rates which make allowances for certain advertising expenses; delaying implementation of certain rate schedules; amending Minnesota Statutes 1976, Sections 216B.07; 216B.16, Subdivisions 2, 3 and 6, and by adding a subdivision.

The bill was read for the first time and referred to the Committee on Commerce and Economic Development.

Arlandson, McCarron, Jaros, Brandl and Patton introduced:

H. F. No. 158, A bill for an act relating to peace officers; training; creating a Minnesota peace officers training account; providing penalties; appropriating money; amending Minnesota Statutes 1976, Chapter 626, by adding sections.

The bill was read for the first time and referred to the Committee on Criminal Justice.

Arlandson, Osthoff, Pehler, Haugerud and Savelkoul introduced:

H. F. No. 159, A bill for an act relating to crimes and criminals; prohibiting certain acts against railroad employees and others, and railroad property; prescribing penalties; amending Minnesota Statutes 1976, Chapter 609, by adding a section.

The bill was read for the first time and referred to the Committee on Criminal Justice.

Mangan, Jacobs, McEachern, Tomlinson and Knickerbocker introduced:

H. F. No. 160, A bill for an act relating to education; extending school services for handicapped children; amending Minnesota Statutes 1976, Section 120.17, Subdivisions 1 and 2.

The bill was read for the first time and referred to the Committee on Education.

Neisen introduced:

H. F. No. 161, A bill for an act relating to the firemen's relief association of the city of Centerville, computation of years of service for volunteer firemen.

The bill was read for the first time and referred to the Committee on Governmental Operations.

Evans introduced:

H. F. No. 162, A bill for an act relating to Becker county; ratifying sales of certain tax-forfeited lands.

The bill was read for the first time and referred to the Committee on Governmental Operations.

McEachern introduced:

H. F. No. 163, A bill for an act relating to the firemen's relief association of the city of Albertville, computation of years of service for volunteer firemen.

The bill was read for the first time and referred to the Committee on Governmental Operations.

Arlandson and Petrafeso introduced:

H. F. No. 164, A bill for an act relating to retirement; authorizing a proportionate annuity for certain employees of the Hennepin county district court.

The bill was read for the first time and referred to the Committee on Governmental Operations.

Neisen, Reding, Pleasant and Simoneau introduced:

H. F. No. 165, A bill for an act relating to employment services; defining employment; amending Minnesota Statutes 1976, Section 268.04, Subdivision 12.

The bill was read for the first time and referred to the Committee on Governmental Operations.

Pehler, Osthoff, Sarna, Patton and Brinkman introduced:

H. F. No. 166, A bill for an act relating to health; licensing certain facilities; amending Minnesota Statutes 1976, Section 144.50.

The bill was read for the first time and referred to the Committee on Health and Welfare.

Swanson, Dahl, Williamson, Nelsen, B., and McEachern introduced:

H. F. No. 167, A bill for an act relating to public welfare; providing liability insurance to all foster boarding homes licensed by the department of public welfare; appropriating money; amending Minnesota Statutes 1976, Chapter 245, by adding a section.

The bill was read for the first time and referred to the Committee on Health and Welfare.

Smogard, Stanton, Setzepfandt and Anderson, G., introduced:

H. F. No. 168, A bill for an act relating to Yellow Medicine county; authorizing participation in a mental health services program outside its region.

The bill was read for the first time and referred to the Committee on Health and Welfare.

Faricy; Enebo; Anderson, I.; Sarna and Begich introduced:

H. F. No. 169, A bill for an act relating to minimum wage; providing a higher minimum wage; lowering the credit for tips; amending Minnesota Statutes 1976, Sections 177.24; and 177.28, Subdivision 4.

The bill was read for the first time and referred to the Committee on Labor-Management Relations.

Begich, Battaglia and Anderson, I., introduced:

H. F. No. 170, A bill for an act relating to cities; providing for the establishment of tourist information centers; authorizing payments of expenses of governing officers in certain cases; amending Minnesota Statutes 1976, Sections 465.53 and 465.54.

The bill was read for the first time and referred to the Committee on Local and Urban Affairs.

Battaglia and Begich introduced :

H. F. No. 171, A bill for an act relating to Cook county; authorizing construction of a building for the county highway department and the issuance of general obligation bonds to finance the cost thereof.

The bill was read for the first time and referred to the Committee on Local and Urban Affairs.

Abeln, Mangan, Hokanson, Berg and Pehler introduced :

H. F. No. 172, A bill for an act relating to taxation; altering standard for determining eligibility for income tax credit given deaf persons; amending Minnesota Statutes 1976, Section 290.06, Subdivision 3c.

The bill was read for the first time and referred to the Committee on Taxes.

Abeln, Metzen, Jacobs, Pleasant and Fugina introduced :

H. F. No. 173, A bill for an act relating to taxation; extending the property tax assessment freeze to blind or disabled persons; amending Minnesota Statutes 1976, Section 273.011, Subdivisions 2 and 4.

The bill was read for the first time and referred to the Committee on Taxes.

Vanasek; Birnstihl; Kelly, W.; Anderson, G.; and Kvam introduced :

H. F. No. 174, A bill for an act relating to taxation; providing certain gift and inheritance tax benefits to joint tenants who are spouses; amending Minnesota Statutes 1976, Sections 291.01, Subdivision 4; and 292.01, Subdivision 7.

The bill was read for the first time and referred to the Committee on Taxes.

Wigley, Kvam, Neisen, Kalis and Hokanson introduced :

H. F. No. 175, A bill for an act relating to highway traffic regulations; parking privileges for the physically handicapped; amending Minnesota Statutes 1976, Section 169.345, Subdivisions 2 and 3.

The bill was read for the first time and referred to the Committee on Transportation.

Simoneau, Neisen, Novak, Berkelman and Skoglund introduced:

H. F. No. 176, A bill for an act relating to drivers licenses; providing that nonqualification certificates may be issued to applicants who are 14 years of age or older; amending Minnesota Statutes 1976, Section 171.07, Subdivision 3.

The bill was read for the first time and referred to the Committee on Transportation.

Vanasek, Cummiskey, Osthoff, Wigley and Stanton introduced:

H. F. No. 177, A bill for an act relating to highways; providing eye protection for motorcyclists; amending Minnesota Statutes 1976, Section 169.974, Subdivision 4.

The bill was read for the first time and referred to the Committee on Transportation.

Anderson, I., and Savelkoul introduced:

H. F. No. 178, A bill for an act relating to the operation of state government; authorizing the governor to temporarily alter or adjust state work and compensation practices in order to minimize state government's energy consumption.

The bill was read for the first time and referred to the Committee on Governmental Operations.

HOUSE ADVISORIES

Pursuant to rule 5.3, the following House Advisory was introduced:

Kalis, Mann, Munger, Rose and Sherwood introduced:

H. A. No. 7, A proposal for reclamation by encouraging establishment of shelterbelts (trees).

The advisory was referred to the Committee on Agriculture.

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Mr. Speaker:

I have the honor to announce that the Senate has appointed a committee of five members of the Senate to act with a similar committee on the part of the House to escort the Governor to the Joint Convention to be held in the House Chamber Tuesday, January 25, 1977, at 12:00 noon.

Messrs. Perpich, Hanson, Knoll, Sikorski and Mrs. Brataas have been appointed as members of such committee on the part of the Senate.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

I hereby announce the passage by the Senate of the following Senate File, herewith transmitted:

S. F. No. 110.

PATRICK E. FLAHAVEN, Secretary of the Senate

FIRST READING OF SENATE BILL

S. F. No. 110, A bill for an act relating to the operation of state government; authorizing the governor to temporarily alter or adjust state work and compensation practices in order to minimize state government's energy consumption.

The bill was read for the first time.

SUSPENSION OF RULES

Pursuant to Article IV, Section 19, of the Constitution of the state of Minnesota, Anderson, I., moved that the rule therein be suspended and an urgency be declared so that S. F. No. 110 be given its second and third readings and be placed upon its final passage. The motion prevailed.

Anderson, I., moved that the rules of the House be so far suspended that S. F. No. 110 be given its second and third readings and be placed upon its final passage. The motion prevailed.

S. F. No. 110 was read for the second time.

S. F. No. 110, A bill for an act relating to the operation of state government; authorizing the governor to temporarily alter or adjust state work and compensation practices in order to minimize state government's energy consumption.

The bill was read for the third time and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 120 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Abeln	Clark	Haugerud	McEachern	Schulz
Adams	Clawson	Hokanson	Metzen	Searle
Albrecht	Cohen	Jensen	Moe	Searles
Anderson, B.	Corbid	Johnson	Munger	Setzepfandt
Anderson, D.	Cummiskey	Jude	Murphy	Sherwood
Anderson, G.	Dahl	Kahn	Neisen	Simoneau
Anderson, I.	Dean	Kaley	Nelsen, B.	Skoglund
Anderson, R.	Eckstein	Kalis	Nelson	Smogard
Arlandson	Eken	Kelly, R.	Norton	Stanton
Battaglia	Ellingson	Kelly, W.	Novak	Stoa
Beauchamp	Enebo	Kempe, A.	Osthoff	Suss
Begich	Erickson	Kempe, R.	Patton	Swanson
Berg	Esau	King	Pehler	Tomlinson
Berglin	Evans	Knickerbocker	Peterson	Vanasek
Berkelman	Ewald	Kostohryz	Petraleso	Voss
Biersdorf	Faricy	Kroening	Pleasant	Waldorf
Birnstihl	Fjoslien	Kvam	Prahl	Welch
Braun	Forsythe	Langseth	Reding	Wenstrom
Brinkman	Friedrich	Lehto	Rice	Wenzel
Byrne	Fudro	Lemke	St. Onge	White
Carlson, A.	Fugina	Mangan	Samuelson	Wieser
Carlson, D.	George	Mann	Sarna	Williamson
Carlson, L.	Gunter	McCarron	Savelkoul	Zubay
Casserly	Hanson	McDonald	Scheid	Speaker Sabo

The bill was passed and its title agreed to.

MOTIONS AND RESOLUTIONS

Anderson, I., introduced:

House Concurrent Resolution No. 3, A house concurrent resolution relating to adjournment.

SUSPENSION OF RULES

Anderson, I., moved that the Rules be so far suspended that House Concurrent Resolution No. 3 be now considered and be placed upon its adoption. The motion prevailed.

HOUSE CONCURRENT RESOLUTION NO. 3

A house concurrent resolution relating to adjournment.

Be It Resolved, by the House of Representatives, the Senate concurring, that when either the House of Representatives or the Senate adjourns on January 27, 1977, it may adjourn to any date not later than February 1, 1977.

Anderson, I., moved that House Concurrent Resolution No. 3 be now adopted. The motion prevailed and the Resolution was adopted.

Anderson, I., moved that when the House adjourns today it adjourn until 2:00 p.m., Thursday, January 27, 1977. The motion prevailed.

Anderson, I., moved that the House recess subject to the call of the Chair to meet with the Senate in Joint Convention for the purpose of receiving the Governor's biennial budget message. The motion prevailed, and the Speaker declared the House stands recessed.

RECESS

RECONVENED

The House reconvened at 11:50 a.m. and was called to order by the Speaker.

The Sergeant at Arms announced the arrival of the members of the Senate, and they were escorted to the seats reserved for them at the front of the House Chamber.

JOINT CONVENTION

The Speaker of the House as President of the Joint Convention called the Joint Convention to order.

Prayer was offered by the Chaplain.

The roll being called the following Senators answered to their names: Anderson, Ashbach.

Anderson, I., moved that further proceedings of the roll call be dispensed with. The motion prevailed.

A quorum was declared present.

The Sergeant at Arms announced the arrival of the Honorable Rudy Perpich, Governor of the State of Minnesota, and his official party. The Governor was escorted to the rostrum by the appointed committees.

ADDRESS BY THE GOVERNOR

Governor Rudy Perpich was presented to the Joint Convention by the President, and the Governor delivered his biennial budget message to the members of the House and the Senate.

Following the address, Anderson, I., moved that the Joint Convention arise. The motion prevailed, and the President declared the Joint Convention adjourned.

RECONVENED

The House reconvened and was called to order by the Speaker.

ADJOURNMENT

Anderson, I., moved that the House adjourn. The motion prevailed, and the Speaker declared the House stands adjourned until 2:00 p.m., Thursday, January 27, 1977.

EDWARD A. BURDICK, Chief Clerk, House of Representatives

STATE OF MINNESOTA

SEVENTIETH SESSION - 1977

NINTH DAY

SAINT PAUL, MINNESOTA, THURSDAY, JANUARY 27, 1977

The House of Representatives convened at 2:00 p.m. and was called to order by the Speaker.

Prayer was offered by the Chaplain.

The roll was called and the following members were present:

Abeln	Clawson	Jacobs	Moe	Searles
Adams	Cohen	Jaros	Munger	Setzepfandt
Albrecht	Corbid	Jensen	Murphy	Sherwood
Anderson, B.	Cummiskey	Johnson	Neisen	Sieben, H.
Anderson, D.	Dahl	Jude	Nelsen, M.	Sieben, M.
Anderson, G.	Dean	Kahn	Nelson	Simoneau
Anderson, I.	Eckstein	Kaley	Niehaus	Skoglund
Anderson, R.	Eken	Kalis	Norton	Smogard
Arlandson	Ellingson	Kelly, R.	Novak	Spanish
Battaglia	Enebo	Kelly, W.	Osthoff	Stanton
Beauchamp	Erickson	Kempe, R.	Patton	Stoa
Begich	Esau	King	Pehler	Susr
Berg	Evans	Knickerbocker	Peterson	Swanson
Berglin	Ewald	Kostohryz	Petrafaso	Tomlinson
Berkelman	Faricy	Kroening	Pleasant	Vanasek
Biersdorf	Fjoslien	Kvam	Prahl	Voss
Birnstihl	Forsythe	Laidig	Reding	Waldorf
Brandl	Friedrich	Langseth	Rice	Welch
Braun	Fudro	Lehto	Rose	Wenstrom
Brinkman	Fugina	Lemke	St. Onge	Wenzel
Byrne	George	Mangan	Samuelson	White
Carlson, A.	Gunter	McCarron	Sarna	Wigley
Carlson, D.	Hanson	McCollar	Savelkoul	Williamson
Carlson, L.	Haugerud	McDonald	Scheid	Wynia
Casserly	Heinitz	McEachern	Schulz	Zubay
Clark	Hokanson	Metzen	Searle	Speaker Sabo

A quorum was present.

Kempe, A.; Mann; Nelsen, B.; and Wieser were excused.

The Chief Clerk proceeded to read the Journal of the preceding day. McCollar moved that further reading of the Journal be dispensed with and that the Journal be approved as corrected by the Chief Clerk. The motion prevailed.

PETITIONS AND COMMUNICATIONS

The following reports were received and filed in the Chief Clerk's Office: State Institutions Informational Brochure from the Department of Public Welfare, The 1977-1981 Chemical Dependency Plan submitted by the Department of Public Welfare and the Proposed Biennial Budget Fiscal Year 1978 and 1979 presented by the Governor.

INTRODUCTION AND FIRST READING
OF HOUSE BILLS

The following House Files were introduced :

Brinkman, Samuelson, Eckstein, Mann and Carlson, D., introduced :

H. F. No. 179, A bill for an act relating to agriculture; establishing an avian disease research center; appropriating money.

The bill was read for the first time and referred to the Committee on Agriculture.

Haugerud, Lemke and Munger introduced :

H. F. No. 180, A bill for an act relating to health; appropriating money to fund a program of graduate training in family practice for physicians.

The bill was read for the first time and referred to the Committee on Appropriations.

Sieben, M., introduced :

H. F. No. 181, A bill for an act relating to appropriations; establishing the Father Miller memorial chapel fund.

The bill was read for the first time and referred to the Committee on Appropriations.

Anderson, G.; Anderson, D.; Haugerud; Neisen and Gunter introduced :

H. F. No. 182, A bill for an act relating to telephone companies; authorizing hearings on petitions alleging insufficient service or unreasonable expense; authorizing orders to consolidate phone companies; amending Minnesota Statutes 1976, Sections 237.081, Subdivisions 1 and 4; 237.16, Subdivision 5.

The bill was read for the first time and referred to the Committee on Commerce and Economic Development.

George, Hanson, Novak, Clark and Berkelman introduced:

H. F. No. 183, A bill for an act relating to sales, consumer credit; providing for maximum finance charges and a penalty.

The bill was read for the first time and referred to the Committee on Commerce and Economic Development.

Cummiskey, Jaros, Metzen, Vanasek and Adams introduced:

H. F. No. 184, A bill for an act relating to commerce; requiring home solicitation salesmen to obtain licenses; providing licensing procedures; prescribing penalties; repealing Minnesota Statutes 1976, Chapter 329.

The bill was read for the first time and referred to the Committee on Commerce and Economic Development.

Kahn, Casserly, McCarron, Carlson, A., and Nelson introduced:

H. F. No. 185, A bill for an act relating to crimes; increasing penalties for certain acts related to prostitution; prohibiting solicitation on public streets; amending Minnesota Statutes 1976, Section 609.32; repealing Minnesota Statutes 1976, Sections 609.293; 609.34; 609.36 and 609.725.

The bill was read for the first time and referred to the Committee on Criminal Justice.

Kelly, R.; Tomlinson; Mangan; Suss and Begich introduced:

H. F. No. 186, A bill for an act relating to education; state board of education; permitting a teacher to serve on the board; amending Minnesota Statutes 1976, Section 121.02, Subdivision 1.

The bill was read for the first time and referred to the Committee on Education.

Mangan, McEachern, Metzen, White and Reding introduced:

H. F. No. 187, A bill for an act relating to education; braille and deaf schools; providing for appointment of advisory councils.

The bill was read for the first time and referred to the Committee on Education.

Wieser, Sherwood, Reding, Kahn and Biersdorf introduced:

H. F. No. 188, A bill for an act relating to game and fish; violation of laws or regulations; conviction and ineligibility for licensing; amending Minnesota Statutes 1976, Sections 97.40, by adding a subdivision; and 98.52, Subdivision 1.

The bill was read for the first time and referred to the Committee on Environment and Natural Resources.

Casserly, Berglin, George, Clark and Norton introduced:

H. F. No. 189, A bill for an act relating to homeowner's fire and liability insurance; prohibiting the practice known as redlining; prescribing penalties; amending Minnesota Statutes 1976, Chapter 65A, by adding a section.

The bill was read for the first time and referred to the Committee on Financial Institutions and Insurance.

Abeln; Clawson; Anderson, I.; Wieser and Osthoff introduced:

H. F. No. 190, A bill for an act relating to commerce; providing for the opening of checking accounts; imposing a duty on financial institutions; providing remedies for worthless checks; providing penalties; amending Minnesota Statutes 1976, Section 609.535, Subdivisions 1, 2 and 3, and by adding subdivisions; and Chapter 549, by adding a section.

The bill was read for the first time and referred to the Committee on Financial Institutions and Insurance.

Sieben M.; Abeln; Norton; Friedrich and McCollar introduced:

H. F. No. 191, A bill for an act relating to financial institutions; regulating interest charges on certain escrow accounts; amending Minnesota Statutes 1976, Section 47.20, Subdivision 8.

The bill was read for the first time and referred to the Committee on Financial Institutions and Insurance.

Osthoff, Adams, Jacobs, McEachern and Knickerbocker introduced:

H. F. No. 192, A bill for an act relating to employment services; administration; eliminating certain provisions relating to political activity of employees; amending Minnesota Statutes 1976, Section 268.12, Subdivision 5.

The bill was read for the first time and referred to the Committee on General Legislation and Veterans Affairs.

Anderson, G.; Wenzel; Fjoslien; Niehaus and Jaros introduced:

H. F. No. 193, A bill for an act relating to the military; financing of armory construction; amending Minnesota Statutes 1976, Sections 193.143; 193.145, Subdivision 2; and 193.146, Subdivision 1; repealing Minnesota Statutes 1976, Section 193.1431.

The bill was read for the first time and referred to the Committee on General Legislation and Veterans Affairs.

Jacobs, Osthoff, Adams and Metzen introduced:

H. F. No. 194, A bill for an act proposing an amendment to the Minnesota Constitution, Article XIII, Section 5; permitting the legislature to establish a state-owned lottery in support of education.

The bill was read for the first time and referred to the Committee on General Legislation and Veterans Affairs.

Carlson, D.; Kelly, R.; Setzepfandt; Friedrich and Laidig introduced:

H. F. No. 195, A bill for an act proposing an amendment to the Minnesota Constitution, Article IV, Section 4; providing staggered four year terms for the state senate.

The bill was read for the first time and referred to the Committee on General Legislation and Veterans Affairs.

Enebo; Sieben, M.; Jaros; Simoneau and Wynia introduced:

H. F. No. 196, A bill for an act proposing an amendment to the Minnesota Constitution, Article IV, Section 2; setting the size of the legislature at 33 senators and 99 representatives.

The bill was read for the first time and referred to the Committee on General Legislation and Veterans Affairs.

Clark, Tomlinson, Pleasant, Rice and Fudro introduced:

H. F. No. 197, A bill for an act relating to taxation; providing a tax credit for political contributions for a candidate for any public office; amending Minnesota Statutes 1976, Section 290.06, Subdivision 11.

The bill was read for the first time and referred to the Committee on General Legislation and Veterans Affairs.

Cummiskey; Rice; Sieben, M.; Dahl and Faricy introduced:

H. F. No. 198, A bill for an act relating to juries; removing jury duty exemptions; repealing Minnesota Statutes 1976, Sections 3.081; 192.24; 593.18; 628.43; and 628.44.

The bill was read for the first time and referred to the Committee on Governmental Operations.

Enebo, Moe, Kroening, Hanson and Jaros introduced:

H. F. No. 199, A bill for an act relating to retirement; firemen's survivor benefits and service and disability benefits in the cities of Minneapolis, St. Paul, and Duluth; amending Minnesota Statutes 1976, Section 69.48.

The bill was read for the first time and referred to the Committee on Governmental Operations.

Heinitz, Zubay, McCollar, McDonald and Kaley introduced:

H. F. No. 200, A bill for an act relating to state agencies; providing for an open appointment process; requiring reports from appointing authorities and the secretary of state.

The bill was read for the first time and referred to the Committee on Governmental Operations.

Lehto, Clark, Beauchamp, Petrafeso and Biersdorf introduced:

H. F. No. 201, A bill for an act relating to the military; allowing the retention of certain rights of state and municipal officers and employees other than full pay while on military duty; requiring the payment of the difference between the military pay and the pay as an officer or employee; amending Minnesota Statutes 1976, Section 192.26, Subdivision 1.

The bill was read for the first time and referred to the Committee on Governmental Operations.

Patton and Pehler introduced:

H. F. No. 202, A bill for an act relating to jurisdiction over federal lands; permitting acceptance by the state of retrocession of jurisdiction over federal lands by federal agencies; amending Minnesota Statutes 1976, Section 1.043.

The bill was read for the first time and referred to the Committee on Governmental Operations.

Samuelson, McCollar, Corbid, Biersdorf and Sherwood introduced:

H. F. No. 203, A bill for an act relating to public health; providing for optional fluoridation of municipal water supplies; amending Minnesota Statutes 1976, Section 144.145.

The bill was read for the first time and referred to the Committee on Health and Welfare.

Stanton, Adams, Dahl, King and Carlson, L., introduced:

H. F. No. 204, A bill for an act relating to education; vocational training for handicapped persons; establishing a special office for handicapped persons in the department of vocational rehabilitation; appropriating money.

The bill was read for the first time and referred to the Committee on Health and Welfare.

King; Carlson, L.; Berglin; Carlson, D.; and Samuelson introduced:

H. F. No. 205, A bill for an act relating to welfare; providing for personal allowances to disabled persons in care facilities; amending Minnesota Statutes 1976, Section 256B.36.

The bill was read for the first time and referred to the Committee on Health and Welfare.

King; Berglin; Carlson, L.; Carlson, D.; and Welch introduced:

H. F. No. 206, A bill for an act relating to welfare; increasing the personal allowance for persons in care facilities; amending Minnesota Statutes 1976, Section 256B.35, Subdivision 1.

The bill was read for the first time and referred to the Committee on Health and Welfare.

Heinitz, Swanson, Forsythe, Kroening and Clark introduced:

H. F. No. 207, A bill for an act relating to ambulance services; reimbursing volunteer ambulance attendants for training school expenses; appropriating money; amending Minnesota Statutes 1976, Chapter 144, by adding a section.

The bill was read for the first time and referred to the Committee on Health and Welfare.

Forsythe, Clawson, Scheid, Kaley and Clark introduced:

H. F. No. 208, A bill for an act relating to deaf persons; providing that deaf persons with guide dogs have the same rights and protection as blind persons with guide dogs; amending Minnesota Statutes 1976, Sections 256C.02; 256C.025, Subdivision 4; 256C.03; 290.09, Subdivision 10; and 327.095.

The bill was read for the first time and referred to the Committee on Health and Welfare.

Forsythe, Wynia, Kroening, Rose and Rice introduced:

H. F. No. 209, A bill for an act relating to education; Minnesota higher education coordinating board; providing grants-in-aid for part time students.

The bill was read for the first time and referred to the Committee on Higher Education.

Johnson, Fugina, Searle, Kroening and Sieben, M., introduced:

H. F. No. 210, A bill for an act relating to education; higher education coordinating board; authorizing the board to contract for spaces for Minnesota residents in out of state schools of optometry; authorizing the board to explore the feasibility of a regional school of optometry; appropriating money.

The bill was read for the first time and referred to the Committee on Higher Education.

Johnson, Wigley and Cummiskey introduced:

H. F. No. 211, A bill for an act relating to employment; prohibiting an employer from paying an employee's wages or salary in a form other than cash, check or negotiable instrument unless requested otherwise by the employee; providing a penalty; amending Minnesota Statutes 1976, Chapter 181, by adding a section.

The bill was read for the first time and referred to the Committee on Labor-Management Relations.

Skoglund, Enebo, Metzen, Byrne and St. Onge introduced:

H. F. No. 212, A bill for an act relating to employment fees; providing period when fees must be refunded; amending Minnesota Statutes 1976, Section 184.38, by adding a subdivision.

The bill was read for the first time and referred to the Committee on Labor-Management Relations.

Enebo, St. Onge, Mangan, Carlson, L., and Pehler introduced:

H. F. No. 213, A bill for an act relating to public employment labor relations; establishing a procedure for the disposition of unfair labor practice claims; amending Minnesota Statutes 1976, Sections 15.0411, Subdivision 2; 15A.081, Subdivision 1; 179.64, Subdivisions 5 and 7; 179.67, Subdivisions 3 and 13; 179.68, Subdivision 1; 179.72, Subdivisions 1, 2, 3 and 4; and Chapter 179, by adding a section; repealing Minnesota Statutes 1976, Section 179.92, Subdivision 1a.

The bill was read for the first time and referred to the Committee on Labor-Management Relations.

Peterson, Wigley, Zubay, McDonald and Nelsen, B., introduced:

H. F. No. 214, A bill for an act relating to local government; providing for a local government investment pool; prescribing duties of the state treasurer; establishing a local government investment board; defining terms.

The bill was read for the first time and referred to the Committee on Local and Urban Affairs.

Berg; Norton; Sieben, M.; Kvam and Kalis introduced:

H. F. No. 215, A bill for an act relating to shade tree disease control; providing for municipal shade tree removal and reforestation programs; providing an appropriation; amending Minnesota Statutes 1976, Sections 18.023, Subdivisions 1, 1a, 2, 3a, 4, 7 and 11, and adding subdivisions; and 275.50, by adding a subdivision; repealing Minnesota Statutes 1976, Section 18.023, Subdivision 6.

The bill was read for the first time and referred to the Committee on Local and Urban Affairs.

Lemke and Schulz introduced:

H. F. No. 216, A bill for an act relating to Wabasha county; authorizing the sale of Buena Vista sanitarium after rejection of bids.

The bill was read for the first time and referred to the Committee on Local and Urban Affairs.

Brinkman and Patton introduced:

H. F. No. 217, A bill for an act relating to St. Cloud; St. Cloud metropolitan transit commission; authorizing the inclusion of parts of municipalities in the transit area; amending Laws 1969, Chapter 1134, Section 2, Subdivision 1.

The bill was read for the first time and referred to the Committee on Local and Urban Affairs.

Casserly, Kahn, Dean, Rice and Fudro introduced:

H. F. No. 218, A bill for an act relating to the city of Minneapolis and Hennepin county; providing for representation for the Minneapolis city council on the municipal building commission; amending Laws 1903, Chapter 247, Section 1.

The bill was read for the first time and referred to the Committee on Local and Urban Affairs.

Enebo, Tomlinson, Clark, Cummiskey and Savelkoul introduced:

H. F. No. 219, A bill for an act relating to shade tree disease control; providing for state subsidization of local shade tree disease control and reforestation programs; removing limitation on municipal subsidies for private property owners; appropriating money; amending Minnesota Statutes 1976, Section 18.023, Subdivisions 1, 1a, 3a, 4 and 6.

The bill was read for the first time and referred to the Committee on Local and Urban Affairs.

Jensen, White, Begich, Schulz and Sieben, H., introduced:

H. F. No. 220, A bill for an act relating to metropolitan council; changing the council district for the city of Lakeville; amending Minnesota Statutes 1976, Section 473.123, Subdivision 3.

The bill was read for the first time and referred to the Committee on Local and Urban Affairs.

Berglin, Kahn, Dean, Berg and Skoglund introduced:

H. F. No. 221, A bill for an act relating to intoxicating liquor; expiration date of municipal licenses; repealing Minnesota Statutes 1976, Section 340.11, Subdivision 16.

The bill was read for the first time and referred to the Committee on Local and Urban Affairs.

Rose, Voss, Osthoff and Hanson introduced:

H. F. No. 222, A bill for an act relating to metropolitan government; providing for election of council members; increasing the size of the council; amending Minnesota Statutes 1976, Sections 10A.01, Subdivision 5; 10A.17, Subdivision 3; 10A.20, Subdivisions 3 and 5; 10A.21, Subdivision 1; 10A.22, Subdivision 5; 10A.25, Subdivision 2; and 473.123, Subdivisions 2, 3 and by adding subdivisions.

The bill was read for the first time and referred to the Committee on Local and Urban Affairs.

Anderson, G.; Vanasek; Peterson; Scheid and Gunter introduced:

H. F. No. 223, A bill for an act relating to taxation; providing that sales tax on telephone service charges be payable by person paying for the service; amending Minnesota Statutes 1976, Section 297A.01, Subdivision 3.

The bill was read for the first time and referred to the Committee on Taxes.

Mangan, Clawson, McCollar, Anderson, I., and Setzepfandt introduced:

H. F. No. 224, A bill for an act relating to taxation; providing open space property tax treatment of property used as archery and firearms ranges; amending Minnesota Statutes 1976, Section 273.112, Subdivision 3.

The bill was read for the first time and referred to the Committee on Taxes.

Kelly, R.; Pehler; Waldorf; McDonald and Novak introduced:

H. F. No. 225, A bill for an act relating to taxation; providing for a deduction from gross income for burglar proofing the taxpayer's residence; amending Minnesota Statutes 1976, Section 290.09, by adding a subdivision.

The bill was read for the first time and referred to the Committee on Taxes.

Beigich, Setzepfandt, Battaglia, Mangan and Prahl introduced :

H. F. No. 226, A bill for an act relating to taxation; exempting home heating fuel from the sales tax; amending Minnesota Statutes 1976, Section 297A.25, Subdivision 1.

The bill was read for the first time and referred to the Committee on Taxes.

Carlson, D.; Enebo; Biersdorf and Byrne introduced :

H. F. No. 227, A bill for an act relating to taxation; providing a tax credit for persons whose Social Security benefits are reduced or required to be repaid because of excess earnings of the recipient; appropriating money; amending Minnesota Statutes 1976, Section 290.06, by adding a subdivision.

The bill was read for the first time and referred to the Committee on Taxes.

Dean, Schulz, Jaros, George and Biersdorf introduced :

H. F. No. 228, A bill for an act relating to taxation; increasing amount of military pay excluded from income taxation; amending Minnesota Statutes 1976, Section 290.65, Subdivision 1.

The bill was read for the first time and referred to the Committee on Taxes.

Dean, Schulz, Jaros, George and Biersdorf introduced :

H. F. No. 229, A bill for an act providing for withholding of pay to residents for active service as members of the armed forces; amending Minnesota Statutes 1976, Section 290.92, Subdivisions 1 and 16.

The bill was read for the first time and referred to the Committee on Taxes.

Casserly, Kroening, Brandl, Tomlinson and Savelkoul introduced :

H. F. No. 230, A bill for an act relating to state aids; providing for payment to cities of revenue lost because of certain tax exempt real property; appropriating funds.

The bill was read for the first time and referred to the Committee on Taxes.

Jude, McEachern, Lemke, Fudro and Kvam introduced:

H. F. No. 231, A bill for an act relating to transportation, particular uses of highway right of way; amending Minnesota Statutes 1976, Section 160.27, Subdivision 2.

The bill was read for the first time and referred to the Committee on Transportation.

Cummiskey, Vanasek, Metzen and Wieser introduced:

H. F. No. 232, A bill for an act relating to highways; providing protective equipment for motorcyclists; amending Minnesota Statutes 1976, Section 169.974, Subdivision 4.

The bill was read for the first time and referred to the Committee on Transportation.

Kelly, R.; Clark; Neisen; Novak and Wigley introduced:

H. F. No. 233, A bill for an act relating to highway traffic regulations; prohibiting the manufacture, sale or purchase of certain equipment, and the installation or use thereof in motor vehicles; providing for the seizure, confiscation and disposition thereof; prescribing penalties; amending Minnesota Statutes 1976, Chapter 169, by adding a section.

The bill was read for the first time and referred to the Committee on Transportation.

Kelly, R.; Tomlinson; Novak; Osthoff and Jude introduced:

H. F. No. 234, A bill for an act relating to motor vehicles; reducing the tax on the purchase of dealer plates; requiring notice to the buyer of handling fee for car registration; repealing Sunday sale prohibition; amending Minnesota Statutes 1976, Section 168.27, and by adding a subdivision; repealing Minnesota Statutes 1976, Section 168.275.

The bill was read for the first time and referred to the Committee on Transportation.

HOUSE ADVISORIES

Pursuant to rule 5.3, the following House Advisory was introduced:

Pehler, Vanasek and Stanton introduced:

H. A. No. 8, A proposal on tax incentive financing for railroads.

The advisory was referred to the Committee on Taxes.

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Mr. Speaker :

I hereby announce the adoption by the Senate of the following House Concurrent Resolution, herewith returned:

House Concurrent Resolution No. 3,

A house concurrent resolution relating to adjournment.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker :

I hereby announce the passage by the Senate of the following Senate File, herewith transmitted:

S. F. No. 11.

PATRICK E. FLAHAVEN, Secretary of the Senate

FIRST READING OF SENATE BILLS

S. F. No. 11, A bill for an act authorizing the city of Kenyon to construct, furnish and equip a medical clinic, to lease the medical clinic, to issue general obligation bonds for such purpose; validating action heretofore taken.

The bill was read for the first time and referred to the Committee on Local and Urban Affairs.

REPORT FROM THE COMMITTEE ON RULES AND
LEGISLATIVE ADMINISTRATION

Anderson, I., for the Committee on Rules and Legislative Administration, offered the following report on the proposed permanent rules of the House for the Seventieth Session:

PERMANENT RULES OF THE HOUSE

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ARTICLE I — DAILY BUSINESS

1.1 **CONVENING OF THE HOUSE.** Unless otherwise ordered, regular sessions of the House shall convene at two o'clock p.m. The Speaker shall take the chair at the hour at which the House convenes and the House shall then be called to order. After prayer by the Chaplain or a brief meditation, a roll of members shall be called and the names of members present and members excused shall be entered in the Journal of the House.

1.2 **READING OF THE JOURNAL.** A quorum being present, the Journal of the preceding day shall be read by the Chief Clerk

unless otherwise ordered. The House may correct any errors in the Journal of the preceding day.

1.3 ORDER OF BUSINESS. After the reading of the Journal, the order of business of the day shall be:

- (1) Presentation of petitions or other communications.
- (2) Reports of standing committees.
- (3) Second reading of House bills.
- (4) Second reading of Senate bills.
- (5) Reports of select committees.
- (6) Introduction and first reading of House bills.
- (7) Consideration of messages from the Senate.
- (8) First reading of Senate bills.
- (9) Consent Calendar.
- (10) Calendar for the day.
- (11) General Orders.
- (12) Motions and resolutions.

1.4 SECOND READING OF BILLS. Every bill shall require a second reading.

Except as otherwise ordered, every bill requiring the approval of the Governor shall, after a second reading, be considered in a Committee of the Whole before it shall be finally acted upon by the House.

1.5 COMMITTEE OF THE WHOLE. The Committee of the Whole is a committee of the entire membership of the House. The Speaker may appoint another member as chairman to preside over the Committee of the Whole.

When the House arrives at the General Orders of the Day, it shall resolve itself into a Committee of the Whole to consider bills on General Orders.

A bill considered in the Committee of the Whole shall be reported and then debated by sections, with the title considered last. All amendments shall be typewritten and five copies shall be submitted to the Chairman who shall report them to the House.

1.6 RULES TO APPLY TO COMMITTEE OF THE WHOLE. The Rules of the House shall be observed in the Committee of the Whole so far as may be applicable except that the previous question shall not be forced or speaking limited.

Upon demand of 15 members, the ayes and nays shall be called, the question voted on, and the ayes and nays recorded in the Journal of the House.

In the Committee of the Whole no amendment increasing the amount of any appropriation shall be passed without the ayes and nays recorded in the Journal of the House.

A motion that the committee arise shall always be in order and shall be decided without debate.

Upon the request of any member, a bill shall be excepted from the report of the Committee of the Whole. Only a motion to strike an amendment to the bill adopted in the Committee of the Whole or to amend the recommendation of the Committee of the Whole concerning the disposition of the bill shall be in order.

1.7 GENERAL ORDERS OF THE DAY. The Chief Clerk at the direction of the Speaker shall prepare the General Orders of the Day, which is a list of all bills which have not been made Special Orders or placed on the Consent Calendar, numbered according to their order at second reading. Unless otherwise ordered by a majority of the Committee, items on General Orders shall be taken up in numerical order.

The Chief Clerk shall see that a copy of each bill printed under the Rules or Orders of the House is placed in each member's file, which is to be kept at his desk in the chamber, at least 24 hours before the bill shall be considered in the Committee of the Whole. Under the first order of business each day, the Chief Clerk shall report to the House which bills he has placed in the files.

If a bill is progressed three times it shall be placed at the end of General Orders unless otherwise ordered by majority vote.

Except during the last five days in any year on which a bill may be passed, a bill amended in the Committee of the Whole shall not be given its third reading until it is engrossed and re-produced as amended.

1.8 THIRD READING OF BILLS. No amendment shall be received on the third reading without the unanimous consent of the House, except to fill blanks or to amend titles.

At any time prior to its passage any bill or resolution may be committed or recommitted by a majority vote of the whole

House. If the committee, other than the Committee of the Whole, to which it was committed or recommitted reports an amendment on it, it shall again be given its second reading, considered in Committee of the Whole, given its third reading and placed upon its final passage.

1.9 SPECIAL ORDERS. A bill may be made the Order of the Day for a special time and be placed upon a separate list known as "Special Orders".

The Committee on Rules and Legislative Administration may by committee report designate as a Special Order any bill which has had its second reading.

Any member may move to make a bill a Special Order by giving notice at least two legislative days in advance of and specifying the day on which he will so move. The notice shall include the number and title of the bill and the day and time certain for the Special Order. Only the member giving such notice, or another member designated by him in writing to the Speaker, may make the motion for the Special Order. A two-thirds vote of the whole House on such motion is required to make a bill a Special Order.

The time set for the motion may not be extended, and failure to make the motion on the specified day forfeits the right to make the motion.

A motion to make a bill a Special Order, when made according to the procedures herein prescribed, shall be a privileged motion, shall take precedence over all other motions except a motion to adjourn or to set the time to adjourn and questions of personal privilege, and may be made at any time on the day designated in the notice. A three-fourths vote of the whole House is required to suspend the motion.

Any Special Order, or any part of it, may be continued or postponed by two-thirds vote of the whole House at the time of such Special Order.

When the time arrives for the consideration of any Special Order, the House shall consider each bill upon the Special Order in the order in which it is listed. After consideration it shall immediately be read the third time and placed upon final passage.

1.10 TAX AND APPROPRIATION BILLS GIVEN PRECEDENCE. At any time after April 25, 1977, any bill relating to taxes or raising revenue shall be acted upon whenever requested by the Chairman of the Committee on Taxes, and any appropriation bill shall be acted upon whenever requested by the Chairman of the Committee on Appropriations.

1.11 CONSENT CALENDAR. Any bill of a non-controversial nature for which the committee report recommends placement upon the Consent Calendar shall be given its second reading after the report is adopted and placed upon the Consent Calendar. The bill shall be printed and placed in the members' files at least one day before it can be considered. The bill shall be placed upon the Consent Calendar in the order in which it is given its second reading.

The Consent Calendar shall immediately precede the order of business known as "Calendar for the Day". Every bill on the Consent Calendar shall be debated, given its third reading and voted upon, provided, however, that at any time prior to third reading, ten members may object to any bill as being controversial. Any bill so objected to shall be stricken from the Consent Calendar and be immediately returned to General Orders, taking its place in the usual order.

1.12 SUSPENSION OF RULES TO ADVANCE A BILL. Every bill shall be reported on three different days, except that in case of urgency, a two-thirds majority of the whole House may suspend this Rule. A motion for suspension of the Rules to advance a bill for consideration out of its regular order is in order under the order of business "Motions and Resolutions" or at any time the bill is before the House. The motion must be presented to the Speaker in writing and must state the present position of the bill.

1.13 MINORITY REPORTS. Any minority report shall be made separately from the majority report and shall be considered before the majority report. If the minority report is adopted the majority report shall not be considered. If the minority report is not adopted the majority report shall then be considered.

1.14 COMMITTEE REPORT LAID OVER. The report of any committee may be laid over one day and printed in the Journal, if so ordered by the House.

1.15 RECALLING BILL FROM COMMITTEE. Except after the deadline for committee reports on bills originating in the House, any bill or resolution may be recalled from any committee at any time by majority vote of the whole house, be given a second reading and be advanced to General Orders.

1.16 TIME LIMIT FOR CONSIDERATION OF BILLS. If 20 legislative days after a bill has been referred to committee (other than a bill for appropriations) no report has been made upon it by the committee, its chief author may request that it be returned to the House and the request shall be entered in the Journal for the day. The committee shall have ten calendar days thereafter in which to vote upon the bill requested. If the committee fails to vote upon it within the ten days, the chief author may, at any time within five calendar days thereafter, present a written de-

mand to the Speaker for its immediate return to the House. The demand shall be entered in the Journal for that day and shall constitute the demand of the House. The bill shall then be considered to be in the possession of the House, given its second reading and placed at the foot of General Orders.

Such bill is subject to re-reference by the House. If the motion to re-refer is made on the day of the demand or within one legislative day thereafter, the motion shall take precedence over all other motions except privileged motions and shall be in order at any time.

After May 20, 1977, the House shall not act on bills other than those recommended by conference committee reports or the Committee on Rules and Legislative Administration, and those bills contained in messages from the Senate.

1.17 DISPOSITION OF SENATE BILLS. Any Senate File received by the House, accompanied by a message announcing its passage by the Senate, shall be referred to the appropriate standing committee. However, if a Senate File is received which is stated by a member to be identical to a House File already reported by a standing committee of the House and placed on General Orders, Calendar, Consent Calendar, or Special Orders, the Senate File shall be referred to the Chief Clerk for comparison. If the Chief Clerk reports that the Senate File is identical with the House File, the Senate File may by majority vote be substituted for the House File and take its place. The fact that the bills are identical shall be entered in the Journal and the House File is then considered withdrawn.

Any Senate File which has been amended on the floor of the House, except at time of final passage, and any Senate File which has been reported to the House with amendments by a House standing committee, shall be unofficially engrossed and reprinted by the Chief Clerk. Amendments to unofficial engrossments of a Senate File may be offered by members on the floor of the House but shall not be offered in standing committees.

1.18 RECORDED FLOOR PROCEEDINGS. All proceedings on the floor of the House shall be recorded on magnetic tape or similar recording device under the direction of the Chief Clerk. Two copies of each tape shall be delivered to the Director of the Legislative Reference Library and there maintained on file for use by any member of the public in accordance with the rules of the Legislative Reference Library. At the end of each biennium, the Director of the Legislative Reference Library shall deliver one copy of each tape to the Director of the Minnesota Historical Society.

Any person may obtain a copy of any such tape during the biennium in which it is recorded upon payment of a fee deter-

mined by the Chief Clerk to be adequate to cover the cost of preparing the copy.

Discussion preserved under this rule is not intended to be admissible in any court or administrative proceeding on an issue of legislative intent.

ARTICLE II — VOTING

2.1 AUTHORIZING ELECTRIC VOTING SYSTEM. Except for a vote upon elections or the overriding of a Governor's veto, any vote may be taken by means of the electric voting system which shall be under the control of the Speaker of the House.

2.2 CALL OF THE HOUSE. Ten members may demand a call of the House at any time except after voting has commenced. When such call is demanded, the doors shall be closed, the roll shall be called, the absent members shall be sent for, and no member may be permitted to leave until the roll call is suspended or completed. During the roll call, no motion shall be in order except a motion pertaining to matters incidental to the call. Proceedings under the roll call may be suspended by a majority vote of the whole House. After the roll call is suspended or completed the Sergeant at Arms shall not permit any member to leave the Chamber unless excused by the Speaker. A call of the House may be lifted by a majority vote of the whole House.

2.3 DEMANDING YEAS AND NAYS. Yeas and Nays shall be ordered without demand upon final passage of bills and upon adoption of resolutions or motions directing the payment of money. In all other cases the yeas and nays shall be ordered only upon demand of 15 members.

2.4 EXPLAINING OR CHANGING VOTE. No member shall be allowed to explain his vote or discuss the question while the yeas and nays are being taken, nor be allowed to change his vote after the yeas and nays have been announced from the chair by the Speaker.

2.5 EVERY UNEXCUSED MEMBER TO VOTE. Any member who is immediately interested in the question being voted on shall not vote.

Every other member present before a vote is declared from the chair shall vote for or against the matter before the House, unless the House excuses him from voting.

When a member declines to vote on a call of his name, he shall be required to state his reasons for so declining. After the vote has been taken but before the chair has announced the vote, he shall submit to the House the question, "Shall the member, for the reasons stated, be excused from voting?" which shall be decided without debate. Any other proceedings in reference thereto shall take place after announcement of the vote.

ARTICLE III — MOTIONS AND AMENDMENTS

3.1 MOTIONS. No motion shall be debated until after it is stated by the Speaker. The Speaker may require any motion to be written.

After a motion has been stated by the Speaker it is in possession of the House, but the mover may withdraw it at any time before amendment or decision. Unless a motion, resolution or amendment is withdrawn on the day it is made, it shall be entered in the Journal, together with the name of the member offering it.

3.2 PRECEDENCE OF MOTIONS. When a question is under debate, no motion shall be received except the following, the first four of which shall be decided without debate:

- (1) To fix the time of adjournment.
- (2) To adjourn.
- (3) To lay on the table.
- (4) For the previous question.
- (5) To commit.
- (6) To postpone to a day certain.
- (7) To amend.
- (8) To postpone indefinitely.

The motions shall have precedence in the order listed. However, if the motion for the previous question has been seconded and the main question ordered, the motion to lay on the table shall not be in order.

3.3 MOTION TO ADJOURN. A motion to adjourn shall always be in order except during roll call.

When a motion to adjourn is made it shall be in order for the Speaker, before putting the question, to permit any member to state reasons which would seem to render adjournment improper at that time. Such a statement shall not be debatable and shall be limited to not over two minutes.

3.4 MOTION FOR RECONSIDERATION. When a question has been decided either in the affirmative or negative, it shall be in order for any member who voted with the prevailing side to move its reconsideration, provided that such motion is made either on the same day the vote was taken or within the following two days

of actual session of the House. A motion for reconsideration shall take precedence over all other questions except the motion to adjourn and the notice of intention to move reconsideration. Such motion or notice shall not be in order if the document, bill, resolution, message, report or other official action on which the vote was taken shall have left the possession of the House.

When a member gives notice of intention to move reconsideration of the final action of the House on any bill, resolution, message, report or other official action, the Chief Clerk shall retain the same until after the matter is disposed of or the time has expired during which the motion for reconsideration can be made.

On the last day allowed for the motion to reconsider, it shall be in order for any member who voted on the prevailing side to make the motion, unless the matter has been already disposed of.

A motion for reconsideration having been voted upon and lost shall not be renewed.

The notice of intention to move reconsideration shall not be in order after May 2, 1977 through May 23, 1977.

3.5 ORDER OF PUTTING QUESTION. Except in the case of privileged questions, all questions, whether in committee or in the House, shall be put in the order in which they are moved. When filling blanks, a motion for the largest sum or the longest time shall be put first.

3.6 DIVISION OF A QUESTION. Any member may request the division of a question which contains several points. A motion to strike out and insert shall not be divisible. If a motion to strike out is lost it shall not preclude another motion to amend or to strike out and insert.

3.7 THE PREVIOUS QUESTION. The motion calling for the previous question must be seconded by 15 members. If the motion for the previous question is ordered by a majority of members present, it shall have the effect of cutting off all debate and bringing the House to direct vote upon the question or questions.

The previous question may be moved and ordered upon a single motion, a series of motions allowable under the Rules, or an amendment or amendments; or it may include all authorized motions or amendments, including a vote on final passage of a bill.

On a motion for the previous question, but prior to its being ordered, a call of the House shall be in order. After a majority has ordered the previous question, no call shall be in order prior to the decision on the main question.

When the previous question is decided in the negative, the main question remains under debate until disposed of by taking a vote either on the question or in some other manner.

All incidental questions of order arising after a motion is made for the previous question and prior to the vote on the main question shall be decided without debate.

3.8 UNANIMOUS CONSENT TO MAKE A MOTION. Whenever unanimous consent to make a motion is requested by a member, the member as a part of such request shall state briefly the purpose of such motion and the subject matter involved.

3.9 MOTIONS AND PROPOSITIONS TO BE GERMANE. No motion or proposition on a subject different from that under consideration shall be admitted under guise of its being an amendment.

3.10 AMENDMENT NOT TO ANNEX ANOTHER BILL. Except in a standing committee no bill or resolution shall at any time be amended by annexing or incorporating any other bill or resolution pending before the House.

3.11 RESOLUTIONS AND MOTIONS INVOLVING EXPENDITURE OF MONEY. Any resolution or motion involving the expenditure of money out of the legislative expense fund shall be referred to the Committee on Rules and Legislative Administration before being acted upon by the House. A majority vote of the whole House, determined by a roll call, is required to pass any such resolution or motion.

3.12 AMENDMENTS TO APPROPRIATION BILLS. No amendment increasing the amount or amounts carried by any appropriation bill shall be declared passed until voted for by a majority of the whole House.

3.13 MOTION TO RESCIND. The motion to rescind shall not be in order at any time in any proceeding in the House or in any committee of the House.

3.14 SUSPENSION OR AMENDMENT OF THE RULES. The concurrence of two-thirds of the whole House is required to suspend, alter, or amend any Rule of the House, except that any amendment to the Rules reported by the Committee on Rules and Legislative Administration may be adopted by a majority of the whole House.

Except as provided in Rule 1.12, a motion to suspend, alter, or amend any Rule of the House must be made under the order of business "Motions and Resolutions". If the motion is made at any other time, unanimous consent is required before the Speaker can entertain the motion.

A motion to suspend the Rules, together with the subject matter to which it pertains, is debatable, but the previous question may be applied to the motion.

ARTICLE IV — DEBATE AND DECORUM

4.1 ABSENCE OF MEMBERS AND OFFICERS. Unless illness or other sufficient cause prevents attendance, no member or officer of the House shall absent himself from any session of the House without first having obtained from the Speaker permission to be absent.

4.2 DUTIES OF MEMBERS. Members shall keep their seats until the Speaker announces adjournment.

Every member, before speaking, shall rise from his seat and respectfully address the Speaker and shall not speak further until recognized by the Speaker. When two or more members rise at the same time, the Speaker shall designate the member to speak first.

4.3 QUESTIONS OF ORDER. If any member of the House transgresses the Rules, either in speaking or in any other way, the Speaker shall, or any member may, call him to order. A member so called to order shall immediately sit down unless another member moves to permit him to explain. In either case, the House, if appealed to, shall decide without debate. Only if the decision is in favor of the member called to order shall he be at liberty to proceed. A member called to order shall be liable to censure or such other punishment as the House may deem proper.

4.4 ORDER IN DEBATE. No member shall speak more than twice on the same subject without leave of the House, nor more than once until every other member wishing to speak on the pending question has had an opportunity to do so.

4.5 NOTICE OF INTENTION TO DEBATE A RESOLUTION. Any member may give notice of his intention to debate a resolution. Such notice may be given at any time before the vote is taken on the resolution. If such notice is given, the resolution shall be laid over one day without debate or any other action.

4.6 OFFENSIVE WORDS IN DEBATE. If any member is called to order for offensive words in debate, the member calling him to order shall report the words to which exception is taken and the Clerk shall record them. No member shall be held to answer or be subject to censure of the House for any language used in debate if exception is not taken before any other member has spoken or any other business has taken place.

4.7 ORDER DURING SESSION. No member shall walk out of or across the Chamber when the Speaker is putting the question.

No member shall engage in private conversation while another member is speaking or pass between the speaking member and the chair.

4.8 NO ONE TO REMAIN BY THE CLERK'S DESK. No member or other person shall remain by the clerk's desk while the yeas and nays are being called.

4.9 WHO MAY BE ADMITTED TO THE FLOOR. No person shall be admitted within the House Chamber or retiring room, except members themselves, properly authorized employees, the Chief Executive and ex-governors of the State of Minnesota, members of the Senate, heads of departments of the state government, judges of the Supreme and District Courts, members of Congress, properly accredited representatives of radio and television stations, newspapers and press associations, as herein provided for, and none other. When a former member of Congress or the Minnesota Legislature or any other person is issued a permit by the Speaker good for the day he shall be provided with a seat near the Speaker's rostrum, and at no time shall a conversation be carried on so as to disturb the business of the House. Before issuing the permit, the Speaker shall satisfy himself that the person does not seek the floor of the House for the purpose of influencing decisions of the House.

The alcoves shall be kept for the use of members only, and the Sergeant at Arms shall keep them cleared.

It shall not be in order for the Speaker to entertain a request for the suspension of this Rule, or to present from the Chair the request of any member for unanimous consent unless an extraordinary condition exists, in which event he may consent to entertain a motion for its suspension.

4.10 PRESENTATION OF PETITIONS. Any petition, memorial or other paper presented to the House shall include the name of the member introducing it and a brief description of its contents and shall be presented by the Speaker, who shall state briefly its contents.

4.11 NO SMOKING IN HOUSE CHAMBER. No member of the House of Representatives or officer of the House, or other person, shall be permitted to smoke in the House Chamber except in designated smoking areas, confined only to the front desk and the legislative retiring room. There shall be no smoking in the visitors' section of the galleries.

ARTICLE V — BILLS

5.1 BILL FORM. No bill shall be introduced until it has been examined and approved by the Revisor of Statutes as to form and compliance with the Joint Rules of the House and Senate

and the Rules of the House. Approval as to form shall be endorsed on the bill by the Revisor of Statutes.

5.2 INTRODUCTION OF BILLS AND RESOLUTIONS. A bill or resolution offered for introduction shall be placed in the hands of the Speaker at least 24 hours prior to the convening of the daily session. Every bill shall be introduced in quadruplicate and each copy shall contain the signature of the member or name of the committee introducing it. No bill, memorial or resolution shall have more than five authors. Any memorial shall be introduced in the same manner and take the same course as a bill. No resolution shall authorize the expenditure of monies from any source other than the legislative expense fund.

5.3 ADVISORY BILLS. An advisory bill may be introduced by any member in the same manner as a bill except that the requirements of Rule 5.1 shall not apply.

Each advisory bill shall be typewritten on a form provided by the Chief Clerk. It shall have a title not exceeding 12 words in length and shall contain a specific proposal for the initiation, termination or alteration of a law or program of the state or any of its subdivisions. It need not be drafted in a form appropriate for enactment into law.

An advisory bill shall be referred by the Speaker to an appropriate standing committee. It may be considered only in committee and shall not be given a second reading or be otherwise considered by the House, except that the committee may report its recommendation for re-referral to another committee.

5.4 FIRST READING AND REFERENCE OF BILLS. Each bill and resolution shall be reported and given its first reading upon its introduction. No bill or resolution shall be objected to upon its introduction.

Except as provided in Rule 5.5 each bill or resolution shall, after first reading, be referred by the Speaker to the appropriate standing committee.

Except as otherwise provided in these Rules, after a bill has been referred by the Speaker, a majority vote of the whole House shall be required for a re-referral or recommittal of the bill by the House.

5.5 COMMITTEE BILLS. A committee bill shall be read for the first time and may be referred by the Speaker to any standing committee. If it is not so referred, it shall be laid over one day. It shall then be read for the second time and placed upon General Orders, or, if recommended by the Committee, upon the Consent Calendar.

5.6 **PRINTING OF BILLS.** Every bill shall be printed after it has been given its second reading. A bill may be printed at any other time a majority of the House so orders.

5.7 **BILLS CARRYING AN APPROPRIATION.** Any bill, whether originating in the House or Senate, carrying an appropriation, or which may involve any present or future financial obligation on the part of the State, after being reported to the House, shall be referred, or re-referred, as the case may be, to the Committee on Appropriations for action by that committee. Any committee, other than the Committee on Appropriations, to which such bill has been referred shall note in its report that the bill carries an appropriation.

5.8 **BILLS AFFECTING STATE GOVERNMENT POWERS AND STRUCTURE.** Any bill, whether originating in the House or the Senate, which creates any new department, agency, commission, board or bureau, or which substantially changes or alters the organization of any department or agency thereof of state government, or substantially changes, alters, vests or divests official rights, powers, or duties of any official department or agency of the state government of any institution under its control, after being reported to the House, shall be referred, or re-referred as the case may be, to the Committee on Governmental Operations for action by that committee. Any committee other than the Committee on Governmental Operations to which such bill is referred shall, in its report, recommend re-referral to the Committee on Governmental Operations.

ARTICLE VI — COMMITTEES—POWERS AND DUTIES

6.1 **COMMITTEES.** Standing committees of the House shall be appointed by the Speaker as follows:

Agriculture

Appropriations

Divisions: Education

Health, Welfare and Corrections

State Departments

Semi-State

Commerce and Economic Development

Criminal Justice

Education

Division: School Aids

Environment and Natural Resources

Financial Institutions and Insurance

General Legislation and Veterans Affairs

Governmental Operations

Health and Welfare

Higher Education

Labor-Management Relations

Local and Urban Affairs

Rules and Legislative Administration

Taxes

Transportation

6.2 COMMITTEE MEMBERSHIP. No less than 30 days prior to the opening of a regular session of the Legislature, the Speaker-designate shall provide the minority group with a list of the standing committees proposed for the session. He shall also designate the number of minority members to be appointed to each committee and may require general membership guidelines to be followed in the selection of committee members.

If the minority leader submits to the Speaker-designate, at least 15 days prior to the opening of the session, a list of proposed committee assignments for the minority group, which complies with the numbers and guidelines provided, the Speaker shall make such proposed assignments with the purpose of attaining proportionate representation on the committees for the minority group.

No committee of the House shall have exclusive membership from any one profession, occupation or vocation.

6.3 COMMITTEE MEETING SCHEDULE. The Speaker shall prepare a schedule of committee meetings, fixing as far as practicable the day of the week and the hour for the regular meeting time of each committee. The schedule of committee meetings shall officially be made available to the news media. The chairman of any committee holding a special meeting or making a change in the regular schedule of meetings shall give written notice which may be announced from the desk and shall be posted on the bulletin board at least one day in advance of the change.

The chairman of each committee or subcommittee shall as far as practicable give three days notice of any meeting. The notice shall include the date, time, place and agenda for the meeting.

6.4 COMMITTEE PROCEDURES. Meetings of all committees of the House shall be open to the public.

A majority of members of any standing or special committee shall constitute a quorum.

The Rules of the House shall be observed in the committees wherever they are applicable.

Any member of any committee may demand a roll call on any bill, resolution or amendment before the committee. Only upon such demand being made shall the roll be called and the vote of each member on the bill, resolution or amendment be recorded, together with the name of the member demanding the roll call.

A committee may reconsider any action so long as the matter remains in the possession of the committee. A committee member need not have voted with the prevailing side in order to move reconsideration.

At any time during the period in which a standing committee has possession of a bill the members of the committee may, by majority vote, order the preparation of a Revisor's Analysis of the bill. The Revisor's Analysis shall consist of a concise description of the terms of the bill and shall be provided by the Revisor of Statutes. If the Revisor's Analysis is ordered at the time the bill is given committee approval, the analysis shall accompany the committee report to the House and shall thereafter be attached to the printed bill by the Chief Clerk.

At any time during the period in which a standing committee has possession of a bill, the members of the committee may, by majority vote, order the preparation of a Fiscal Note. If a Fiscal Note is ordered at the time the bill is given committee approval, the Fiscal Note shall accompany the committee report to the House and shall thereafter be attached to the printed bill by the Chief Clerk. No Fiscal Note shall be ordered for any bill given committee approval within ten days of the end of a regular session in any year.

Neither a Revisor's Analysis nor a Fiscal Note shall be considered a part of a bill or any indication of legislative intent.

6.5 SUBCOMMITTEES. The chairman of a committee shall appoint the chairman and members of each subcommittee. The chairman or the committee may refer bills to subcommittee. Any subcommittee may make such investigation or exercise such authority as is delegated to it by the chairman or the committee.

6.6 COMMITTEE RECORDS. The chairman or acting chairman of each standing committee shall cause a record to be kept, in the form prescribed by the Committee on Rules and Legislative

Administration, which shall include the record of each bill referred to the committee and the minutes of the committee. The minutes shall include:

- a. The time and place of each hearing or meeting of the committee;
- b. Committee members present;
- c. The name and address of each person appearing before the committee, together with the name and address of the person, association, firm or corporation in whose behalf the appearance is made;
- d. The language of each motion, the name of the committee member making the motion, and the result of any vote taken upon the motion, including the ayes and nays whenever a roll call is demanded;
- e. The date on which any subcommittee is created, the names of its members and the bills referred to it;
- f. The record of each subcommittee meeting, including the time and place of the meeting; members present; the name of each person appearing before the subcommittee, together with the name of the person, association, firm or corporation in whose behalf the appearance is made; and the language of each motion, together with the name of the member making the motion, and the result of any vote taken upon the motion, including the ayes and nays whenever a roll call is demanded;
- g. Other important matters related to the work of the committee.

The minutes shall be approved at the next regular meeting of the committee.

Copies of the minutes, after approval by the committee, shall be filed with the Chief Clerk and shall be open to public inspection in the Chief Clerk's office. At the end of the biennium they shall be delivered, together with the other committee records, to the Director of the Legislative Reference Library, where they shall remain open for public inspection during regular office hours. A copy of any page of any committee minutes may be obtained upon payment of a fee determined by the Chief Clerk to be adequate to cover the cost of preparing the copy.

The magnetic tape recording of any committee meeting shall be retained by the chairman until the minutes of that meeting have been approved by the committee. The recording or a copy of the recording shall then be filed with the Director of the Legis-

lative Reference Library, where it shall be maintained for a period of two years from the date of filing for use by any person in accordance with the rules of the Legislative Reference Library. After expiration of the two-year period the recording may be erased and the tape may be reused.

Any person may obtain a copy of such tape during the period in which it is maintained in the Legislative Reference Library upon payment of a fee determined by the Chief Clerk to be sufficient to cover the cost of the copy. Testimony and discussion preserved under this rule is not intended to be admissible in any court or administrative proceeding on an issue of legislative intent.

6.7 COMMITTEE REPORTS. The chairman of a standing committee reporting to the House the action taken by his committee upon any bill referred to it shall do so upon the form provided for such reports. Each bill shall be reported separately and the report shall be adopted or rejected without amendment.

The report shall contain the action taken by the committee and the date of such action and shall be authenticated by the signature of the chairman.

Before a committee reports favorably upon a bill, the chairman shall see that the form of the bill conforms to the Joint Rules of the House and Senate and these Rules.

Except during the last seven legislative days in any year, the committee report and any minority report shall be placed in the hands of the Chief Clerk at least four hours prior to the convening of the daily session.

The Committee on Rules and Legislative Administration may report at any time.

If a majority of the members of a standing committee finds a bill referred to the committee to be of a non-controversial nature, the report to the House may recommend that the bill be placed upon a separate calendar to be known as the Consent Calendar.

6.8 COMMITTEE BILLS. Any standing or special committee of the House may introduce a bill as a committee bill on any subject within its purview.

6.9 SUBSTITUTION OF BILLS. No standing or special committee nor any of its members shall report a substitute for any bill referred to the committee if the substitute relates to a different subject, is intended to accomplish a different purpose, or would require a title essentially different from that of the original bill. Whenever the House is advised that a substitute bill reported

to the House is in violation of this rule, the report shall not be adopted.

6.10 SPECIAL COMMITTEES. Any special committee to which a matter has been referred shall in all cases report to the House a statement of facts and its opinions and conclusions thereon.

6.11 CONFERENCE COMMITTEES. A conference committee may report at any time. No committee except a conference committee or the Committee on Rules and Legislative Administration shall sit during any daily session of the House without leave.

6.12 COMMITTEE BUDGETS AND EXPENSES. The Committee on Rules and Legislative Administration shall establish a budget for each standing committee of the House for expenses incurred by the committee, its members, or its staff in conducting its legislative business. Per diem expense allowances paid to members during sessions or at times set by the Speaker shall not be charged against the budget. No committee shall incur expenses in excess of its authorized budget.

Employees shall be reimbursed for actual expenses in the same manner as state employees.

During sessions, for travel away from the Capitol members shall be reimbursed for actual expenses in the same manner as state employees in addition to per diem expense allowances.

All charges against the committee budget must be approved by the chairman before payment is made.

ARTICLE VII — OFFICERS OF THE HOUSE

7.1 DUTIES AND PRIVILEGES OF THE SPEAKER. The Speaker shall preside over the House and shall have all the powers and be charged with all the duties of the presiding officer.

He shall preserve order and decorum and he or the chairman of the Committee of the Whole may order the lobby or galleries cleared in the case of disorderly conduct or other disturbance.

Except as provided by rule or law, he shall have general control of the chamber of the House and of the corridors, passages and rooms assigned to the use of the House.

He shall sign all acts, addresses, joint resolutions, writs, warrants and subpoenas of the House or issued by order of the House. He shall sign all abstracts for the payment of money out of the legislative expense fund of the House; but no money shall be paid out of said fund unless the abstract is also signed by the Chief Clerk of the House.

He shall appoint the Chief Sergeant at Arms or shall designate him from among the Sergeants at Arms elected by the House or appointed by the Committee on Rules and Legislative Administration.

7.2 SPEAKER PRO TEM. The Speaker may call a member to preside as Speaker pro tempore, but such temporary appointment shall not extend beyond adjournment for the day. In the absence of the Speaker, the Committee on Rules and Legislative Administration shall select a member to preside until the return of the Speaker.

7.3 DUTIES OF CHIEF CLERK. The Chief Clerk shall have general supervision of all clerical duties pertaining to the business of the House. He shall perform under the direction of the Speaker all the duties pertaining to his office and shall keep records showing the situation and progress of all bills, memorials and resolutions.

Neither the Chief Clerk nor any of his assistants or employees shall permit any records or papers belonging to the House to be removed from their custody other than in the regular course of business. The Chief Clerk shall report any missing records or papers to the Speaker.

7.4 ENGROSSMENT AND ENROLLMENT. The Chief Clerk of the House shall have supervision over the engrossment and enrollment of bills. He shall cause to be kept a record by file number of the bills introduced in the House which have passed both houses and been enrolled.

7.5 BUDGET AND PURCHASING. The Chief Clerk shall prepare a biennial budget for the House which must be approved by the Committee on Rules and Legislative Administration before it is submitted to the Committee on Appropriations.

The Chief Clerk shall be the agent of the House of Representatives for the purchase of supplies. He shall seek the lowest possible prices and shall file timely reports of expenditures made with the Committee on Rules and Legislative Administration.

7.6 CLERICAL CORRECTIONS TO BILLS. Minor clerical errors in any bill, memorial, or resolution, such as errors in spelling or grammar, or the incorrect use of one word for another or the incorrect numbering of references, whether occurring in the original document or any amendment to it, shall be corrected as a matter of course by the Chief Clerk, upon the approval of the chairman of any committee to which it was referred.

If the enacting clause of a bill has been omitted, the Chief Clerk shall insert the clause before passage of the bill.

Webster's New International Dictionary shall be the standard authority in matters pertaining to this rule.

7.7 BULLETIN BOARD. The Chief Clerk shall prepare a bulletin board upon which shall be posted a list of committee and subcommittee meetings and any other announcements or notices the House may require.

7.8 INDEX. The Index Clerk, under the supervision of the Chief Clerk, shall prepare an index in which bills may be indexed by topic, number, author, subject, section of the code amended, committees, and any other subject that will make it a complete and comprehensive index. The Index shall be open for public inspection at all times during the session and shall be printed in the permanent Journal of the House.

7.9 DUTIES OF THE SERGEANT AT ARMS. It shall be the duty of the Sergeant at Arms to carry out all orders of the House or the Speaker and to perform all other services pertaining to the office of Sergeant at Arms, including maintaining order in the chamber and supervising entering and exiting from the Chamber and the prompt delivery of messages.

ARTICLE VIII — EMPLOYEES OF THE HOUSE

8.1 APPOINTMENT OF EMPLOYEES. The Committee on Rules and Legislative Administration shall designate the position of and appoint each employee of the House and set the compensation of each officer and employee. A record of all such appointments, including positions and compensation, shall be kept in the office of the Chief Clerk and shall be open for inspection by the public.

The Committee on Rules and Legislative Administration, by resolution, shall establish the procedure for filling vacancies when the legislature is not in session.

Any employee of the House may be assigned to other duties, suspended or discharged at any time by the Committee on Rules and Legislative Administration.

No employee of the House shall receive any pay, compensation, gratuity or reward over and above the salary named for the position except upon approval of a three-fourths vote of the whole House.

8.2 DUTIES OF EMPLOYEES. No employee shall make or permit to be made any copy or copies of any journal, bill, paper, file, record, or document in his possession or custody or to which he has access except on request of a member of the House. No person other than a member of the House shall furnish or deliver any journal, bill, paper, file, record, document, or copy thereof to any person other than a member of the House except by or through the Chief Clerk with the approval or under the direction of the Committee on Rules and Legislative Administration, in

accordance with these Rules, and upon such terms as such committee shall prescribe.

Any violation of this rule shall be cause for removal or discharge of the offender.

ARTICLE IX — GENERAL PROVISIONS

9.1 RULE AS TO CONSTRUCTION. As used in these Rules the terms “majority vote” and “vote of the House” shall mean a majority of members present at the particular time. The term “vote of the whole House” shall mean a majority vote of all the members elected to the House for that particular session of the Legislature.

Singular words used in these Rules shall include the plural, unless the context indicates a contrary intention.

The words “he”, “his” and “him” shall be construed to include “she”, “hers”, and “her” whenever the latter are appropriate.

9.2 MEDIA NEWS REPORTERS. Accredited representatives of the press, press associations, and radio and television stations shall be accorded equal press privileges by the House. Any person wishing to report proceedings of the House may apply to the Committee on Rules and Legislative Administration for a press pass and assignment to suitable available space.

Television stations shall be permitted to televise sessions of the House.

9.3 DISPOSITION OF BILLS. Adjournment of the regular session in any odd-numbered year to a day certain in the following year shall be equivalent to daily adjournment except that any bill on the Consent Calendar, Calendar or Special Orders shall be returned to General Orders.

9.4 RECESS BILL INTRODUCTIONS. During the period between the last day of the session in any odd-numbered year and the first day of the session in the following year, any bill filed with the Speaker for introduction shall be given a file number and may be unofficially referred to an appropriate standing committee of the House of Representatives.

9.5 AUTHORIZED MANUAL OF PARLIAMENTARY PROCEDURE. The rules of parliamentary procedure contained in Mason’s Manual of Legislative Procedure shall govern the House in all applicable cases in which they are not inconsistent with these Rules or the Joint Rules of the Senate and House of Representatives.

Anderson, I., moved that the report of the Committee on Rules and Legislative Administration on the proposed permanent rules of the House be printed in the Journal for today and laid over until Tuesday, February 1, 1977. The motion prevailed.

GENERAL ORDERS

Pursuant to rules of the House, the House resolved itself into the Committee of the Whole, with Sabo in the Chair, for the consideration of bills pending on General Orders of the Day.

REPORT OF COMMITTEE OF THE WHOLE

The Speaker resumed the Chair, whereupon the following proceedings of the Committee were reported to the House:

H. F. No. 12 which it recommended to pass.

On the motion of Anderson, I., the report of the Committee of the Whole was adopted.

MOTIONS AND RESOLUTIONS

Anderson, B., moved that H. F. No. 79 be recalled from the Committee on Commerce and Economic Development and be referred to the Committee on Agriculture. The motion prevailed.

Jacobs moved that the name of Reding be added as an author on H. F. No. 194. The motion prevailed.

ADJOURNMENT

Anderson, I., moved that when the House adjourns today it adjourn until 2:00 p.m., Tuesday, February 1, 1977. The motion prevailed.

Anderson, I., moved that the House adjourn. The motion prevailed, and the Speaker declared the House stands adjourned until 2:00 p.m., Tuesday, February 1, 1977.

EDWARD A. BURDICK, Chief Clerk, House of Representatives

STATE OF MINNESOTA

SEVENTIETH SESSION - 1977

TENTH DAY

SAINT PAUL, MINNESOTA, TUESDAY, FEBRUARY 1, 1977

The House of Representatives convened at 2:00 p.m. and was called to order by the Speaker.

Prayer was offered by the Chaplain.

The roll was called and the following members were present:

Abeln	Cohen	Jensen	Munger	Setzpfandt
Adams	Corbid	Johnson	Murphy	Sherwood
Albrecht	Cummiskey	Jude	Neisen	Sieben, H.
Anderson, B.	Dahl	Kahn	Nelsen, B.	Sieben, M.
Anderson, D.	Dean	Kaley	Nelsen, M.	Simoneau
Anderson, G.	Eckstein	Kalis	Nelson	Skoglund
Anderson, I.	Eken	Kelly, R.	Niehaus	Smogard
Anderson, R.	Ellingson	Kelly, W.	Norton	Spanish
Arlandson	Enebo	Kempe, A.	Novak	Stanton
Battaglia	Erickson	Kempe, R.	Osthoff	Stoa
Beauchamp	Esau	King	Patton	Suss
Begich	Evans	Knickerbocker	Pehler	Swanson
Berg	Ewald	Kostohryz	Peterson	Tomlinson
Berglin	Faricy	Kroening	Petrafeso	Vanasek
Berkelman	Fjoslien	Kvam	Pleasant	Voss
Biersdorf	Forsythe	Laidig	Prahl	Waldorf
Birnstihl	Friedrich	Langseth	Reding	Welch
Brandl	Fudro	Lehto	Rice	Wenstrom
Braun	Fugina	Lemke	Rose	Wenzel
Brinkman	George	Mangan	St. Onge	White
Byrne	Gunter	Mann	Samuelson	Wieser
Carlson, A.	Hanson	McCarron	Sarna	Wigley
Carlson, D.	Haugerud	McCollar	Savelkoul	Williamson
Carlson, L.	Heinitz	McDonald	Scheid	Wynia
Casserly	Hokanson	McEachern	Schulz	Zubay
Clark	Jacobs	Metzen	Searle	Speaker Sabo
Clawson	Jaros	Moe	Searles	

A quorum was present.

The Chief Clerk proceeded to read the Journal of the preceding day. McCollar moved that further reading of the Journal be dispensed with and that the Journal be approved as corrected by the Chief Clerk. The motion prevailed.

REPORTS OF CHIEF CLERK

Pursuant to Rules of the House, printed copies of S. F. No. 11 have been placed in the members' files.

PETITIONS AND COMMUNICATIONS

The following communication was received:

STATE OF MINNESOTA
OFFICE OF THE SECRETARY OF STATE
ST. PAUL 55155

January 26, 1977

The Honorable Martin O. Sabo
Speaker of the House of Representatives
The Honorable Edward J. Gearty
President of the Senate

I have the honor to inform you that the following enrolled Acts of the 1977 Session of the State Legislature have been received from the Office of the Governor and are deposited in the Office of the Secretary of State for preservation, pursuant to the State Constitution, Article IV, Section 23:

<i>S.F. No.</i>	<i>H.F. No.</i>	<i>Session Laws Chapter No.</i>	<i>Date Approved 1977</i>	<i>Date Filed 1977</i>
110		1	January 26	January 26

Sincerely,

JOAN ANDERSON GROWE
Secretary of State

INTRODUCTION AND FIRST READING
OF HOUSE BILLS

The following House Files were introduced:

Kalis, Wigley, Eckstein, Jensen and King introduced:

H. F. No. 235, A bill for an act relating to agriculture; soybean research and promotion council; powers of the commissioner of agriculture and the council; providing for an increase in fees and specifying the uses thereof; amending Minnesota Statutes 1976, Sections 21A.01; 21A.05; 21A.06; 21A.09; 21A.12; 21A.16, Subdivision 2; 21A.19, Subdivision 1; and Chapter 21A, by adding a section; repealing Minnesota Statutes 1976, Section 21A.18.

The bill was read for the first time and referred to the Committee on Agriculture.

George, Dean, Adams and Beauchamp introduced:

H. F. No. 236, A bill for an act relating to intoxicating liquor; regulating price advertising; providing a penalty; amending Minnesota Statutes 1976, Section 340.15, Subdivision 1, and by adding subdivisions.

The bill was read for the first time and referred to the Committee on Commerce and Economic Development.

Cassery; Carlson, L.; Vanasek; Adams and Sieben, M., introduced:

H. F. No. 237, A bill for an act relating to assumed business names; amending Minnesota Statutes 1976, Sections 333.01; 333.04; and 333.06; and Chapter 333, by adding sections; repealing Minnesota Statutes 1976, Sections 333.02; 333.03; and 333.05.

The bill was read for the first time and referred to the Committee on Commerce and Economic Development.

Clawson, Jude, Neisen and Simoneau introduced:

H. F. No. 238, A bill for an act relating to telephone companies; limiting increases in certain telephone rates, tolls and charges; amending Minnesota Statutes 1976, Section 237.08.

The bill was read for the first time and referred to the Committee on Commerce and Economic Development.

Pleasant, Kostohryz, Dean and Jaros introduced:

H. F. No. 239, A bill for an act relating to public safety; requiring smoke detectors in multiple unit residential buildings; providing that existing buildings have a period of time to come into compliance; amending Minnesota Statutes 1976, Chapter 299F, by adding a section.

The bill was read for the first time and referred to the Committee on Commerce and Economic Development.

Pleasant, Fudro, Faricy, Abeln and Begich introduced:

H. F. No. 240, A bill for an act relating to intoxicating liquors; removing prohibition against sale of liquor on election days; amending Minnesota Statutes 1976, Sections 340.034, Subdivision 1; and 340.14, Subdivision 1.

The bill was read for the first time and referred to the Committee on Commerce and Economic Development.

Petrafeso, Hanson, Arlandson and Faricy introduced:

H. F. No. 241, A bill for an act relating to public utilities; providing for a lifetime rate for electricity; amending Minnesota Statutes 1976, Chapter 216B, by adding a section.

The bill was read for the first time and referred to the Committee on Commerce and Economic Development.

Novak; Simoneau; Kelly, R.; Neisen and Hanson introduced:

H. F. No. 242, A bill for an act relating to the department of public service; providing for its proper operation; prescribing certain powers, functions and duties; making certain corrections and improvements; revising procedures for regulation of certain activities; reducing certain fees; increasing certain penalties; amending Minnesota Statutes 1976, Sections 216A.02; 216A.03, Subdivision 5; 216A.05, Subdivision 1; 216A.07; 216B.16, Subdivisions 1 and 2; 216B.53; 231.16; 232.04; 232.06, Subdivision 4; 237.22; 237.29, Subdivision 1; 239.02; 239.07; 239.08; 239.10; 239.12; 239.23; 239.24; and 239.44; repealing Minnesota Statutes 1976, Sections 239.20 and 239.45; and Laws 1975, Chapter 87, Section 5.

The bill was read for the first time and referred to the Committee on Commerce and Economic Development.

Casserly, Adams, Beauchamp, Simoneau and Carlson, L., introduced:

H. F. No. 243, A bill for an act relating to consumer protection; licensing collection agencies, collectors and managers; prescribing duties; authorizing investigations; defining terms; prescribing penalties; amending Minnesota Statutes 1976, Sections 332.31, Subdivision 3, and by adding subdivisions; 332.33, Subdivision 1, and by adding subdivisions; 332.34; 332.42, Subdivision 1; 332.43, Subdivision 1; 332.44; and Chapter 332, by adding sections; repealing Minnesota Statutes 1976, Sections 332.31, Subdivision 5; 332.33, Subdivisions 2, 3, 4, 5 and 6; 332.35; 332.37; 332.40; 332.42, Subdivision 2; 332.43, Subdivisions 2 and 3.

The bill was read for the first time and referred to the Committee on Commerce and Economic Development.

Carlson, A., and Rice introduced:

H. F. No. 244, A bill for an act relating to human rights; prohibiting discrimination on the basis of chemical dependency treatment; amending Minnesota Statutes 1976, Section 363.03.

The bill was read for the first time and referred to the Committee on Commerce and Economic Development.

Nelson and Casserly introduced :

H. F. No. 245, A bill for an act relating to crimes; circumstances justifying a discharge of a firearm to effect an arrest; amending Minnesota Statutes 1976, Sections 609.065; and 629.33.

The bill was read for the first time and referred to the Committee on Criminal Justice.

Neisen, Clawson, Mangan and Novak introduced :

H. F. No. 246, A bill for an act relating to the office of county attorney; providing that the county attorney shall prosecute persons apprehended or arrested by the Minnesota highway patrol outside cities of the first class; amending Minnesota Statutes 1976, Chapter 388, by adding a section.

The bill was read for the first time and referred to the Committee on Criminal Justice.

Setzepfandt, Braun, Eken, Kalis and Anderson, D., introduced :

H. F. No. 247, A bill for an act relating to Independent School Districts No. 158, No. 161, No. 217, No. 220, No. 351, No. 354, No. 649, No. 650, No. 782, No. 783, No. 893, and No. 896; authorizing the districts to discontinue certain grades and provide instruction by contract with another district; providing for aids, levies and the contractual rights of teachers in participating districts.

The bill was read for the first time and referred to the Committee on Education.

Kostohryz, Norton, Berg, Johnson and Knickerbocker introduced :

H. F. No. 248, A bill for an act relating to education; teachers; providing in-service training for regular classroom teachers in techniques of education for the handicapped; appropriating money; amending Minnesota Statutes 1976, Section 123.581, Subdivisions 1, 2, 3, 6 and 7.

The bill was read for the first time and referred to the Committee on Education.

Vanasek, Jensen and White introduced:

H. F. No. 249, A bill for an act relating to Independent School District No. 721 (New Prague) and Independent School District No. 194 (Lakeville); providing for certain land to be detached from Independent School District No. 721 and annexed to Independent School District No. 194.

The bill was read for the first time and referred to the Committee on Education.

Jensen; Patton; Sieben, H.; Braun and Biersdorf introduced:

H. F. No. 250, A bill for an act relating to natural resources; establishing a season for taking deer and bear with muzzle loading firearms; amending Minnesota Statutes 1976, Section 100.27, Subdivisions 2 and 9.

The bill was read for the first time and referred to the Committee on Environment and Natural Resources.

Stanton; Anderson, B.; Casserly; Sherwood and Cummiskey introduced:

H. F. No. 251, A bill for an act relating to local water and related land resources management; establishment, financing and termination of lake improvement districts; appropriating money in relation thereto; amending Minnesota Statutes 1976, Sections 378.41, Subdivision 1; 378.42, Subdivision 1; 378.43, Subdivision 1; 378.44; 378.46; 378.47, Subdivision 1; 378.52, Subdivision 1; 378.55; and 378.56, Subdivision 1; repealing Minnesota Statutes 1976, Section 378.31, Subdivision 11; 378.41, Subdivision 2; 378.45; 378.51, Subdivision 3; 378.53; and 378.54.

The bill was read for the first time and referred to the Committee on Environment and Natural Resources.

Anderson, B.; Jaros; Munger; Welch and Evans introduced:

H. F. No. 252, A bill for an act relating to state parks; providing for cooperative agricultural leases of property acquired by the state within state parks; amending Minnesota Statutes 1976, Section 272.68, Subdivision 3, and Chapter 85, by adding a section.

The bill was read for the first time and referred to the Committee on Environment and Natural Resources.

Kostohryz, Lehto, Kahn, Munger and Fjoslien introduced:

H. F. No. 253, A bill for an act relating to natural resources; providing an effective date for an order designating a river as wild, scenic, or recreational; amending Minnesota Statutes 1976, Section 104.35, by adding a subdivision.

The bill was read for the first time and referred to the Committee on Environment and Natural Resources.

Pleasant, Adams, Arlandson, Knickerbocker and Faricy introduced:

H. F. No. 254, A bill for an act relating to financial institutions; power to make conventional loans and purchase of obligations representing such loans; amending Minnesota Statutes 1976, Section 47.20, Subdivision 3.

The bill was read for the first time and referred to the Committee on Financial Institutions and Insurance.

George, Corbid, Voss, Dean and Wynia introduced:

H. F. No. 255, A bill for an act relating to financial institutions; industrial loan and thrift and small loan companies; providing for easier entry into market for certain institutions; requiring simple interest; eliminating certain investment certificates; altering reserve requirements; eliminating certain charges and practices; amending Minnesota Statutes 1976, Sections 53.03, Subdivision 2; 53.04, Subdivisions 3, 5, and by adding a subdivision; 53.05; 53.051; 53.07; 56.04; 56.07; 56.13, Subdivisions 1 and 3; 56.14; and 56.15, Subdivision 2; repealing Minnesota Statutes 1976, Sections 53.04, Subdivisions 4 and 6; and 56.13, Subdivision 4.

The bill was read for the first time and referred to the Committee on Financial Institutions and Insurance.

Wynia, Voss, Battaglia, Ellingson and George introduced:

H. F. No. 256, A bill for an act relating to insurance; providing for regulation of aircraft and inland marine insurance; amending Minnesota Statutes 1976, Section 70A.02, Subdivision 2; repealing Minnesota Statutes 1976, Section 70A.06, Subdivision 3.

The bill was read for the first time and referred to the Committee on Financial Institutions and Insurance.

George, Brinkman, Wynia, Ellingson and Anderson, R., introduced:

H. F. No. 257, A bill for an act relating to banks, trust companies and savings banks; rule making authority; fees for special investigations; accounts maintained by banking division employees; fees; banks minimum organizational capital, surplus and undivided profits; providing for certified deposit of capital funds in a custodial bank; providing for banks annual audit systems, approval and reports; state banks minimum capital requirements, establishing investigatory fee for application to acquire trust authority; trust company minimum capital requirements; relating to boards of directors of financial institutions; clarification of certain language; amending Minnesota Statutes 1976, Sections 46.01; 46.04; 46.05; 46.09; 46.131, Subdivision 2, and by adding a subdivision; 48.02; 48.10; 48.36; 48.37; 48.44; 48.67; 48.69; 300.025 and 300.20.

The bill was read for the first time and referred to the Committee on Financial Institutions and Insurance.

Brinkman, Gunter, Corbid, Niehaus and Reding introduced:

H. F. No. 258, A bill for an act relating to political subdivisions; regulating certain interests in contracts by public officials; amending Minnesota Statutes 1976, Section 471.88, Subdivisions 2, 5, and 8.

The bill was read for the first time and referred to the Committee on Financial Institutions and Insurance.

Kelly, R.; McCollar; Anderson, G.; Corbid and Eken introduced:

H. F. No. 259, A bill for an act relating to insurance; requiring refund of unearned premium on cancellation of certain automobile insurance policies; amending Minnesota Statutes 1976, Section 65B.14; and Chapter 65B, by adding sections.

The bill was read for the first time and referred to the Committee on Financial Institutions and Insurance.

Waldorf, Osthoff, Jacobs and McDonald introduced:

H. F. No. 260, A bill for an act relating to the military; abolishing the naval militia and deleting references thereto; correcting other terminology; amending Minnesota Statutes 1976, Sections 190.05, Subdivision 3; 190.06, Subdivision 2; 191.09; 192.26, Subdivision 1; 193.141, Subdivision 1; 193.142; 193.143; 193.1431; 193.145; and 193.36, Subdivision 1; repealing Minnesota Statutes 1976, Chapter 194.

The bill was read for the first time and referred to the Committee on General Legislation and Veterans Affairs.

Swanson, Smogard, Wenstrom, Simoneau and McDonald introduced:

H. F. No. 261, A bill for an act relating to veterans; permitting the commissioner of veterans affairs to act as guardian for minors or incompetents without posting bond; amending Minnesota Statutes 1976, Chapter 196, by adding a section.

The bill was read for the first time and referred to the Committee on General Legislation and Veterans Affairs.

Swanson, Smogard, Wenstrom, Simoneau and Carlson, L., introduced:

H. F. No. 262, A bill for an act relating to veterans; commissioner of veterans affairs; changing residency requirements for the commissioner and certain officers and employees of the department of veterans affairs; amending Minnesota Statutes 1976, Section 196.02, Subdivision 1.

The bill was read for the first time and referred to the Committee on General Legislation and Veterans Affairs.

Adams; Patton; Sieben, H.; Osthoff and Biersdorf introduced:

H. F. No. 263, A bill for an act relating to unemployment compensation; redefining "wages" for contribution purposes; changing contribution rates; providing for charging of benefits; increasing weekly benefits; redefining "credit week"; providing for disqualification for benefits; amending Minnesota Statutes 1976, Sections 268.04, Subdivisions 25 and 29; 268.06, Subdivisions 5 and 8; 268.07, Subdivision 2; and 268.09.

The bill was read for the first time and referred to the Committee on Governmental Operations.

Kvam introduced:

H. F. No. 264, A bill for an act relating to the city of Litchfield; firemens service pensions.

The bill was read for the first time and referred to the Committee on Governmental Operations.

Clawson; Carlson, D.; Neisen and Simoneau introduced:

H. F. No. 265, A bill for an act relating to county courts; establishing the responsibility for prosecution of violations; establishing the manner of disposition of fines, fees and other moneys; amending Minnesota Statutes 1976, Sections 487.25, Subdivision 10; and 487.33, Subdivision 5; repealing Minnesota Statutes 1976, Section 487.33, Subdivision 6.

The bill was read for the first time and referred to the Committee on Governmental Operations.

Beauchamp, Smogard, Corbid, Wenstrom and Biersdorf introduced:

H. F. No. 266, A bill for an act relating to unemployment compensation; providing for exclusion of certain student work; raising contribution bases; changing of certain benefits; providing disqualifying conditions; providing a penalty; amending Minnesota Statutes 1976, Sections 268.04, Subdivisions 12, 25, and 29; 268.06, Subdivisions 5 and 8, and by adding a subdivision; 268.07, Subdivision 2; 268.08, Subdivision 1; 268.09; 268.12, Subdivision 12; and 268.18, Subdivisions 2 and 3.

The bill was read for the first time and referred to the Committee on Governmental Operations.

Brinkman, Reding, Niehaus, Neisen and Gunter introduced:

H. F. No. 267, A bill for an act relating to negligence; proscribing certain liability of good samaritans; amending Minnesota Statutes 1976, Section 604.05.

The bill was read for the first time and referred to the Committee on Health and Welfare.

Forsythe, Fugina, Pleasant, Petrafeso and Hokanson introduced:

H. F. No. 268, A bill for an act relating to welfare; establishing evening child care programs for students at certain educational institutions; appropriating money.

The bill was read for the first time and referred to the Committee on Health and Welfare.

Samuelson, Anderson, I., and St. Onge introduced:

H. F. No. 269, A bill for an act relating to regional development; dissolution of regional commissions; amending Minnesota Statutes 1976, Chapter 462, by adding a section.

The bill was read for the first time and referred to the Committee on Local and Urban Affairs.

Niehaus, Birnstihl, Erickson, Setzepfandt and Anderson, G., introduced:

H. F. No. 270, A bill for an act relating to plats and surveys; requiring the approval of plats by towns; amending Minnesota Statutes 1976, Sections 505.03, Subdivision 1; and 505.09, Subdivision 1.

The bill was read for the first time and referred to the Committee on Local and Urban Affairs.

Battaglia, Munger, Begich, Kahn and Berkelman introduced:

H. F. No. 271, A bill for an act relating to the city of Ely; providing grants-in-aid for the operation and maintenance of a waste water tertiary treatment facility; appropriating money.

The bill was read for the first time and referred to the Committee on Local and Urban Affairs.

Heinitz and Pleasant introduced:

H. F. No. 272, A bill for an act relating to shade tree disease control; permitting the pollution control agency to promulgate rules governing the transportation and disposal of diseased shade trees; providing for grants-in-aid to municipalities for reforestation; permitting open burning of diseased shade trees by municipalities; authorizing a special levy for shade tree disease control; appropriating money; amending Minnesota Statutes 1976, Sections 18.023, Subdivisions 2, 3 and 3a; 116.07, Subdivision 4; and 275.50, Subdivision 5.

The bill was read for the first time and referred to the Committee on Local and Urban Affairs.

Prahl, Fugina, Eken, Begich and Anderson, I., introduced:

H. F. No. 273, A bill for an act relating to real estate; limiting assertion of interests in tax forfeited real estate.

The bill was read for the first time and referred to the Committee on Taxes.

Prahl; Fugina; Anderson, G.; Berg and Anderson, I., introduced:

H. F. No. 274, A bill for an act relating to taxation; providing for a credit against income tax for expenditures for the care of dependents; amending Minnesota Statutes 1976, Chapter 290, by adding a section; repealing Minnesota Statutes 1976, Section 290.09, Subdivision 26.

The bill was read for the first time and referred to the Committee on Taxes.

Evans, Wigley, Eken, Mann and Lemke introduced:

H. F. No. 275, A bill for an act relating to taxation; altering procedure for obtaining refunds of tax on gasoline or special fuels not used in motor vehicles or for aviation purposes; appropriating money; amending Minnesota Statutes 1976, Sections 290.06, by adding a subdivision; and 296.18, Subdivisions 1, 1a, 2, and 3.

The bill was read for the first time and referred to the Committee on Taxes.

Murphy introduced:

H. F. No. 276, A bill for an act relating to the town of Thomson in Carlton county; authorizing a special tax levy for certain purposes.

The bill was read for the first time and referred to the Committee on Taxes.

Carlson, A.; Munger; McDonald; Petrafeso and Anderson, G., introduced:

H. F. No. 277, A bill for an act relating to taxation; providing for a deduction from gross income for expenditures for solar energy devices according to a prescribed amortization period; amending Minnesota Statutes 1976, Section 290.09, by adding a subdivision.

The bill was read for the first time and referred to the Committee on Taxes.

Savelkoul, Kvam, Pleasant, Evans and Searles introduced:

H. F. No. 278, A bill for an act relating to taxation; exempting federal tax rebates from state income tax.

The bill was read for the first time and referred to the Committee on Taxes.

George, Osthoff, Dean, Berkelman and Reding introduced:

H. F. No. 279, A bill for an act relating to highway safety; requiring loads on dump trucks to be covered; assigning responsibility for such covering to owners and contractors; providing a penalty; amending Minnesota Statutes 1976, Section 169.81, by adding a subdivision.

The bill was read for the first time and referred to the Committee on Transportation.

Prahl, Begich, St. Onge, Enebo and Byrne introduced:

H. F. No. 280, A bill for an act relating to public safety; requiring warning devices on truck and crawler cranes; prescribing a penalty.

The bill was read for the first time and referred to the Committee on Transportation.

MESSAGES FROM THE SENATE

The following message was received from the Senate:

Mr. Speaker:

I hereby announce the passage by the Senate of the following Senate File, herewith transmitted:

S. F. No. 48.

PATRICK E. FLAHAVEN, Secretary of the Senate

FIRST READING OF SENATE BILLS

S. F. No. 48, A bill for an act relating to Becker county; ratifying sales of certain tax-forfeited lands.

The bill was read for the first time and referred to the Committee on Governmental Operations.

CALENDAR

H. F. No. 12, A bill for an act relating to Independent School District No. 15 and Independent School District No. 911; providing for a transfer of property between the districts.

The bill was read for the third time and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 134 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Abeln	Cohen	Jensen	Munger	Setzepfandt
Adams	Corbid	Johnson	Murphy	Sherwood
Albrecht	Cummiskey	Jude	Neisen	Sieben, H.
Anderson, B.	Dahl	Kahn	Neisen, B.	Sieben, M.
Anderson, D.	Dean	Kaley	Neisen, M.	Simoneau
Anderson, G.	Eckstein	Kalis	Nelson	Skoglund
Anderson, I.	Eken	Kelly, R.	Niehaus	Smogard
Anderson, R.	Ellingson	Kelly, W.	Norton	Spanish
Arlandson	Enebo	Kempe, A.	Novak	Stanton
Battaglia	Erickson	Kempe, R.	Osthoff	Stoa
Beauchamp	Esau	King	Patton	Suss
Begich	Evans	Knickerbocker	Pehler	Swanson
Berg	Ewald	Kostohryz	Peterson	Tomlinson
Berglin	Farcy	Kroening	Petrafeo	Vanasek
Berkelman	Fjoslien	Kvam	Pleasant	Voss
Biersdorf	Forsythe	Laidig	Prahl	Waldorf
Birnstihl	Friedrich	Langseth	Reding	Welch
Brandl	Fudro	Lehto	Rice	Wenstrom
Braun	Fugina	Lemke	Rose	Wenzel
Brinkman	George	Mangan	St. Onge	White
Byrne	Gunter	Mann	Samuelson	Wieser
Carlson, A.	Hanson	McCarron	Sarna	Wigley
Carlson, D.	Haugerud	McCollar	Savelkoul	Williamson
Carlson, L.	Heinitz	McDonald	Scheid	Wynia
Casserly	Hokanson	McEachern	Schulz	Zubay
Clark	Jacobs	Metzen	Searle	Speaker Sabo
Clawson	Jaros	Moe	Searles	

The bill was passed and its title agreed to.

REPORT FROM THE COMMITTEE ON RULES AND LEGISLATIVE ADMINISTRATION

Anderson, I., moved that the report of the Committee on Rules and Legislative Administration and the proposed permanent rules of the House as they appear in the Journal of the House for the Ninth day of the Seventieth Session be now adopted.

CALL OF THE HOUSE

On the motion of Savelkoul and on the demand of 10 members, a call of the House was ordered. The following members answered to their names:

Abeln	Begich	Carlson, D.	Eken	Fudro
Adams	Berg	Carlson, L.	Ellingson	Fugina
Albrecht	Berglin	Casserly	Enebo	George
Anderson, B.	Berkelman	Clark	Erickson	Gunter
Anderson, D.	Biersdorf	Clawson	Esau	Hanson
Anderson, G.	Birnstihl	Cohen	Evans	Haugerud
Anderson, I.	Brandl	Corbid	Ewald	Heinitz
Anderson, R.	Braun	Cummiskey	Farcy	Hokanson
Arlandson	Brinkman	Dahl	Fjoslien	Jacobs
Battaglia	Byrne	Dean	Forsythe	Jaros
Beauchamp	Carlson, A.	Eckstein	Friedrich	Jensen

Johnson	Lehto	Niehaus	Savelkoul	Swanson
Jude	Lemke	Norton	Scheid	Tomlinson
Kahn	Mangan	Novak	Schulz	Vanasek
Kaley	Mann	Osthoff	Searle	Voss
Kalis	McCarron	Patton	Searles	Waldorf
Kelly, R.	McCollar	Pehler	Setzepfandt	Welch
Kelly, W.	McDonald	Peterson	Sherwood	Wenstrom
Kempe, A.	McEachern	Petrafero	Sieben, H.	Wenzel
Kempe, R.	Metzen	Pleasant	Sieben, M.	White
King	Moe	Prahl	Simoneau	Wieser
Knickerbocker	Munger	Reding	Skoglund	Wigley
Kostohryz	Murphy	Rice	Smogard	Williamson
Kroening	Neisen	Rose	Spanish	Wynia
Kvam	Nelsen, B.	St. Onge	Stanton	Zubay
Laidig	Nelsen, M.	Samuelson	Stoa	Speaker Sabo
Langseth	Nelson	Sarna	Suss	

Savelkoul moved that further proceedings of the roll call be dispensed with and that the Sergeant at Arms be instructed to bring in the absentees. The motion prevailed and it was so ordered.

Savelkoul moved to amend the proposed permanent rules of the House, as printed in the Journal of the House for the Ninth day, by adding a rule to read:

“6.13 (HOUSE ETHICS COMMITTEE.) *The House ethics committee shall hear complaints against members, recommend appropriate action to the House, refer matters to other authorities when appropriate, render and keep a file of ethical conduct judgments founded on actual or hypothetical circumstances and take other actions necessary to enforce the code of ethics as set forth in this rule.*

The committee shall be composed of a member of the majority caucus and a member of the minority caucus appointed by the speaker, two citizens who are not members appointed by the majority leader and two citizens who are not members appointed by the minority leader.

The following definitions are provided for the committee's use.

1. An “inherent conflict” is a situation that occurs because a legislator is a parent, homeowner, taxpayer, consumer, or in a similar category of high visibility which has a very low potential for conflicts.

2. A “personally necessary conflict” includes normal employment and other known income producing investments.

3. An “avoidable conflict of interest” is a personal interest, economic or otherwise, which substantially risks impairment of independence and is unnecessarily held by or pursued by a member.

4. A "close economic associate" includes the individual's employer, partners, and associates in business and professional enterprises.

5. A "close relative" and "close relationship" extends to the legislator's spouse and minor children.

6. An "economic interest" means a substantial economic interest distinct from that of the general public or major class of citizens and in any event, means an ownership interest in excess of \$5,000 or five percent or more of the outstanding capital stock of a corporation, an income interest in excess of \$1,000 per year or being an officer or director. "Economic interest" does not include a bank or savings and loan association in which the interest is an account, or an insurance company in which the interest is a policy.

The following guidelines are provided for the committee's use.

A. No member of the House or House employee should have any interest, financial or otherwise, direct or indirect, or engage in any business or transaction or professional activity, or incur any obligation of any nature, which is in substantial conflict with the proper discharge of his duties in the public interest.

B. No member of the House or House employee should use information gained by reason of his official position for his personal gain or benefit.

C. No member of the House or House employee should engage in any transaction as a representative or agent of the state with any business entity in which he has a direct or indirect financial interest that might reasonably tend to conflict with the proper discharge of his official duties.

D. A member of the House or House employee should not by his conduct give reasonable basis for the impression that any person can improperly influence him or unduly enjoy his favor in the performance of his official duties.

E. A member of the House of Representatives, who, as chief author of any measure or bill presented to the members of the House shall disclose any economic interest held by himself, a close economic associate, or his close relative to the legislative committee and to the legislative assembly, and the disclosure shall be recorded in a Journal or minutes affecting the meeting.

F. No member of the House or House employee should use his position for compensation, except in his capacity as a representative for his constituency, to secure or attempt to secure special governmental benefits, privileges or exemptions for himself or for other individuals, corporations or associations.

G. No member of the House or House employee shall act as an agent or attorney for the prosecution of any claim against the state of Minnesota before the legislature or a committee or commission thereof, or to aid or assist in the prosecution or support of a claim other than in the proper discharge of his official duties, or to receive any gratuity in connection with, or any share or interest in, a claim. However, this provision shall in no way prevent a legislator from presenting a claim which is personal to himself.

H. No member of the House or House employee should accept any employment or retainer for appearances before any state board or agency if the appearance is based on a contingent fee, unless the fee is set by statute.

I. No member of the House or House employee or firm or association of which the person is a member, or corporation, ten percent or more of the stock of which is owned or controlled directly or indirectly by the person, shall sell goods or services having a value in excess of \$100 to a state board or agency unless pursuant to an award or contract let after public notice and competitive bidding. This guideline shall not apply to the publication of resolutions, advertisements or other legal propositions or notices in newspapers designated pursuant to law for the purpose and for which the rates are fixed pursuant to law.

J. No member of the House shall solicit or receive anything of value including a favor or a service in return for his vote or action before the House.

K. No member of the House or House employee shall intentionally discriminate against another member of the House or House employee in the proper discharge of his official duties because of race, color, creed, religion, national origin, sex, marital status, disability or political affiliation."

A roll call was requested and properly seconded.

Faricy moved that the Savelkoul amendment be referred to the Committee on Rules and Legislative Administration.

A roll call was requested and properly seconded.

The question was taken on the Faricy motion and the roll was called. There were 100 yeas and 34 nays as follows:

Those who voted in the affirmative were:

Abeln	Arlandson	Berglin	Brinkman	Corbid
Adams	Battaglia	Berkelman	Byrne	Cummiskey
Anderson, B.	Beauchamp	Birnstihl	Carlson, L.	Dahl
Anderson, G.	Begich	Brandl	Cassery	Eken
Anderson, I.	Berg	Braun	Clark	Ellingson

Enebo	Kalis	Metzen	Rice	Stoa
Farcy	Kelly, R.	Moe	St. Onge	Suss
Fudro	Kelly, W.	Munger	Samuelson	Swanson
Fugina	Kempe, A.	Murphy	Sarna	Tomlinson
George	King	Neisen	Scheid	Vanasek
Gunter	Kostohryz	Nelsen, M.	Schulz	Voss
Hanson	Kroening	Nelson	Setzepfandt	Waldorf
Haugerud	Langseth	Norton	Sherwood	Weich
Hokanson	Lehto	Novak	Sieben, H.	Wenstrom
Jacobs	Lemke	Osthoff	Sieben, M.	Wenzel
Jaros	Mangan	Patton	Simoneau	White
Jensen	Mann	Pehler	Skoglund	Wieser
Johnson	McCarron	Petrafeso	Smogard	Williamson
Jude	McCollar	Prahl	Spanish	Wynia
Kahn	McEachern	Reding	Stanton	Speaker Sabo

Those who voted in the negative were:

Albrecht	Cchen	Fjoslien	Kvam	Rose
Anderson, D.	Dean	Forsythe	Laidig	Savelkoul
Anderson, R.	Eckstein	Friedrich	McDonald	Searle
Biersdorf	Erickson	Heinitz	Nelsen, B.	Searles
Carlson, A.	Esau	Kaley	Niehaus	Wigley
Carlson, D.	Evans	Kempe, R.	Peterson	Zubay
Clawson	Ewald	Knickerbocker	Pleasant	

The motion prevailed and the proposed amendment was referred to the Committee on Rules and Legislative Administration.

Savelkoul moved to amend the proposed permanent rules of the House, as printed in the Journal of the House for the Ninth day, by changing rule 1.3 to read as follows:

“1.3 (ORDER OF BUSINESS.) After the reading of the Journal, the order of business of the day shall be:

- (1) Presentation of petitions or other communications.
- (2) Reports of standing committees.
- (3) Second reading of House bills.
- (4) Second reading of Senate bills.
- (5) Reports of select committees.
- (6) Introduction and first reading of House bills.
- (7) *Motions and Resolutions.*
- ((7)) (8) Consideration of messages from the Senate.
- ((8)) (9) First reading of Senate bills.
- ((9)) (10) Consent Calendar.

((10)) (11) Calendar for the day.

((11)) (12) *General Orders.*

((12) MOTIONS AND RESOLUTIONS.)”.

A roll call was requested and properly seconded.

The question was taken on the adoption of the amendment and the roll was called. There were 33 yeas and 101 nays as follows:

Those who voted in the affirmative were:

Albrecht	Dean	Friedrich	Laidig	Savelkoul
Anderson, D.	Erickson	Heinitz	McDonald	Searle
Anderson, R.	Esau	Kahn	Nelsen, B.	Searles
Biersdorf	Evans	Kaley	Niehaus	Wigley
Carlson, A.	Ewald	Kempe, R.	Peterson	Zubay
Carlson, D.	Fjoslien	Knickerbocker	Pleasant	
Casserly	Forsythe	Kvam	Rose	

Those who voted in the negative were:

Abeln	Corbid	Kelly, R.	Norton	Spanish
Adams	Cummiskey	Kelly, W.	Novak	Stanton
Anderson, B.	Dahl	Kempe, A.	Osthoff	Stoa
Anderson, G.	Eckstein	King	Patton	Suss
Anderson, I.	Eken	Kostohryz	Pehler	Swanson
Arlandson	Ellingson	Kroening	Petrafeso	Tomlinson
Battaglia	Enebo	Langseth	Prahl	Vanasek
Beauchamp	Faricy	Lehto	Reding	Voss
Begich	Fudro	Lemke	Rice	Waldorf
Berg	Fugina	Mangan	St. Onge	Welch
Berglin	George	Mann	Samuelson	Wenstrom
Berkelman	Gunter	McCarron	Sarna	Wenzel
Birnstihl	Hanson	McCollar	Scheid	White
Brandl	Haugerud	McEachern	Schulz	Wieser
Braun	Hokanson	Metzen	Setzepfandt	Williamson
Brinkman	Jacobs	Moe	Sherwood	Wynia
Byrne	Jaros	Munger	Sieben, H.	Speaker Sabo
Carlson, L.	Jensen	Murphy	Sieben, M.	
Clark	Johnson	Neisen	Simoneau	
Clawson	Jude	Nelsen, M.	Skoglund	
Cohen	Kalis	Nelson	Smogard	

The motion did not prevail and the proposed amendment was not adopted.

Savelkoul moved to amend the proposed permanent rules of the House, as printed in the Journal of the House for the Ninth day, by adding a rule to read:

“5.9 *In all cases of the Senate adopting an amendment to a bill passed by the House, the House author of that bill shall provide a written summary of additions, changes, or deletions made by the Senate with a reference in each instance to the pages and lines in the bill containing said additions, changes, or deletions.*

The summary shall be sufficiently explicit and impartial to inform the House what effect such additions, changes, or deletions will have upon the measure to which they relate."

Anderson, I., moved that the Savelkoul amendment be referred to the Committee on Rules and Legislative Administration.

A roll call was requested and properly seconded.

The question was taken on the Anderson, I., motion and the roll was called. There were 97 yeas and 37 nays as follows:

Those who voted in the affirmative were:

Abeln	Cohen	Kalis	Nelson	Spanish
Adams	Cummiskey	Kelly, R.	Norton	Stanton
Anderson, B.	Dahl	Kelly, W.	Novak	Stoa
Anderson, G.	Eckstein	Kempe, A.	Patton	Suss
Anderson, I.	Eken	King	Pehler	Swanson
Arlandson	Elliingson	Kostohryz	Petrafeso	Tomlinson
Battaglia	Enebo	Kroening	Prahl	Vanasek
Beauchamp	Faricy	Langseth	Reding	Voss
Begich	Fudro	Lehto	Rice	Waldorf
Berg	Fugina	Lemke	St. Onge	Welch
Berglin	George	Mangan	Samuelson	Wenstrom
Berkelman	Hanson	Mann	Sarna	Wenzel
Birnstihl	Haugerud	McCarron	Scheid	White
Brandl	Hokanson	McCollar	Schulz	Wieser
Brinkman	Jacobs	McEachern	Sherwood	Williamson
Byrne	Jaros	Metzen	Sieben, H.	Wynia
Carlson, L.	Jensen	Moe	Sieben, M.	Speaker Sabo
Casserly	Johnson	Munger	Simoneau	
Clark	Jude	Murphy	Skoglund	
Clawson	Kahn	Neisen	Smogard	

Those who voted in the negative were:

Albrecht	Dean	Gunter	Nelsen, B.	Searle
Anderson, D.	Erickson	Heinitz	Nelsen, M.	Searles
Anderson, R.	Esau	Kaley	Niehaus	Setzepfandt
Biersdorf	Evans	Kempe, R.	Osthoff	Wigley
Braun	Ewald	Knickerbocker	Peterson	Zubay
Carlson, A.	Fjoslien	Kvam	Pleasant	
Carlson, D.	Forsythe	Laidig	Rose	
Corbid	Friedrich	McDonald	Savelkoul	

The motion prevailed and the proposed amendment was referred to the Committee on Rules and Legislative Administration.

Savelkoul moved to amend the proposed permanent rules of the House, as printed in the Journal of the House for the Ninth day, by changing rule 6.1 to read as follows:

At the end of Rule 6.1, add a new sentence to read: "*Standing committee chairmen shall be appointed by the Speaker, with majority consent by a roll call vote of the respective standing committees at their first scheduled meeting.*"

A roll call was requested and properly seconded.

The question was taken on the adoption of the amendment and the roll was called. There were 39 yeas and 95 nays as follows:

Those who voted in the affirmative were:

Albrecht	Erickson	Jude	McDonald	Searle
Anderson, B.	Esau	Kaley	Nelsen, B.	Searles
Anderson, D.	Evans	Kelly, R.	Niehaus	Setzepfandt
Anderson, R.	Ewald	Kempe, R.	Osthoff	Sherwood
Biersdorf	Fjoslien	Krickerbocker	Peterson	Vanasek
Carlson, A.	Forsythe	Kostohryz	Pleasant	Wigley
Carlson, D.	Friedrich	Kvam	Rose	Zubay
Dean	Heinitz	Laidig	Savelkoul	

Those who voted in the negative were:

Abeln	Clawson	Jensen	Murphy	Simoneau
Adams	Cohen	Johnson	Neisen	Skoglund
Anderson, G.	Corbid	Kahn	Nelsen, M.	Smogard
Anderson, I.	Cummiskey	Kalis	Nelson	Spanish
Arlandson	Dahl	Kelly, W.	Norton	Stanton
Battaglia	Eckstein	Kempe, A.	Novak	Stoa
Beauchamp	Eken	King	Patton	Suss
Begich	Ellingson	Kroening	Pehler	Swanson
Berg	Enebo	Langseth	Petraffeso	Tomlinson
Berglin	Faricy	Lehto	Prahl	Voss
Berkelman	Fudro	Lemke	Reding	Waldorf
Birnstihl	Fugina	Mangan	Rice	Welch
Brandl	George	Mann	St. Onge	Wenstrom
Braun	Gunter	McCarron	Samuelson	Wenzel
Brinkman	Hanson	McCollar	Sarna	White
Byrne	Haugerud	McEachern	Scheid	Wieser
Carlson, L.	Hokanson	Metzen	Schulz	Williamson
Casserly	Jacobs	Moe	Sieben, H.	Wynia
Clark	Jaros	Munger	Sieben, M.	Speaker Sabo

The motion did not prevail and the proposed amendment was not adopted.

Savelkoul moved to amend the proposed permanent rules of the House, as printed in the Journal of the House for the Ninth day, by changing rule 6.4 to read as follows:

“6.4 [COMMITTEE PROCEDURES.] Meetings of all committees of the House shall be open to the public *in accordance with Minnesota Statutes, Section 471.705, the Minnesota open meeting law.*

A majority of members of any standing or special committee shall constitute a quorum.

The Rules of the House shall be observed in the committees wherever they are applicable.

Any member of any committee may demand a roll call on any bill, resolution or amendment before the committee. Only upon

such demand being made shall the roll be called and the vote of each member on the bill, resolution or amendment be recorded, together with the name of the member demanding the roll call.

A committee may reconsider any action so long as the matter remains in the possession of the committee. A committee member need not have voted with the prevailing side in order to move reconsideration.

At any time during the period in which a standing committee has possession of a bill the members of the committee may, by majority vote, order the preparation of a Revisor's Analysis of the bill. The Revisor's Analysis shall consist of a concise description of the terms of the bill and shall be provided by the Revisor of Statutes. If the Revisor's Analysis is ordered at the time the bill is given committee approval, the analysis shall accompany the committee report to the House and shall thereafter be attached to the printed bill by the Chief Clerk.

At any time during the period in which a standing committee has possession of a bill, the members of the committee may, by majority vote, order the preparation of a Fiscal Note. If a Fiscal Note is ordered at the time the bill is given committee approval, the Fiscal Note shall accompany the committee report to the House and shall thereafter be attached to the printed bill by the Chief Clerk. No Fiscal Note shall be ordered for any bill given committee approval within ten days of the end of a regular session in any year.

Neither a Revisor's Analysis nor a Fiscal Note shall be considered a part of a bill or any indication of legislative intent."

A roll call was requested and properly seconded.

The question was taken on the adoption of the amendment and the roll was called. There were 53 yeas and 80 nays as follows:

Those who voted in the affirmative were:

Adams	Cohen	Friedrich	Murphy	Searles
Albrecht	Dean	Heinitz	Nelsen, B.	Setzepfandt
Anderson, D.	Eckstein	Hokanson	Niehaus	Sherwood
Anderson, R.	Eken	Jude	Peterson	Vanasek
Berkelman	Erickson	Kaley	Pleasant	Wenstrom
Biersdorf	Esau	Kempe, A.	Prahl	Wieser
Brandl	Evans	Kempe, R.	Rose	Wigley
Byrne	Ewald	Knickerbocker	Sarna	Williamson
Carlson, A.	Faricy	Kvam	Savelkoul	Zubay
Carlson, D.	Fjoslien	Laidig	Scheid	
Carlson, L.	Forsythe	McDonald	Searle	

Those who voted in the negative were:

Abeln	Anderson, G.	Arlandson	Beauchamp	Berg
Anderson, B.	Anderson, I.	Battaglia	Begich	Berglin

Birnstihl	Hanson	Lehto	Novak	Smogard
Braun	Haugerud	Lemke	Osthoff	Spanish
Brinkman	Jacobs	Mangan	Patton	Stanton
Casserly	Jaros	Mann	Pehler	Stoa
Clark	Jensen	McCarron	Petrafeso	Suss
Clawson	Johnson	McCollar	Reding	Swanson
Corbid	Kahn	McEachern	Rice	Tomlinson
Dahl	Kalis	Metzen	St. Onge	Voss
Ellingson	Kelly, R.	Moe	Samuelson	Waldorf
Enebo	Kelly, W.	Munger	Schulz	Welch
Fudro	King	Neisen	Sieben, H.	Wenzel
Fugina	Kostohryz	Nelsen, M.	Sieben, M.	White
George	Kroening	Nelson	Simoneau	Wynia
Gunter	Langseth	Norton	Skoglund	Speaker Sabo

The motion did not prevail and the proposed amendment was not adopted.

Laidig moved to amend the proposed permanent rules of the House, as printed in the Journal of the House for the Ninth day, by adding a rule to read:

"1.19 [QUESTION TIME.] A period of up to one hour each day that the House convenes shall be set aside for the purpose of answering questions that have been submitted to and reviewed by the Chief Clerk. The questions shall:

- (1) seek information and not be hypothetical;*
- (2) not ask for an opinion or interpretation of a statute or law;*
- (3) not seek to embarrass or abuse an individual or department.*

The Administrative Department to which the question is referred shall have at least 48 hours prior to such session to prepare their response. Responses to questions and supplemental questions shall be limited to five minutes each.

The Speaker shall instruct the Chief Clerk in all matters relating to the Question Time."

Further amend rule 1.3 as follows:

After "(1) Presentation of petitions or other communications." insert "(2) Question Time."

Renumber the remaining order accordingly.

A roll call was requested and properly seconded.

Laidig moved to amend the Laidig amendment as follows:

Line 4, after "*Clerk.*" delete "*The questions shall.*".

Delete lines 5, 6, 7, 8, and 9.

The motion prevailed and the amendment to the proposed amendment was adopted.

The question recurred on the adoption of the Laidig amendment as amended and the roll was called. There were 42 yeas and 92 nays as follows:

Those who voted in the affirmative were:

Albrecht	Carlson, D.	Forsythe	McDonald	Searles
Anderson, B.	Cohen	Friedrich	Nelsen, B.	Suss
Anderson, D.	Dean	Heinitz	Niehaus	Welch
Anderson, G.	Eckstein	Kaley	Novak	Wieser
Anderson, R.	Erickson	Knickerbocker	Peterson	Wigley
Berkelman	Esau	Kostohryz	Pleasant	Zubay
Biersdorf	Evans	Kvam	Rosc	
Byrne	Ewald	Laidig	Savelkoul	
Carlson, A.	Fjoalien	Mann	Searle	

Those who voted in the negative were:

Abeln	Dahl	Kelly, R.	Nelson	Skoglund
Adams	Eken	Kelly, W.	Norton	Smogard
Anderson, I.	Ellingson	Kempe, A.	Osthoff	Spanish
Arlandson	Enebo	Kempe, R.	Patton	Stanton
Battaglia	Faricy	King	Pehler	Stoa
Beauchamp	Fudro	Kroening	Petrafeso	Swanson
Begich	Fugina	Langseth	Prahl	Tomlinson
Berg	George	Lehto	Reding	Vanasek
Berglin	Gunter	Lemke	Rice	Voss
Birnstihl	Hanson	Mangan	St. Onge	Waldorf
Brandl	Haugerud	McCarron	Samuelson	Wenstrom
Braun	Hokanson	McCollar	Sarna	Wenzel
Brinkman	Jacobs	McEachern	Scheid	White
Carlson, L.	Jaros	Metzen	Schulz	Williamson
Casserly	Jensen	Moe	Setzepfandt	Wynia
Clark	Johnson	Munger	Sherwood	Speaker Sabo
Clawson	Jude	Murphy	Sieben, H.	
Corbid	Kahn	Neisen	Sieben, M.	
Cummiskey	Kalis	Nelsen, M.	Simoneau	

The motion did not prevail and the proposed amendment as amended was not adopted.

Carlson, D., moved to amend the proposed permanent rules of the House, as printed in the Journal of the House for the Ninth day, by changing rule 8.1 to read as follows:

"8.1 [APPOINTMENT OF EMPLOYEES.] The Committee on Rules and Legislative Administration shall designate the position of and appoint each employee of the House and set the compensation of each officer and employee. A record of all such appointments, including positions and compensation, shall be

(KEPT IN THE OFFICE OF THE CHIEF CLERK AND SHALL BE OPEN FOR INSPECTION BY THE PUBLIC)
printed in the Journal of the House.

The Committee on Rules and Legislative Administration, by resolution, shall establish the procedure for filling vacancies when the legislature is not in session.

Any employee of the House may be assigned to other duties, suspended or discharged at any time by the Committee on Rules and Legislative Administration.

No employee of the House shall receive any pay, compensation, gratuity or reward over and above the salary named for the position except upon approval of a three-fourths vote of the whole House."

A roll call was requested and properly seconded.

The question was taken on the adoption of the amendment and the roll was called. There were 43 yeas and 89 nays as follows:

Those who voted in the affirmative were:

Albrecht	Erickson	Kaley	Nelsen, B.	Searles
Anderson, B.	Esau	Kalis	Niehaus	Setzepfandt
Anderson, D.	Evans	Kempe, R.	Patton	Suss
Anderson, R.	Ewald	Knickerbocker	Pehler	Voss
Biersdorf	Fjoslien	Kostohryz	Peterson	Welch
Carlson, A.	Forsythe	Kvam	Pleasant	Wigley
Carlson, D.	Friedrich	Laidig	Rose	Zubay
Dean	Gunter	McDonald	Savelkoul	
Eckstein	Heinitz	Murphy	Searle	

Those who voted in the negative were:

Abeln	Clawson	Johnson	Neisen	Simoneau
Adams	Cohen	Jude	Nelsen, M.	Skoglund
Anderson, G.	Corbid	Kahn	Nelson	Smogard
Anderson, I.	Cummiskey	Kelly, R.	Norton	Spanish
Arlandson	Dahl	Kelly, W.	Novak	Stanton
Battaglia	Eken	Kempe, A.	Osthoff	Sioa
Beauchamp	Ellingson	King	Petrafeso	Swanson
Begich	Enebo	Kroening	Prahl	Tomlinson
Berg	Farcy	Langseth	Reding	Vanasek
Berglin	Fudro	Lehto	Rice	Waldorf
Berkelman	Fugina	Lemke	St. Onge	Wenstrom
Birnsthil	George	Mangan	Samuelson	Wenzel
Braun	Hanson	Mann	Sarna	White
Brinkman	Haugerud	McCarron	Scheid	Wieser
Byrne	Hokanson	McCollar	Schulz	Williamson
Carlson, L.	Jacobs	McEachern	Sherwood	Wynia
Casserly	Jaros	Metzen	Sieben, H.	Speaker Sabo
Clark	Jensen	Moe	Sieben, M.	

The motion did not prevail and the proposed amendment was not adopted.

Savelkoul moved to amend the proposed permanent rules of the House, as printed in the Journal of the House for the Ninth day, by adding a rule to read:

“5.9 [FISCAL NOTES.] Each bill shall have attached to it a fiscal note stating the cost to the state or other units of government in the current and next biennium, if the legislation is enacted.”.

and changing Rule 6.4 to read:

“6.4 [COMMITTEE PROCEDURES.] Meetings of all committees of the House shall be open to the public.

A majority of members of any standing or special committee shall constitute a quorum.

The Rules of the House shall be observed in the committees wherever they are applicable.

Any member of any committee may demand a roll call on any bill, resolution or amendment before the committee. Only upon such demand being made shall the roll be called and the vote of each member of the bill, resolution or amendment be recorded, together with the name of the member demanding the roll call.

A committee may reconsider any action so long as the matter remains in the possession of the committee. A committee member need not have voted with the prevailing side in order to move reconsideration.

At any time during the period in which a standing committee has possession of a bill the members of the committee may, by majority vote, order the preparation of a Revisor's Analysis of the bill. The Revisor's Analysis shall consist of a concise description of the terms of the bill and shall be provided by the Revisor of Statutes. If the Revisor's Analysis is ordered at the time the bill is given committee approval, the analysis shall accompany the committee report to the House and shall thereafter be attached to the printed bill by the Chief Clerk.

At any time during the period in which a standing committee has possession of a bill, the members of the committee may, by majority vote, order the preparation of a *new or corrected* Fiscal Note. If a Fiscal Note is ordered at the time the bill is given committee approval, the Fiscal Note shall accompany the committee report to the House and shall thereafter be attached to the printed bill by the Chief Clerk. (NO FISCAL NOTE SHALL BE ORDERED FOR ANY BILL GIVEN COMMITTEE APPROVAL WITHIN TEN DAYS OF THE END OF A REGULAR SESSION IN ANY YEAR.)

Neither a Revisor's Analysis nor a Fiscal Note shall be considered a part of a bill or any indication of legislative intent."

A roll call was requested and properly seconded.

The question was taken on the adoption of the amendment and the roll was called. There were 32 yeas and 102 nays as follows:

Those who voted in the affirmative were:

Albrecht	Erickson	Heinitz	McDonald	Searle
Anderson, D.	Esau	Kaley	Nelsen, B.	Searles
Siersdorf	Evans	Kempe, R.	Niehaus	Wigley
Carlson, A.	Ewald	Knickerbocker	Peterson	Zubay
Carlson, D.	Fjoslien	Kvam	Pleasant	
Dean	Forsythe	Laidig	Rose	
Eckstein	Friedrich	Mann	Savelkoul	

Those who voted in the negative were:

Abeln	Clawson	Kahn	Nelson	Smogard
Adams	Cohen	Kalis	Norton	Spanish
Anderson, B.	Corbid	Kelly, R.	Novak	Stanton
Anderson, G.	Cummiskey	Kelly, W.	Osthoff	Stoa
Anderson, I.	Dahl	Kempe, A.	Patton	Suss
Anderson, R.	Eken	King	Pehler	Swanson
Arlandson	Ellingson	Kostohryz	Petrafeso	Tomlinson
Battaglia	Enebo	Kroening	Prahl	Vanasek
Beauchamp	Faricy	Langseth	Reding	Voss
Begich	Fudro	Lehto	Rice	Waldorf
Berg	Fugina	Lemke	St. Onge	Welch
Berglin	George	Mangan	Samuelson	Wenstrom
Berkelman	Gunter	McCarron	Sarna	Wenzel
Birnstihl	Hanson	McCollar	Scheid	White
Brandl	Haugerud	McEachern	Schulz	Wieser
Braun	Hokanson	Metzen	Setzepfandt	Williamson
Brinkman	Jacobs	Moe	Sherwood	Wynia
Byrne	Jaros	Munger	Sieben, H.	Speaker Sabo
Carlson, L.	Jensen	Murphy	Sieben, M.	
Casserly	Johnson	Neisen	Simoneau	
Clark	Jude	Nelsen, M.	Skoglund	

The motion did not prevail and the proposed amendment was not adopted.

Savelkoul moved to amend the proposed permanent rules of the House, as printed in the Journal of the House for the Ninth day, by adding a rule to read:

"9.6 [BUDGET RESOLUTION.] *The House shall, within 60 days after the day of its assembly in regular session in the odd numbered year, adopt a budget resolution. The resolution shall state the maximum amount of money to be spent or otherwise transferred in the next biennium. No bill enacting an appropriation for the next biennium may be passed before the adoption of the resolution. A bill enacting an appropriation for the expiring biennium may be passed before the adoption of the resolution.*"

A roll call was requested and properly seconded.

The question was taken on the adoption of the amendment and the roll was called. There were 32 yeas and 101 nays as follows:

Those who voted in the affirmative were:

Albrecht	Erickson	Heinitz	Nelsen, B.	Searles
Anderson, D.	Esau	Kaley	Niehaus	Setzepfandt
Anderson, R.	Evans	Kenpe, R.	Peterson	Wigley
Biersdorf	Ewald	Knickerbocker	Pleasant	Zubay
Carlson, A.	Fjoslien	Kvam	Rose	
Dean	Forsythe	Laidig	Savelkoul	
Eckstein	Friedrich	McDonald	Searle	

Those who voted in the negative were:

Abeln	Clawson	Kalis	Nelson	Spanish
Adams	Cohen	Kelly, R.	Norton	Stanton
Anderson, B.	Corbid	Kelly, W.	Novak	Stoa
Anderson, G.	Cummiskey	Kempe, A.	Osthoff	Suss
Anderson, I.	Dahl	King	Patton	Swanson
Arlandson	Eken	Kostohryz	Pehler	Tomlinson
Battaglia	Ellingson	Kroening	Petrafeso	Vanasek
Beauchamp	Enebo	Langseth	Prahi	Voss
Begich	Faricy	Lehto	Reding	Waldorf
Berg	Fudro	Lemke	Rice	Welch
Berglin	Fugina	Mangan	St. Onge	Wenstrom
Berkelman	George	Mann	Samuelson	Wenzel
Birnstihl	Gunter	McCarron	Sarna	White
Brandl	Hanson	McCollar	Scheid	Wieser
Braun	Haugerud	McEachern	Schulz	Williamson
Brinkman	Hokanson	Metzen	Sherwood	Wynia
Byrne	Jaros	Moe	Sieben, H.	Speaker Sabo
Carlson, D.	Jensen	Munger	Sieben, M.	
Carlson, L.	Johnson	Murphy	Simoneau	
Casserly	Jude	Neisen	Skoglund	
Clark	Kahn	Nelsen, M.	Smogard	

The motion did not prevail and the proposed amendment was not adopted.

St. Onge, Kostohryz, Eckstein, Lemke, Setzepfandt, Dahl, Kalis, Norton, Patton, Tomlinson and King moved to amend the proposed permanent rules of the House, as printed in the Journal of the House for the Ninth day, as follows:

Rule 4.11, line 4, after the word "desk" add the following: "*the sections to the left and right of the speaker's rostrum north of the side doors.*"

A roll call was requested and properly seconded.

Carlson moved to amend the St. Onge amendment by deleting "*sections*" and insert "*section*" and after "*the section to the*" delete "*left and*".

A roll call was requested and properly seconded.

Searle moved that the St. Onge amendment be referred to the Committee on Rules and Legislative Administration.

The motion prevailed and the proposed amendment was referred to the Committee on Rules and Legislative Administration.

The question recurred on the Anderson, I., motion that the proposed permanent rules of the House as printed in the Journal of the House for the Ninth day of the Seventieth Session be now adopted.

The roll was called and there were 132 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Abein	Corbid	Johnson	Neisen	Sieben, H.
Adams	Cummiskey	Jude	Nelsen, B.	Sieben, M.
Albrecht	Dahl	Kahn	Nelsen, M.	Simoneau
Anderson, B.	Dean	Kaley	Nelson	Skoglund
Anderson, D.	Eckstein	Kalis	Niehaus	Smogard
Anderson, G.	Eken	Kelly, R.	Norton	Spanish
Anderson, I.	Ellingson	Kelly, W.	Novak	Stanton
Anderson, R.	Enebo	Kempe, A.	Osthoff	Stoa
Arlandson	Erickson	Kempe, R.	Patton	Suss
Battaglia	Esau	King	Pehler	Swanson
Beauchamp	Evans	Knickerbocker	Peterson	Tomlinson
Begich	Ewald	Kostohryz	Petrafeso	Vanasek
Berg	Faricy	Kroening	Pleasant	Voss
Berglin	Fjoslien	Laidig	Prahl	Waldorf
Berkelman	Forsythe	Langseth	Reding	Welch
Biersdorf	Friedrich	Lehto	Rice	Wenstrom
Birnstihl	Fudro	Lemke	Rose	Wenzel
Brandl	Fugina	Mangan	St. Onge	White
Braun	George	Mann	Samuelson	Wieser
Brinkman	Gunter	McCarron	Sarna	Wigley
Byrne	Hansen	McCollar	Savelkoul	Williamson
Carlson, A.	Haugerud	McDonald	Scheid	Wynia
Carlson, D.	Heinitz	McEachern	Schulz	Zubay
Carlson, L.	Hokanson	Metzen	Searle	Speaker Sabo
Casserly	Jacobs	Moe	Searles	
Clark	Jaros	Munger	Setzepfandt	
Clawson	Jensen	Murphy	Sherwood	

The motion prevailed and the permanent rules of the House for the Seventieth Session were adopted.

MOTIONS AND RESOLUTIONS

Anderson, I., moved that the names of Prahl, Fugina and Battaglia be added as authors on House Resolution No. 3. The motion prevailed.

Anderson, I., moved that the names of Fugina, Battaglia, and Carlson, D., be added as authors on H. F. No. 105. The motion prevailed.

Anderson, I., moved that the names of Eken, Sherwood and Carlson, D., be added as authors on H. F. No. 110. The motion prevailed.

ADJOURNMENT

Anderson, I., moved that when the House adjourns today it adjourn until 2:00 p.m., Thursday, February 3, 1977. The motion prevailed.

Anderson, I., moved that the House adjourn. The motion prevailed, and the Speaker declared the House stands adjourned until 2:00 p.m., Thursday, February 3, 1977.

EDWARD A. BURDICK, Chief Clerk, House of Representatives

STATE OF MINNESOTA

SEVENTIETH SESSION - 1977

ELEVENTH DAY

SAINT PAUL, MINNESOTA, THURSDAY, FEBRUARY 3, 1977

The House of Representatives convened at 2:00 p.m. and was called to order by the Speaker.

Prayer was offered by the Chaplain.

The roll was called and the following members were present:

Abeln	Corbid	Johnson	Munger	Searles
Adams	Cummiskey	Jude	Murphy	Setzepfandt
Albrecht	Dahl	Kahn	Neisen	Sherwood
Anderson, B.	Dean	Kaley	Neisen, B.	Sieben, M.
Anderson, D.	Eckstein	Kalis	Nelsen, M.	Simoneau
Anderson, I.	Eken	Kelly, R.	Nelson	Skoglund
Anderson, R.	Ellingson	Kelly, W.	Niehaus	Smogard
Arlandson	Enebo	Kempe, A.	Norton	Spanish
Battaglia	Erickson	Kempe, R.	Novak	Stanton
Beauchamp	Esau	King	Osthoff	Stoa
Begich	Evans	Knickerbocker	Patton	Suss
Berg	Ewald	Kostohryz	Peher	Swanson
Berglin	Faricy	Kroening	Peterson	Tomlinson
Berkelman	Fjoslien	Kvam	Petrafeso	Vanasek
Biersdorf	Forsythe	Laidig	Pleasant	Voss
Birnstihl	Friedrich	Langseth	Prahl	Waldorf
Brandl	Fugina	Lehto	Reding	Welch
Braun	George	Lemke	Rice	Wenstrom
Byrne	Gunter	Mangan	Rose	Wenzel
Carlson, A.	Hanson	Mann	St. Onge	White
Carlson, D.	Haugerud	McCarron	Samuelson	Wieser
Carlson, L.	Heinitz	McCollar	Sarna	Wigley
Cassery	Hokanson	McDonald	Savelkoul	Williamson
Clark	Jacobs	McEachern	Scheid	Wynia
Clawson	Jaros	Metzen	Schulz	Zubay
Cohen	Jensen	Moe	Searle	Speaker Sabo

A quorum was present.

Anderson, G.; Brinkman; Fudro and Sieben, H., were excused.

The Chief Clerk proceeded to read the Journal of the preceding day. McCollar moved that further reading of the Journal be dispensed with and that the Journal be approved as corrected by the Chief Clerk. The motion prevailed.

REPORTS OF CHIEF CLERK

Pursuant to Rules of the House, printed copies of S.F. No. 48 have been placed in the members' files.

PETITIONS AND COMMUNICATIONS

The following reports were received and filed in the Chief Clerk's Office: Department of Public Safety concerning Mandatory Registration of Bicycles, Annual Report on Small Business Procurement Act from the Department of Administration Division of Procurement, 1976 Annual Report of the Arrowhead Regional Development Commission, Report to the Minnesota and Wisconsin Legislatures submitted by the Interstate Port Authority Commission, Forty-Fifth Annual Report of the Teachers Retirement Association, Corrections '76 submitted by the Department of Corrections and 1974-1976 Biennial Report of the Iron Range Resources and Rehabilitation Board.

The following communication was received:

The complete file and all exhibits, including the findings, conclusions and orders, relating to the election contest of Ronald G. Evans, Contestant, vs. David R. Cummiskey, Contestee, of House District 29A, were received from Richard H. Fasnacht, Clerk of District Court, Blue Earth County, Mankato, Minnesota, pursuant to Court Order dated January 11, 1977.

INTRODUCTION AND FIRST READING
OF HOUSE BILLS

The following House Files were introduced:

Pehler, Patton, Brinkman and Welch introduced:

H. F. No. 281, A bill for an act relating to St. Cloud state university; appropriating money for designing and planning an addition to Halenbeck Hall.

The bill was read for the first time and referred to the Committee on Appropriations.

Arlandson, Metzen, Casserly, Smogard and Adams introduced:

H. F. No. 282, A bill for an act relating to franchises; amending Minnesota Statutes 1976, Sections 80C.01, Subdivision 4; 80C.08, Subdivision 1; and 80C.09, Subdivision 1.

The bill was read for the first time and referred to the Committee on Commerce and Economic Development.

Arlandson, Reding, White, Adams and Peterson introduced:

H. F. No. 283, A bill for an act relating to securities; disciplinary action against a licensee; clarifying the time for initiating a proceeding; amending Minnesota Statutes 1976, Section 80A.07, Subdivision 2.

The bill was read for the first time and referred to the Committee on Commerce and Economic Development.

Carlson, L.; Abeln; Adams; Scheid and Kroening introduced:

H. F. No. 284, A bill for an act relating to commerce; prohibiting door to door solicitors from representing themselves as survey or opinion takers; prescribing penalties; amending Minnesota Statutes 1976, Section 325.79, by adding a subdivision.

The bill was read for the first time and referred to the Committee on Commerce and Economic Development.

Petrafeso, Berg, Cohen, Arlandson and Sabo introduced:

H. F. No. 285, A bill for an act relating to commerce; prohibiting discriminatory trade practices; providing a penalty; amending Minnesota Statutes 1976, Sections 325.8013; and 325.8018, Subdivision 2.

The bill was read for the first time and referred to the Committee on Commerce and Economic Development.

Byrne, Savelkoul, Novak, Tomlinson and Suss introduced:

H. F. No. 286, A bill for an act relating to controlled substances; prescribing penalties for the dissemination of substances purporting to be a prohibited controlled substance; amending Minnesota Statutes 1976, Chapter 152, by adding a section.

The bill was read for the first time and referred to the Committee on Criminal Justice.

Sherwood; Kempe, A.; Johnson; Haugerud and Esau introduced:

H. F. No. 287, A bill for an act relating to obscenity; prohibiting the showing of obscene motion pictures at drive-in theaters; providing for a hearing in the courts to determine if a motion picture is obscene; prescribing penalties.

The bill was read for the first time and referred to the Committee on Criminal Justice.

Sieben, M.; Novak; Battaglia; Jacobs and Kaley introduced:

H. F. No. 288, A bill for an act relating to crimes; specifying the acts constituting the crime of retail theft; amending Minnesota Statutes 1976, Chapter 609, by adding a section; repealing Minnesota Statutes 1976, Section 629.366.

The bill was read for the first time and referred to the Committee on Criminal Justice.

Patton; Nelsen, M.; Pehler; Lemke and Birnstihl introduced:

H. F. No. 289, A bill for an act relating to peace officer training courses; eligibility; amending Minnesota Statutes 1976, Section 626.851, Subdivision 2.

The bill was read for the first time and referred to the Committee on Criminal Justice.

Pehler, Beauchamp, Patton, Welch and Samuelson introduced:

H. F. No. 290, A bill for an act relating to highway traffic regulations; driving under the influence of drugs, controlled substances, or alcoholic beverages; reducing blood alcohol limits in regard to what constitutes the offense of driving under the influence; providing penalties; amending Minnesota Statutes 1976, Sections 169.121, Subdivisions 1 and 2; 169.123, Subdivision 2; and 169.127, Subdivisions 1 and 2.

The bill was read for the first time and referred to the Committee on Criminal Justice.

Swanson, Petrafeso, St. Onge, Forsythe and McCarron introduced:

H. F. No. 291, A bill for an act relating to education; school districts; joint powers; authorizing joint boards to acquire certain property for data processing; amending Minnesota Statutes 1976, Section 123.73.

The bill was read for the first time and referred to the Committee on Education.

Laidig, Clawson, Clark, McDonald and Abeln introduced:

H. F. No. 292, A bill for an act relating to health; smoking by students; allowing certain students to smoke in designated smoking areas; amending Minnesota Statutes 1976, Section 609.685.

The bill was read for the first time and referred to the Committee on Education.

Anderson, I., introduced:

H. F. No. 293, A bill for an act relating to waters; authorizing conveyance of a dam easement and empowering the town of Hines in Beltrami county to maintain and operate a dam.

The bill was read for the first time and referred to the Committee on Environment and Natural Resources.

Sherwood, Skoglund, Kahn, Stanton and Lehto introduced:

H. F. No. 294, A bill for an act relating to water resources; modifying certain procedures for the adoption of local shoreland management ordinances; amending Minnesota Statutes 1976, Section 105.485, Subdivision 6.

The bill was read for the first time and referred to the Committee on Environment and Natural Resources.

Patton; Nelsen, M.; Lemke; Pehler and Stanton introduced:

H. F. No. 295, A bill for an act relating to game and fish; seasons for taking of certain fish; amending Minnesota Statutes 1976, Section 101.41, Subdivisions 2 and 4.

The bill was read for the first time and referred to the Committee on Environment and Natural Resources.

Cassery, Norton, Suss, Ewald and Brinkman introduced:

H. F. No. 296, A bill for an act relating to insurance; providing for the establishment and operation of a Minnesota life and health insurance guaranty association; providing protection for policyowners, insureds, beneficiaries, and others against the failure of an insurer doing business in Minnesota; amending Minnesota Statutes 1976, Sections 60B.17, by adding a subdivision; 60B.25; 60B.30, by adding a subdivision; and 60B.46, Subdivision 1.

The bill was read for the first time and referred to the Committee on Financial Institutions and Insurance.

Kaley; Carlson, L.; Zubay; Voss and Friedrich introduced:

H. F. No. 297, A bill for an act relating to group health care plans; requiring published or written notice to employees before certain employee health care plans may be terminated; amending Minnesota Statutes 1976, Sections 62C.02, Subdivision 1; and 62D.02, Subdivision 1; and Chapters 62A, 62C and 62D, by adding sections.

The bill was read for the first time and referred to the Committee on Financial Institutions and Insurance.

Simoneau, Neisen, Ewald, Abeln and Anderson, G., introduced:

H. F. No. 298, A bill for an act relating to credit union mergers; amending Minnesota Statutes 1976, Section 52.203.

The bill was read for the first time and referred to the Committee on Financial Institutions and Insurance.

Casserly; Ewald; Kempe, A.; Ellingson and Suss introduced:

H. F. No. 299, A bill for an act relating to banking; authorized investments and powers of savings banks; amending Minnesota Statutes 1976, Sections 50.14, Subdivision 5; 50.148; and 50.157.

The bill was read for the first time and referred to the Committee on Financial Institutions and Insurance.

Osthoff, Metzen, Murphy, Rose and Biersdorf introduced:

H. F. No. 300, A bill for an act relating to elections; removing a provision for special hours during which registration locations must be open; amending Minnesota Statutes 1976, Section 201.091, Subdivision 6.

The bill was read for the first time and referred to the Committee on General Legislation and Veterans Affairs.

Kostohryz, Waldorf, McDonald, McCarron and Jacobs introduced:

H. F. No. 301, A bill for an act relating to veterans; redefining the word "veteran" for certain purposes; amending Minnesota Statutes 1976, Section 197.447.

The bill was read for the first time and referred to the Committee on General Legislation and Veterans Affairs.

Cassery, Jaros, Corbid, Stanton and Berglin introduced:

H. F. No. 302, A bill for an act relating to actions at law; prohibiting civil suits for alienation of affections and breach of contract to marry; abolishing certain crimes; repealing Minnesota Statutes 1976, Sections 609.293, Subdivision 5; 609.34; and 609.36.

The bill was read for the first time and referred to the Committee on General Legislation and Veterans Affairs.

Carlson, D., and Kelly, R., introduced:

H. F. No. 303, A bill for an act proposing an amendment to the Minnesota Constitution, Article IV, Sections 2 and 3; setting the size of the legislature and providing for apportionments.

The bill was read for the first time and referred to the Committee on General Legislation and Veterans Affairs.

Nelson; Enebo; Carlson, A.; Sarna and Berglin introduced:

H. F. No. 304, A bill for an act relating to the city of Minneapolis; relating to elections; allowing regulation of campaign financing solely by local ordinance which contains at least the requirements of Minnesota Statutes, Chapter 10A; providing penalties.

The bill was read for the first time and referred to the Committee on General Legislation and Veterans Affairs.

Jude, Reding, Clawson, Neisen and Simoneau introduced:

H. F. No. 305, A bill for an act relating to the public service commission; regulating commissioners' conflicts of interest; amending Minnesota Statutes 1976, Section 216A.035.

The bill was read for the first time and referred to the Committee on General Legislation and Veterans Affairs.

Patton, Biersdorf and Beauchamp introduced:

H. F. No. 306, A bill for an act relating to retirement; miscellaneous amendments to the public employees retirement law; amending Minnesota Statutes 1976, Sections 353.01, Subdivisions 2a, 2b, 6, 15, and 20; 353.27, Subdivision 4; 353.29, Subdivisions 4 and 8; 353.31, Subdivision 8; 353.32, Subdivision 7; 353.33, Subdivisions 1, 9, and 11; 353.36, Subdivision 2; 353.37; 353.46, by adding a subdivision; and 353.651, Subdivision 3; repealing Minnesota Statutes 1976, Sections 353.016; 353.018; 353.019; 353.31, Subdivision 11; 353.36, Subdivision 2d; 353.46, Subdivision 3; and 353.64, Subdivision 5.

The bill was read for the first time and referred to the Committee on Governmental Operations.

Patton, Moe, Beauchamp and Biersdorf introduced:

H. F. No. 307, A bill for an act relating to retirement; correcting outdated references in the teachers retirement law; amending Minnesota Statutes 1976, Sections 354.05, Subdivision 25; 354.41, Subdivision 3; 354.49, Subdivision 1; 354.53, Subdivision 1; 354.55, Subdivisions 6, 15, and 18; and 354.58.

The bill was read for the first time and referred to the Committee on Governmental Operations.

Patton, Biersdorf, Moe and Beauchamp introduced:

H. F. No. 308, A bill for an act relating to retirement; Minnesota state retirement system; exclusion from pension coverage for certain labor service employees of the metropolitan waste control commission; amending Minnesota Statutes 1976, Sections 352.01, Subdivision 2B; 473.141, Subdivision 12; and 473.511, Subdivision 3.

The bill was read for the first time and referred to the Committee on Governmental Operations.

Patton, Biersdorf, Beauchamp and Moe introduced:

H. F. No. 309, A bill for an act relating to retirement; extending the option for purchase of prior service credit by certain legislative employees; amending Laws 1975, Chapter 388, Section 1.

The bill was read for the first time and referred to the Committee on Governmental Operations.

Mangan, Patton, Beauchamp, Fugina and Biersdorf introduced:

H. F. No. 310, A bill for an act relating to retirement; elections, computation and purchase of prior service credit in the teachers retirement fund; amending Minnesota Statutes 1976, Sections 354.146, by adding a subdivision; 354.44, Subdivision 6; and 354.51, by adding a subdivision.

The bill was read for the first time and referred to the Committee on Governmental Operations.

Patton, Moe, Biersdorf, Pehler and Beauchamp introduced:

H. F. No. 311, A bill for an act relating to retirement; eliminating the deduction of workers' compensation benefits from disability retirement benefits; amending Minnesota Statutes 1976, Section 352B.10; repealing Minnesota Statutes 1976, Sections 352.113, Subdivision 5; 353.33, Subdivision 5; and 353.656, Subdivision 2.

The bill was read for the first time and referred to the Committee on Governmental Operations.

Suss, Patton, Beauchamp, Arlandson and Vanasek introduced:

H. F. No. 312, A bill for an act relating to retirement; including employees of soil and water conservation districts in membership in the public employees retirement association; amending Minnesota Statutes 1976, Section 353.01, Subdivision 6; and Chapter 353, by adding a section.

The bill was read for the first time and referred to the Committee on Governmental Operations.

Braun, Enebo, St. Onge, Adams and George introduced:

H. F. No. 313, A bill for an act relating to unemployment compensation; providing eligibility for benefits for certain retired workers; amending Minnesota Statutes 1976, Section 268.09, Subdivision 1.

The bill was read for the first time and referred to the Committee on Governmental Operations.

Zubay, Voss, Petrafeso, Haugerud and Begich introduced:

H. F. No. 314, A bill for an act relating to trials; authorizing electronic transcription of trial proceedings; providing for costs and payment.

The bill was read for the first time and referred to the Committee on Governmental Operations.

Kempe, R.; Jensen; Sieben, H.; and White introduced:

H. F. No. 315, A bill for an an act relating to state government; state zoological board; providing for an ex officio member of the board from the county board of Dakota county; amending Minnesota Statutes 1976, Section 85A.01, Subdivision 1.

The bill was read for the first time and referred to the Committee on Governmental Operations.

Sieben, H.; Kempe, R.; Wenstrom; Carlson, L.; and Pleasant introduced:

H. F. No. 316, A bill for an act relating to wrongful death; authorizing the commencement of an action within three years from the date of death; amending Minnesota Statutes 1976, Section 573.02, Subdivision 1.

The bill was read for the first time and referred to the Committee on Governmental Operations.

Sieben, H.; Zubay; Patton; Metzen and Battaglia introduced:

H. F. No. 317, A bill for an act relating to the operation of state government; providing for the expiration or periodic re-evaluation of various regulatory programs; requiring program and fiscal review of regulatory programs; providing for performance audits by the legislative auditor; establishing a pilot program; appropriating money.

The bill was read for the first time and referred to the Committee on Governmental Operations.

Ewald, Patton, Adams, Casserly and Petrafeso introduced:

H. F. No. 318, A bill for an act relating to the operation of state government; establishing a system of periodic review of certain agencies; requiring economic impact information for proposed legislation and proposed administrative rules; providing for hearings; creating guidelines; establishing legislative review procedures for administrative rule-making; setting termination dates; amending Minnesota Statutes 1976, Chapter 3, by adding a section; and Sections 15.0412, by adding a subdivision; 15.0413, Subdivision 1, and by adding a subdivision.

The bill was read for the first time and referred to the Committee on Governmental Operations.

Sieben, M.; Kaley and Jacobs introduced:

H. F. No. 319, A bill for an act relating to daytime activity centers; renaming them developmental achievement centers; making the necessary revisions in Minnesota Statutes; amending Minnesota Statutes 1976, Sections 123.39, Subdivision 13; 252.21; 252.22; 252.23; 252.24; 252.25; and 252.26.

The bill was read for the first time and referred to the Committee on Health and Welfare.

Reding, Prah, Enebo, Lehto and Kroening introduced:

H. F. No. 320, A bill for an act relating to labor; providing for the elimination of the tip credit in computing minimum wage; amending Minnesota Statutes 1976, Sections 177.23, by adding a subdivision; 177.24; repealing Minnesota Statutes 1976, Section 177.28, Subdivision 4.

The bill was read for the first time and referred to the Committee on Labor-Management Relations.

Wynia, Brandl, George, Laidig and Cohen introduced:

H. F. No. 321, A bill for an act relating to shade tree disease control; including reforestation in shade tree disease control programs; expanding program activities eligible for grants; permitting special levies to fund local government programs; appropriating money; amending Minnesota Statutes 1976, Sections 18.023, Subdivisions 1a and 3a; and 275.50, Subdivision 5.

The bill was read for the first time and referred to the Committee on Local and Urban Affairs.

Clawson, Dahl, Reding and Setzepfandt introduced:

H. F. No. 322, A bill for an act relating to public indebtedness; interest rates on obligations and special assessments; amending Minnesota Statutes 1976, Sections 429.061, Subdivision 2; and 475.55, Subdivision 1.

The bill was read for the first time and referred to the Committee on Local and Urban Affairs.

Sieben, H.; Metzen; Jensen and White introduced:

H. F. No. 323, A bill for an act relating to Dakota county; providing that the office of administrative assistant and any specialized position agreed to by the board and the sheriff shall be unclassified.

The bill was read for the first time and referred to the Committee on Local and Urban Affairs.

Clawson, Suss, Mangan, Schulz and Anderson, B., introduced:

H. F. No. 324, A bill for an act relating to sheriffs; fees and mileage allowance; amending Minnesota Statutes 1976, Section 357.09, Subdivisions 1, 2, and 4; repealing Minnesota Statutes 1976, Sections 357.09, Subdivision 5; and 357.10.

The bill was read for the first time and referred to the Committee on Local and Urban Affairs.

Setzepfandt, Schulz, Smogard, Gunter and Dahl introduced:

H. F. No. 325, A bill for an act relating to county planning and zoning; providing for enforcement of certain subdivision regulations by providing for approval of conveyancing instruments by a county planning and zoning officer prior to recording; amending Minnesota Statutes 1976, Section 394.37, Subdivision 1.

The bill was read for the first time and referred to the Committee on Local and Urban Affairs.

Braun, Corbid and Eken introduced:

H. F. No. 326, A bill for an act relating to Kittson county; providing for the imposition of a tax upon persons, copartnerships, companies, joint stock companies, corporations, and associations however organized engaged therein in the business of removing gravel from gravel pits or deposits of gravel, for enforcing and collecting the same and prescribing penalties for violations thereof.

The bill was read for the first time and referred to the Committee on Taxes.

Brinkman, Osthoff, Metzen and Sarna introduced:

H. F. No. 327, A bill for an act relating to taxation; permitting a deduction from the sales tax by certain sales tax permit holders to defray the costs of collecting and remitting the tax; amending Minnesota Statutes 1976, Section 297A.26, by adding a subdivision.

The bill was read for the first time and referred to the Committee on Taxes.

Patton, Pehler, Voss, Cummiskey and Birnstihl introduced:

H. F. No. 328, A bill for an act relating to taxation; providing a tax credit for persons paying residential heating charges; amending Minnesota Statutes 1976, Section 290.06, by adding a subdivision.

The bill was read for the first time and referred to the Committee on Taxes.

Patton; Nelsen, M.; Birnstihl; Lemke and Pehler introduced:

H. F. No. 329, A bill for an act relating to taxation; eliminating the employers excise tax; repealing Minnesota Statutes 1976, Sections 290.031; 290.921; and 290.922.

The bill was read for the first time and referred to the Committee on Taxes.

Knickerbocker introduced:

H. F. No. 330, A bill for an act relating to taxation; permitting filing of claim for income-adjusted homestead credit with income tax return; extending income tax return filing date; amending Minnesota Statutes 1976, Sections 290.42; 290A.06; and 290A.07, Subdivision 2.

The bill was read for the first time and referred to the Committee on Taxes.

Osthoff, Kahn, Wigley, Rice and Sarna introduced:

H. F. No. 331, A bill for an act relating to motor vehicles; application for registration or certificate of title; specifying information to be supplied; appropriating money; amending Minnesota Statutes 1976, Sections 168.10, Subdivision 1; 168A.04, Subdivision 1; and 168A.05, Subdivision 3.

The bill was read for the first time and referred to the Committee on Transportation.

Brinkman, Samuelson, Pehler, Osthoff and Anderson, I., introduced:

H. F. No. 332, A bill for an act relating to highway traffic regulations; prescribing penalties for certain offenses; eliminating the requirement that court records of convictions for petty misdemeanors be forwarded to the department of public safety; and prohibiting the drivers license division from maintaining records of petty misdemeanors; amending Minnesota Statutes 1976, Sections 169.141, Subdivision 2; 169.89, Subdivision 1; 169.95; and 171.12, Subdivision 2.

The bill was read for the first time and referred to the Committee on Transportation.

Kempe, R., introduced:

H. F. No. 333, A bill for an act relating to driver's licenses; examination; expiration; providing that a driver's license shall expire when the licensee attains the age of 70, and requiring periodic examinations for renewal thereafter; amending Minnesota Statutes 1976, Sections 171.13, Subdivisions 2, 3 and 4; 171.27; and Chapter 171, by adding a section.

The bill was read for the first time and referred to the Committee on Transportation.

Sarna, Fudro, Osthoff, Wigley and Lemke introduced:

H. F. No. 334, A bill for an act relating to highway traffic regulations; lengths of certain vehicles and combinations of vehicles; amending Minnesota Statutes 1976, Section 169.81, Subdivision 3.

The bill was read for the first time and referred to the Committee on Transportation.

HOUSE ADVISORIES

Pursuant to rule 5.3, the following House Advisory was introduced:

Samuelson introduced:

H. A. No. 9, A proposal to study the Minnesota liquor laws and how they affect small business.

The advisory was referred to the Committee on Commerce and Economic Development.

MOTIONS AND RESOLUTIONS

Kempe, R., moved that the name of Wenzel be added as an author on H. F. No. 25. The motion prevailed.

ADJOURNMENT

Anderson, I., moved that when the House adjourns today it adjourn until 2:00 p.m., Monday, February 7, 1977. The motion prevailed.

Anderson, I., moved that the House adjourn. The motion prevailed, and the Speaker declared the House stands adjourned until 2:00 p.m., Monday, February 7, 1977.

EDWARD A. BURDICK, Chief Clerk, House of Representatives

STATE OF MINNESOTA

SEVENTIETH SESSION - 1977

TWELFTH DAY

SAINT PAUL, MINNESOTA, MONDAY, FEBRUARY 7, 1977

The House of Representatives convened at 2:00 p.m. and was called to order by the Speaker.

Prayer was offered by the Chaplain.

The roll was called and the following members were present:

Abeln	Corbid	Johnson	Neisen	Sieben, M.
Adams	Cummiskey	Jude	Nelsen, B.	Simoneau
Albrecht	Dahl	Kahn	Nelsen, M.	Skoglund
Anderson, B.	Dean	Kaley	Niehaus	Smogard
Anderson, D.	Eckstein	Kalis	Norton	Spanish
Anderson, G.	Eken	Kelly, R.	Novak	Stanton
Anderson, I.	Ellingson	Kelly, W.	Osthoff	Stoa
Anderson, R.	Enebo	Kempe, A.	Patton	Suss
Arlandson	Erickson	Kempe, R.	Pehler	Swanson
Battaglia	Esau	King	Peterson	Tomlinson
Beauchamp	Evans	Knickerbocker	Petrafeso	Vanasek
Begich	Ewald	Kostohryz	Pleasant	Voss
Berg	Faricy	Kroening	Prahl	Waldorf
Berglin	Fjoslien	Kvam	Reding	Welch
Berkelman	Forsythe	Laidig	Rice	Wenstrom
Biersdorf	Friedrich	Langseth	Rose	Wenzel
Birnstihl	Fudro	Lehto	St. Onge	White
Brandl	Fugina	Lemke	Samuelson	Wieser
Braun	George	Mangan	Sarna	Wigley
Brinkman	Gunter	McCarron	Savelkoul	Williamson
Byrne	Hanson	McCollar	Scheid	Wynia
Carlson, A.	Haugerud	McDonald	Schulz	Zubay
Carlson, D.	Heinitz	McEachern	Searle	Speaker Sabo
Carlson, L.	Hokanson	Metzen	Searles	
Clark	Jacobs	Moe	Setzepfandt	
Clawson	Jaros	Munger	Sherwood	
Cohen	Jensen	Murphy	Sieben, H.	

A quorum was present.

Casserly, Mann and Nelson were excused.

The Chief Clerk proceeded to read the Journal of the preceding day. Johnson moved that further reading of the Journal be dispensed with and that the Journal be approved as corrected by the Chief Clerk. The motion prevailed.

PETITIONS AND COMMUNICATIONS

The following reports were received and filed in the Chief Clerk's Office: Department of Revenue Biennial Report Fiscal Year 1975 and 1976 submitted by the Department of Revenue, Delivery Systems in Local Government submitted by the Office of Human Services Department of Administration, and Economic Security and Health and Social Services submitted by the Office of Human Services Department of Administration.

REPORTS OF STANDING COMMITTEES

Hanson from the Committee on Commerce and Economic Development to which was referred:

H. F. No. 8, A bill for an act relating to trade regulations; providing for unit pricing of certain packaged commodities; providing for exemptions.

Reported the same back with the following amendments:

Page 4, line 11, after "more." insert "When the price per unit is less than \$1, the monetary designation of the unit price shall be in cents."

Page 6, line 6, delete "may" and insert "shall".

Page 6, line 18, delete the period and insert a semicolon.

Page 6, after line 18, insert

"(c) Add items to or delete items from the list in section 1;

(d) Establish uniform presentation of the pricing information.

Sec. 5. [PENALTY.] Violation of the provisions of this act shall constitute a petty misdemeanor."

Renumber the section in sequence.

Amend the title as follows:

Page 1, line 4, after "exemptions" insert "; providing a penalty".

With the recommendation that when so amended the bill pass and be re-referred to the Committee on Appropriations.

The report was adopted.

Enebo from the Committee on Labor-Management Relations to which was referred:

H. F. No. 6, A bill for an act relating to human rights; prohibiting employment and education discrimination based on age; amending Minnesota Statutes 1976, Sections 363.01, by adding a subdivision; 363.02, Subdivision 1, and by adding subdivisions; 363.03, Subdivisions 1 and 5, and by adding a subdivision; 363.05, Subdivision 1; 363.11; 363.115; and 363.12, Subdivision 1.

Reported the same back with the following amendments:

Page 1, line 15, after "*employment*" insert "*or education*".

Page 2, line 12, delete "*or on-the-job training*".

Page 2, line 12, after "*program*" insert "*, established pursuant to Minnesota Statutes, Chapter 178,*".

Page 2, line 14, delete "*, provided such training program is designed to*".

Page 2, delete line 15.

Page 2, line 16, delete "*of 29 Code of Federal Regulations 521.4*".

Page 2, line 22, delete "*fair and reasonable and does not*".

Page 2, delete line 23 and insert "*not a subterfuge to evade the provisions of chapter 363,*".

Page 3, after line 5, add a new section as follows:

"Sec. 3. Minnesota Statutes 1976, Section 363.02, Subdivision 3, is amended to read:

Subd. 3. [EDUCATION.] It is not an unfair discriminatory practice for a religious or denominational institution to limit admission or give preference to applicants of the same religion. The provisions of section 363.03, subdivision 5, relating to sex, shall not apply to a private educational institution, or branch or level of a private educational institution, in which students of only one sex are permitted to enroll. Nothing in this chapter shall be construed to require any educational institution to provide any special service to any person because of the disability of such person or to modify in any manner its buildings, grounds, facilities, or admission procedures because of the disability of any such person. Nothing in this chapter shall prohibit an educational institution from discriminating on the basis of academic qualifications or achievements or requiring from applicant's information which relates to academic qualifications or achievements. *Nothing in this chapter shall prohibit an educational institution from discriminating against applicants*

for approved pre-apprenticeship courses on the basis of age, provided that the apprenticeship program for which the courses are designed has a maximum entry age less than the applicant's age will be on the anticipated date of completion of the pre-apprenticeship courses."

Page 3, line 10, delete "*Neither are programs, services,*".

Page 3, delete lines 11 to 14 and insert "*Nothing in this chapter shall be construed to prohibit the establishment of differential privileges, benefits, services or facilities for persons of designated ages if (a) such differential treatment is provided pursuant to statute, or (b) the designated age is greater than 59 years or less than 21 years.*".

Page 3, delete section 4.

Renumber the sections accordingly.

Further, amend the title as follows:

Page 1, line 5, delete "Subdivision 1" and insert "Subdivisions 1 and 3".

Page 1, line 6, delete "subdivisions" and insert "a subdivision".

With the recommendation that when so amended the bill pass.

The report was adopted.

SECOND READING OF HOUSE BILLS

H. F. No. 6 was read for the second time.

INTRODUCTION AND FIRST READING OF HOUSE BILLS

The following House Files were introduced:

Eken, Corbid, Langseth, Nelsen, B., and Kelly, W., introduced:

H. F. No. 335, A bill for an act relating to agriculture; potato grading; application; repealing Minnesota Statutes 1976, Section 30.101.

The bill was read for the first time and referred to the Committee on Agriculture.

Beauchamp, Langseth and Wenstrom introduced:

H. F. No. 336, A bill for an act relating to the historical society; establishing an interpretive center in the city of Moorhead.

The bill was read for the first time and referred to the Committee on Appropriations.

Stanton, Jaros, Kahn and Anderson, G., introduced:

H. F. No. 337, A bill for an act relating to public utilities; customers service option on electric service in certain instances; amending Minnesota Statutes 1976, Section 216B.40; and Chapter 216B, by adding a section.

The bill was read for the first time and referred to the Committee on Commerce and Economic Development.

Berkelman; Anderson, G.; Ewald and Brinkman introduced:

H. F. No. 338, A bill for an act relating to commerce; concerning products liability; providing a statute of limitations; allowing installment payments of judgments; providing certain defenses.

The bill was read for the first time and referred to the Committee on Commerce and Economic Development.

Casserly; Norton; Carlson, A.; Arlandson and Nelson introduced:

H. F. No. 339, A bill for an act relating to transportation construction contracts; providing for small business contracts; amending Minnesota Statutes 1976, Chapter 161, by adding a section.

The bill was read for the first time and referred to the Committee on Commerce and Economic Development.

Sieben, H.; Metzen; Nelsen, M., and Fudro introduced:

H. F. No. 340, A bill for an act relating to commerce; prohibiting additional unlawful trade practices; amending Minnesota Statutes 1976, Section 325.8015.

The bill was read for the first time and referred to the Committee on Commerce and Economic Development.

Sieben, H.; Metzen; Hanson; Hokanson and White introduced:

H. F. No. 341, A bill for an act relating to commerce; regulating the promotion and termination of distributorships; providing penalties.

The bill was read for the first time and referred to the Committee on Commerce and Economic Development.

Osthoff and Hanson introduced:

H. F. No. 342, A bill for an act relating to intoxicating liquor; increasing certain license fees; amending Minnesota Statutes 1976, Sections 340.11, Subdivision 14; 340.113, Subdivision 2; 340.402; and 340.493, Subdivision 2.

The bill was read for the first time and referred to the Committee on Commerce and Economic Development.

Nelson, Wenstrom, Arlandson, Faricy and Clark introduced:

H. F. No. 343, A bill for an act relating to obscenity; prohibiting the dissemination of obscene photographs or other similar visual representations which depict minors involved in scenes of patently offensive sexual conduct; prescribing penalties; amending Minnesota Statutes 1976, Chapter 617, by adding a section.

The bill was read for the first time and referred to the Committee on Criminal Justice.

Kempe, A.; Arlandson; Savelkoul; Faricy and Kempe, R., introduced:

H. F. No. 344, A bill for an act relating to highway traffic regulations; providing for quarterly payments to counties of up to 50 percent of the cost of presentence investigations of persons involved in alcohol related traffic offenses; amending Minnesota Statutes 1976, Section 169.124, Subdivision 3.

The bill was read for the first time and referred to the Committee on Criminal Justice.

Stanton; Nelson; Kempe, A.; Savelkoul and Suss introduced:

H. F. No. 345, A bill for an act relating to education; establishing pilot transitional bilingual education programs; granting certain powers and duties to the state board of education; establishing a state bilingual education advisory task force; appropriating money; amending Minnesota Statutes 1976, Sections 120.095, by adding a subdivision; 120.10, Subdivision 2; and 126.07.

The bill was read for the first time and referred to the Committee on Education.

Laidig, Hanson, Voss, Dean and Knickerbocker introduced:

H. F. No. 346, A bill for an act relating to education; establishing an advisory council on the metric system; appropriating money.

The bill was read for the first time and referred to the Committee on Education.

Skoglund, Sherwood, Wynia, Jensen and Munger introduced:

H. F. No. 347, A bill for an act relating to used motor oil recycling; requiring certain collection facilities or the posting of certain informational lists; requiring registration of used motor oil haulers.

The bill was read for the first time and referred to the Committee on Environment and Natural Resources.

Kaley, Adams, Begich, Braun and Zubay introduced:

H. F. No. 348, A bill for an act relating to the environmental quality board; providing that the commissioner of the department of economic development be a member of the board; amending Minnesota Statutes 1976, Section 116C.03, Subdivision 2.

The bill was read for the first time and referred to the Committee on Environment and Natural Resources.

Fjoslien; Sherwood; Carlson, A.; Wenstrom and Kahn introduced:

H. F. No. 349, A bill for an act relating to protection of the environment; prohibiting sale of pressurized containers using certain chlorofluorocarbon propellants; requiring warning labels; prescribing penalties.

The bill was read for the first time and referred to the Committee on Environment and Natural Resources.

Jensen, Birnstihl, Skoglund, Sieben, H., and Braun introduced:

H. F. No. 350, A bill for an act relating to wild animals; authorizing an open season for the taking and possession of mourning doves; amending Minnesota Statutes 1976, Sections 100.27, Subdivision 6, and 100.28, Subdivision 2.

The bill was read for the first time and referred to the Committee on Environment and Natural Resources.

Haugerud, Eken, Biersdorf and Murphy introduced:

H. F. No. 351, A bill for an act relating to historic sites; providing for the administration and control of additional sites by the Minnesota historical society; appropriating money; amending Minnesota Statutes 1976, Section 138.025, by adding subdivisions; repealing Minnesota Statutes 1976, Section 138.025, Subdivision 9.

The bill was read for the first time and referred to the Committee on Environment and Natural Resources.

Sherwood, Skoglund, Munger, Nelson and Searle introduced:

H. F. No. 352, A bill for an act relating to game and fish; prohibiting the use of certain devices in fishing; amending Minnesota Statutes 1976, Section 101.42, by adding a subdivision.

The bill was read for the first time and referred to the Committee on Environment and Natural Resources.

Hanson, Corbid, Abeln, Ellingson and Ewald introduced:

H. F. No. 353, A bill for an act relating to banks; authorizing consumer banking facilities; providing penalties.

The bill was read for the first time and referred to the Committee on Financial Institutions and Insurance.

Voss, Stanton, McCollar, Haugerud and Ewald introduced:

H. F. No. 354, A bill for an act relating to banks and banking; authorizing certain branch banks; permitting consolidation of banks in regions; amending Minnesota Statutes 1976, Sections 48.34 and 49.34.

The bill was read for the first time and referred to the Committee on Financial Institutions and Insurance.

Osthoff, Fudro, Jacobs, Wynia and Friedrich introduced:

H. F. No. 355, A bill for an act relating to fraternal beneficiary associations; authorizing the election of directors to govern them; prescribing limitations; amending Minnesota Statutes 1976, Section 64A.04.

The bill was read for the first time and referred to the Committee on Financial Institutions and Insurance.

Wynia, Voss, Laidig, Ellingson and Osthoff introduced:

H. F. No. 356, A bill for an act relating to insurance; examination fees; abstract or summary of the annual statement; amending Minnesota Statutes 1976, Sections 60A.03, Subdivision 5; 60A.13, Subdivision 3; and 60A.14, Subdivision 1.

The bill was read for the first time and referred to the Committee on Financial Institutions and Insurance.

Lehto, Stoa, Enebo, Osthoff and Biersdorf introduced:

H. F. No. 357, A bill for an act relating to elections; altering various provisions relating to ballots, judges, summary statements, canvasses and returns; amending Minnesota Statutes 1976, Sections 204A.18, Subdivision 1; 204A.39, by adding a subdivision; 204A.45, Subdivision 2; 204A.46; 204A.47; 204A.48; 204A.51, Subdivisions 2 and 3; and 204A.52, Subdivision 1; repealing Minnesota Statutes 1976, Section 204A.32, Subdivision 4.

The bill was read for the first time and referred to the Committee on General Legislation and Veterans Affairs.

Carlson, L.; King; Enebo; Corbid and Scheid introduced:

H. F. No. 358, A bill for an act relating to public opinion polls; requiring persons taking polls to identify their employer and the purpose of the poll.

The bill was read for the first time and referred to the Committee on General Legislation and Veterans Affairs.

Laidig introduced:

H. F. No. 359, A bill for an act relating to finance; requiring monthly reporting of state financial transactions; appropriating money; amending Minnesota Statutes 1976, Chapter 16A, by adding a section.

The bill was read for the first time and referred to the Committee on Governmental Operations.

Hanson, Corbid, Jacobs, McCollar and Jaros introduced:

H. F. No. 360, A bill for an act relating to retirement; including a retiree in the membership of the teachers retirement fund board of trustees; amending Minnesota Statutes 1976, Sections 354.05, by adding a subdivision; and 354.06, Subdivision 1.

The bill was read for the first time and referred to the Committee on Governmental Operations.

Hanson, Corbid, Jacobs, Jaros and Faricy introduced:

H. F. No. 361, A bill for an act relating to state employees; providing optional health insurance coverage under the Minnesota employees group insurance plan for certain former employees retired because of a disability.

The bill was read for the first time and referred to the Committee on Governmental Operations.

Kalis, Patton, White, Metzen and Biersdorf introduced:

H. F. No. 362, A bill for an act relating to retirement; permissible annual earnings of a retired public employee; amending Minnesota Statutes 1976, Section 353.37.

The bill was read for the first time and referred to the Committee on Governmental Operations.

Jude; Sieben, M.; Dean; Haugerud and Arlandson introduced:

H. F. No. 363, A bill for an act relating to trusts; county court jurisdiction over; amending Minnesota Statutes 1976, Sections 501.11; 501.12, Subdivision 3; 501.17; 501.211, Subdivision 4; 501.22, Subdivisions 2, 4, and 5; 501.23; 501.24; 501.25; 501.27; 501.33; 501.34; 501.35; 501.38; 501.42; 501.44; and Chapter 501, by adding a section.

The bill was read for the first time and referred to the Committee on Governmental Operations.

Simoneau, Beauchamp, King, Skoglund and Novak introduced:

H. F. No. 364, A bill for an act relating to state agencies; providing for an open appointment process; requiring reports from appointing authorities and the secretary of state.

The bill was read for the first time and referred to the Committee on Governmental Operations.

Beauchamp, Mangan, Biersdorf, Reding and Patton introduced:

H. F. No. 365, A bill for an act relating to retirement; miscellaneous amendments to the teachers retirement law; amending Minnesota Statutes 1976, Sections 354.05, Subdivision 2; 354.10; 354.49, Subdivision 5; 354.50, Subdivision 2; 354.53, Subdivision 1; and 354.58.

The bill was read for the first time and referred to the Committee on Governmental Operations.

Kahn; Carlson, D.; Corbid; Haugerud and Stanton introduced:

H. F. No. 366, A bill for an act relating to women; establishing pilot programs to provide emergency shelter and support services to battered women; providing funds to establish community education programs about battered women; providing for data collection; appropriating money.

The bill was read for the first time and referred to the Committee on Health and Welfare.

St. Onge; Kelly, W.; Braun; Erickson and Beauchamp introduced:

H. F. No. 367, A bill for an act relating to licensed occupations; providing for reciprocity in licensing for plumbers licensed in other states; requiring examination and licensing for plumbers in all areas of the state; amending Minnesota Statutes 1976, Chapter 326, by adding a section; repealing Minnesota Statutes 1976, Section 326.45.

The bill was read for the first time and referred to the Committee on Labor-Management Relations.

Kalis, Fudro, Reding, Forsythe and Lemke introduced:

H. F. No. 368, A bill for an act relating to municipalities; procedures required for the letting of certain contracts; amending Minnesota Statutes 1976, Section 471.345, Subdivisions 3, 4 and 5.

The bill was read for the first time and referred to the Committee on Local and Urban Affairs.

Begich, Beauchamp, Friedrich, Clawson and Casserly introduced:

H. F. No. 369, A bill for an act relating to cities; authorizing the League of Minnesota Cities to acquire and convey property; granting tax exempt status; amending Minnesota Statutes 1976, Section 465.58.

The bill was read for the first time and referred to the Committee on Local and Urban Affairs.

Hanson, Munger, Wynia, Jacobs and Byrne introduced:

H. F. No. 370, A bill for an act relating to shade tree disease control; providing for the payment to municipalities by the state of matching funds for shade tree disease control programs and reforestation of lands; appropriating money; amending Minnesota Statutes 1976, Section 18.023, Subdivisions 1, 1a and 3a.

The bill was read for the first time and referred to the Committee on Local and Urban Affairs.

Hanson, Munger, Wynia and Byrne introduced:

H. F. No. 371, A bill for an act relating to shade tree disease control; providing for reimbursement by the state to municipalities for expenses incurred in removing and treating shade tree diseases; amending Minnesota Statutes 1976, Section 18.023, by adding a subdivision.

The bill was read for the first time and referred to the Committee on Local and Urban Affairs.

Casserly, Kahn, Byrne, Stanton and Jaros introduced:

H. F. No. 372, A bill for an act relating to the operation of shade tree disease control and reforestation programs by local governments; appropriating money; amending Minnesota Statutes 1976, Section 18.023, Subdivisions 1, 1a, 2, 3a and 4.

The bill was read for the first time and referred to the Committee on Local and Urban Affairs.

Jaros; Kempe, A.; Scheid; Dean and Casserly introduced:

H. F. No. 373, A bill for an act relating to taxation; providing for graduated valuation of newly constructed homestead property; amending Minnesota Statutes 1976, Section 273.11, Subdivision 1; and by adding a subdivision.

The bill was read for the first time and referred to the Committee on Taxes.

Schulz, Eken, Lemke, Savelkoul and Peterson introduced:

H. F. No. 374, A bill for an act relating to taxation; defining "common carrier" for certain purposes in connection with the sales and use tax; amending Minnesota Statutes 1976, Section 297A.01, by adding a subdivision.

The bill was read for the first time and referred to the Committee on Taxes.

Searles, Kempe, A., and Nelsen, B., introduced:

H. F. No. 375, A bill for an act relating to taxation; eliminating the employers excise tax; repealing Minnesota Statutes 1976, Sections 290.031; 290.921; and 290.922.

The bill was read for the first time and referred to the Committee on Taxes.

Hanson, Byrne, Wynia, Jacobs and Munger introduced:

H. F. No. 376, A bill for an act relating to taxation; providing for a credit against income tax for the cost of removal and treatment of diseased shade trees; amending Minnesota Statutes 1976, Section 290.06, by adding a subdivision.

The bill was read for the first time and referred to the Committee on Taxes.

Nelsen, B.; Schulz; Williamson; Savelkoul and Searles introduced:

H. F. No. 377, A bill for an act relating to taxation; providing that inheritance tax exemptions be based on the statewide average annual wage; amending Minnesota Statutes 1976, Section 291.05.

The bill was read for the first time and referred to the Committee on Taxes.

Langseth, Beauchamp, Corbid, Wenstrom and Smogard introduced:

H. F. No. 378, A bill for an act relating to taxation; requiring notice of Minnesota use tax to be paid in advertisements of farm implements sold by merchants in other states; amending Minnesota Statutes 1976, Chapter 297A, by adding a section.

The bill was read for the first time and referred to the Committee on Taxes.

Eken, Schulz, Johnson, Niehaus and Kelly, W., introduced:

H. F. No. 379, A bill for an act relating to highways; providing that towns be reimbursed for repairing and restoring town roads damaged while utilized as a haul road in transporting road building materials used in the construction, reconstruction or maintenance of public highways or city streets.

The bill was read for the first time and referred to the Committee on Transportation.

Kahn, Dean, Williamson, McCarron and Pehler introduced:

H. F. No. 380, A bill for an act relating to bicycles; registration; administration of the bicycle registration law; including unicycles within the definition of bicycle; clarifying provisions relating to bicycle registration; providing for the disposition of certain service fees charged in handling registrations; extending the time for the report of the commissioner of public safety to the legislature on recommendations for mandatory registration of bicycles; amending Minnesota Statutes 1976, Sections 168C.02, Subdivision 2; 168C.03; 168C.07; 168C.10; 168C.11, Subdivisions 1 and 2; 168C.12; 168C.13, Subdivision 1; and Laws 1976, Chapter 199, Section 14, Subdivision 2.

The bill was read for the first time and referred to the Committee on Transportation.

Lehto, Neisen, Birnstihl, Begich and Setzepfandt introduced:

H. F. No. 381, A bill for an act relating to traffic regulations; authorizing town boards to determine speed limits on town roads; amending Minnesota Statutes 1976, Chapter 169, by adding a section.

The bill was read for the first time and referred to the Committee on Transportation.

Cummiskey and Vanasek introduced:

H. F. No. 382, A bill for an act relating to highway traffic regulations; motorcycle equipment for operators and passengers; amending Minnesota Statutes 1976, Section 169.974, Subdivision 4.

The bill was read for the first time and referred to the Committee on Transportation.

HOUSE ADVISORIES

Pursuant to rule 5.3, the following House Advisory was introduced:

Clawson introduced:

H. A. No. 10, A proposal for the study of county government by joint House-Senate subcommittee.

The advisory was referred to the Committee on Local and Urban Affairs.

REPORT FROM THE COMMITTEE ON RULES
AND LEGISLATIVE ADMINISTRATION

Anderson, I., for the Committee on Rules and Legislative Administration, offered the following report and moved its adoption:

Be It Resolved, by the Committee on Rules and Legislative Administration, that each member of the House of Representatives shall be furnished 3,500 letter-size letterheads and 3,500 envelopes; 1,000 note size letterheads and 1,000 envelopes shall be furnished upon request by the member; however, if any member desires, he/she may elect to receive an additional 1,000 8-1/2 x 11 letterheads and matching envelopes in lieu of the note size stationery and envelopes; and

Be It Further Resolved, that the Speaker, the Majority Leader, the Minority Leader, and the chairman of each standing committee and division shall be furnished an additional 1,000 letterheads and 1,000 envelopes, upon request, and shall be authorized to send items of mail necessitated by their official positions for posting by the Chief Clerk, the cost of which shall not be included in the postage allowance provided in the January 6, 1977 Postage Resolution; and

Be It Further Resolved, that at the time of the contracting for such stationery, the Chief Clerk, under the direction of the Committee on Rules and Legislative Administration, shall allow any member to order further amounts of letterheads and envelopes as the said member may desire provided said member shall pay the printer directly for such additional printing; however, subsequent to the original order any additional letterheads and envelopes shall be ordered by the member directly from the printer and at the member's expense.

The question was taken on the adoption of the report and the roll was called. There were 127 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Abeln	Cohen	Johnson	Murphy	Sieben, H.
Adams	Corbid	Jude	Neisen	Sieben, M.
Albrecht	Cummiskey	Kahn	Nelsen, B.	Simoneau
Anderson, B.	Dahl	Kaley	Nelsen, M.	Skoglund
Anderson, D.	Dean	Kalis	Niehaus	Smogard
Anderson, G.	Eken	Kelly, R.	Norton	Spanish
Anderson, I.	Ellingson	Kelly, W.	Novak	Stanton
Anderson, R.	Erickson	Kempe, A.	Patton	Stoa
Arlandson	Esau	Kempe, R.	Pehler	Suss
Battaglia	Evans	King	Peterson	Swanson
Beauchamp	Ewald	Knickerbocker	Petrafaso	Tomlinson
Begich	Faricy	Kostohryz	Pleasant	Vanasek
Berg	Fjoslien	Kroening	Prahl	Waldorf
Berglin	Forsythe	Kvam	Reding	Welch
Berkelman	Friedrich	Laidig	Rice	Wenstrom
Biersdorf	Fudro	Langseth	Rose	Wenzel
Birnstihl	Fugina	Lehto	St. Onge	White
Brandl	George	Lemke	Samuelson	Wieser
Braun	Gunter	Mangan	Sarna	Wigley
Brinkman	Hanson	McCarron	Savelkoul	Williamson
Byrne	Hangerud	McCollar	Scheid	Wynia
Carlson, A.	Heinitz	McDonald	Schulz	Zubay
Carlson, D.	Hokanson	McEachern	Searle	Speaker Sabo
Carlson, L.	Jacobs	Metzen	Searles	
Clark	Jaros	Moe	Setzepfandt	
Clawson	Jensen	Munger	Sherwood	

The motion prevailed and the report was adopted.

ADJOURNMENT

Anderson, I., moved that when the House adjourns today it adjourn until 2:00 p.m., Thursday, February 10, 1977. The motion prevailed.

Anderson, I., moved that the House adjourn. The motion prevailed, and the Speaker declared the House stands adjourned until 2:00 p.m., Thursday, February 10, 1977.

EDWARD A. BURDICK, Chief Clerk, House of Representatives

STATE OF MINNESOTA

SEVENTIETH SESSION - 1977

THIRTEENTH DAY

SAINT PAUL, MINNESOTA, THURSDAY, FEBRUARY 10, 1977

The House of Representatives convened at 2:00 p.m. and was called to order by the Speaker.

Prayer was offered by the Chaplain.

The roll was called and the following members were present:

Abeln	Cohen	Jaros	Moe	Sherwood
Adams	Corbid	Jensen	Munger	Sieben, H.
Albrecht	Cummiskey	Johnson	Murphy	Sieben, M.
Anderson, B.	Dahl	Jude	Neisen	Simoneau
Anderson, D.	Dean	Kahn	Nelsen, B.	Skoglund
Anderson, G.	Eckstein	Kaley	Nelsen, M.	Smogard
Anderson, I.	Eken	Kelly, R.	Niehaus	Spanish
Anderson, R.	Ellingson	Kelly, W.	Norton	Stanton
Arlandson	Enebo	Kempe, A.	Novak	Stoa
Battaglia	Erickson	Kempe, R.	Osthoff	Suss
Beauchamp	Esau	King	Patton	Tomlinson
Begich	Evans	Knickerbocker	Pehler	Vanasek
Berg	Ewald	Kostohryz	Peterson	Voss
Berglin	Faricy	Kroening	Pleasant	Waldorf
Berkelman	Fjoslien	Kvam	Prahl	Welch
Biersdorf	Forsythe	Laidig	Reding	Wenstrom
Birnstihl	Friedrich	Langseth	Rice	Wenzel
Brandl	Fudro	Lehto	Rose	White
Braun	Fugina	Lemke	St. Onge	Wieser
Brinkman	George	Mangan	Samuelson	Wigley
Byrne	Gunter	Mann	Sarna	Williamson
Carlson, A.	Hanson	McCarron	Savelkoui	Wynia
Carlson, D.	Haugerud	McCollar	Scheid	Zubay
Carlson, L.	Heinitz	McDonald	Schulz	Speaker Sabo
Clark	Hokanson	McEachern	Searles	
Clawson	Jacobs	Metzen	Setzepfandt	

A quorum was present.

Cassery, Kalis, Nelson, Petrafeso, Searle and Swanson were excused.

The Chief Clerk proceeded to read the Journal of the preceding day. McCollar moved that further reading of the Journal be dispensed with and that the Journal be approved as corrected by the Chief Clerk. The motion prevailed.

REPORTS OF CHIEF CLERK

Pursuant to Rules of the House, printed copies of H.F. No. 6 have been placed in the members' files.

PETITIONS AND COMMUNICATIONS

The following report was received and filed in the Chief Clerk's Office: 1975-76 Annual Report of the Minnesota State Ethical Practices Board.

REPORTS OF STANDING COMMITTEES

Moe from the Committee on Criminal Justice to which was referred:

H. F. No. 42, A bill for an act relating to firearms; clarifying the requirements for transportation of muzzle loading firearms; amending Minnesota Statutes 1976, Section 100.29, Subdivision 5.

Reported the same back with the following amendments:

Page 2, line 8, strike "or" and insert "*and*".

Page 2, line 8, strike "fully".

Page 2, line 9, strike "unloaded and encased" and insert "*or rear most location of vehicle*".

With the recommendation that when so amended the bill pass and be placed on the Consent Calendar.

The report was adopted.

Johnson from the Committee on Education to which was referred:

H. F. No. 187, A bill for an act relating to education; braille and deaf schools; providing for appointment of advisory councils.

Reported the same back with the recommendation that the bill pass.

The report was adopted.

SECOND READING OF HOUSE BILLS

H. F. Nos. 42 and 187 were read for the second time.

**INTRODUCTION AND FIRST READING
OF HOUSE BILLS**

The following House Files were introduced:

Kelly, W.; Corbid; Langseth; Braun and Evans introduced:

H. F. No. 383, A bill for an act relating to agriculture; potato industry promotion; providing for an increase in the assessment levied; amending Minnesota Statutes 1976, Section 30.469.

The bill was read for the first time and referred to the Committee on Agriculture.

Faricy and McCarron introduced:

H. F. No. 384, A bill for an act relating to interim claims against the state; appropriating moneys for the payment thereof.

The bill was read for the first time and referred to the Committee on Appropriations.

Hanson; Jude; Sieben, M.; Pehler and Reding introduced:

H. F. No. 385, A bill for an act relating to public safety; telephone companies; providing for local emergency telephone service; appropriating money.

The bill was read for the first time and referred to the Committee on Commerce and Economic Development.

Faricy; Kelly, R.; Kempe, A.; Laidig and Cohen introduced:

H. F. No. 386, A bill for an act relating to crimes and corrections; sentencing and post conviction disposition of criminal offenders; transferring the powers and duties of the Minnesota corrections board to the commissioner of corrections; abolishing the Minnesota corrections board; providing for determinate sentencing; providing for a mutual agreement program; amending Minnesota Statutes 1976, Sections 152.15, Subdivisions 1, 2, 3 and 4; 299F.811; 299F.815, Subdivision 1; 401.13; 609.03; 609.10; 609.135, Subdivision 1; 609.145, Subdivision 1; 609.165, Subdivision 2; 609.17, Subdivision 4; 609.175, Subdivision 2; 609.18; 609.185; 609.19; 609.195; 609.20; 609.205; 609.21; 609.215; 609.225; 609.235; 609.24; 609.245; 609.25, Subdivision 2; 609.255; 609.26; 609.27, Subdivision 2; 609.31; 609.32; 609.342; 609.343; 609.344; 609.345; 609.355, Subdivision 2; 609.365; 609.375, Subdivision 2; 609.39; 609.395; 609.405, Subdivision 2; 609.42, Subdivision 1; 609.425; 609.445; 609.455; 609.465; 609.48, Subdivisions 1 and 4; 609.485, Subdivision 4;

609.495, Subdivision 1; 609.498, Subdivision 1; 609.52, Subdivisions 2 and 3; 609.521; 609.525, Subdivision 1; 609.53, Subdivisions 1 and 3; 609.54; 609.55, Subdivision 2; 609.551, Subdivision 1; 609.561; 609.562; 609.563, Subdivision 1; 609.576; 609.58, Subdivision 2; 609.59; 609.595, Subdivision 1; 609.60; 609.611; 609.615; 609.62, Subdivision 2; 609.625; 609.63; 609.635; 609.64; 609.645; 609.65; 609.67, Subdivision 2; 609.71; 609.713; 609.785; 609.82; 609.825, Subdivision 2; 609.83; and Chapter 609, by adding a section; repealing Minnesota Statutes 1976, Sections 152.15, Subdivision 5; 241.045; 242.24; 243.06; 243.14; 243.18; 246.43; 609.11; 609.13, Subdivision 1; 609.155; 609.16; 609.293, Subdivisions 2, 3 and 4; and 609.346.

The bill was read for the first time and referred to the Committee on Criminal Justice.

Nelson, Casserly, Lehto and Clark introduced:

H. F. No. 387, A bill for an act relating to crimes; restrictions on the justifiable taking of life upon making an arrest; amending Minnesota Statutes 1976, Section 609.065.

The bill was read for the first time and referred to the Committee on Criminal Justice.

Kelly, R.; Tomlinson; Berg and Osthoff introduced:

H. F. No. 388, A bill for an act relating to corrections and juveniles in Hennepin and Ramsey counties; establishing a program for violent or hardcore juvenile offenders to be planned and implemented by the county board of commissioners in Hennepin and Ramsey counties; specifying the criteria by which juveniles shall be classified as violent or hardcore juvenile offenders; appropriating money.

The bill was read for the first time and referred to the Committee on Criminal Justice.

Sieben, M., introduced:

H. F. No. 389, A bill for an act relating to motor vehicles; providing for limited licenses to attend chemical dependency programs; amending Minnesota Statutes 1976, Section 171.30, Subdivision 1.

The bill was read for the first time and referred to the Committee on Criminal Justice.

Sieben, M., introduced :

H. F. No. 390, A bill for an act relating to juvenile traffic offenders; requiring prosecution of juvenile traffic offenders under laws controlling adult traffic offenders; amending Minnesota Statutes 1976, Sections 260.111, Subdivision 1; 260.121, Subdivision 3; 260.193, Subdivisions 1 and 4; repealing Minnesota Statutes 1976, Section 260.193, Subdivisions 3, 5, and 6.

The bill was read for the first time and referred to the Committee on Criminal Justice.

Sieben, M., introduced :

H. F. No. 391, A bill for an act relating to driving while intoxicated; providing for a jury trial in the county or municipal court; providing for trial by the judge of district court; amending Minnesota Statutes 1976, Section 169.123, Subdivisions 6 and 7.

The bill was read for the first time and referred to the Committee on Criminal Justice.

Kempe, A.; Jaros and Osthoff introduced :

H. F. No. 392, A bill for an act relating to controlled substances; specifying the crime of offering substances purporting to be prohibited for sale; prescribing penalties; amending Minnesota Statutes 1976, Chapter 152, by adding a section.

The bill was read for the first time and referred to the Committee on Criminal Justice.

Kempe, A.; George; Norton and Wenzel introduced :

H. F. No. 393, A bill for an act relating to education; school districts; tort liability; removing school district immunity as to certain claims; amending Minnesota Statutes 1976, Section 466.03, Subdivision 6.

The bill was read for the first time and referred to the Committee on Education.

Abeln, Hokanson, Jacobs and Novak introduced :

H. F. No. 394, A bill for an act relating to education; state aids; providing aid to school districts employing teachers with certain levels of training.

The bill was read for the first time and referred to the Committee on Education.

Kostohryz, Stanton, Mangan, Knickerbocker and Jaros introduced:

H. F. No. 395, A bill for an act relating to education; handicapped pupils; providing instruction for certain nonresident pupils; requiring certain costs to be paid by district of residence; amending Minnesota Statutes 1976, Section 120.17, Subdivision 1a.

The bill was read for the first time and referred to the Committee on Education.

Pehler, Patton, Hanson, Stoa and Brinkman introduced:

H. F. No. 396, A bill for an act relating to game and fish; exempting certain disabled residents from the requirements of obtaining a fishing license; amending Minnesota Statutes 1976, Section 98.47, by adding a subdivision.

The bill was read for the first time and referred to the Committee on Environment and Natural Resources.

Reding, Wieser, Patton, Sherwood and Biersdorf introduced:

H. F. No. 397, A bill for an act relating to game and fish; removal of beaver and destruction of dams; seasons for taking beaver, fox, and wild turkey; hours for taking trout; amending Minnesota Statutes 1976, Sections 97.56; 97.57; 100.26, Subdivision 1; 100.27, Subdivisions 1, 3, 4, 5, and 7; 100.28, Subdivision 1; and 101.42, Subdivision 8.

The bill was read for the first time and referred to the Committee on Environment and Natural Resources.

Wynia, Munger, Dean, Stoa and Osthoff introduced:

H. F. No. 398, A bill for an act relating to protection of the environment; prohibiting sale of pressurized containers using certain chlorofluorocarbon propellants; prescribing penalties.

The bill was read for the first time and referred to the Committee on Environment and Natural Resources.

Dahl; Kvam; Anderson, G.; Munger and Jude introduced:

H. F. No. 399, A bill for an act relating to natural resources; requiring preparation of a comprehensive fiscal plan as a condition of further expenditures in development of the Luce Line Trail.

The bill was read for the first time and referred to the Committee on Environment and Natural Resources.

Begich, Clawson, Fjoslien, Battaglia and Patton introduced:

H. F. No. 400, A bill for an act relating to the environmental quality board; prescribing certain residency and age requirements for petitions requesting environmental impact statements; amending Minnesota Statutes 1976, Section 116D.04, Subdivision 3.

The bill was read for the first time and referred to the Committee on Environment and Natural Resources.

Munger; Kelly, W.; Sieben, H.; Dean and Norton introduced:

H. F. No. 401, A bill for an act relating to natural resources; withdrawing state lands located on or near Lake Superior from sale, exchange, or other conveyance which will result in creation of a place for deposit or storing mine waste materials, rocks, or tailings; prohibiting the issuance of certain permits in the same area; amending Minnesota Statutes 1976, Chapter 92, by adding a section; and Section 116D.04, by adding a subdivision.

The bill was read for the first time and referred to the Committee on Environment and Natural Resources.

Brinkman, Mann, Metzen, Biersdorf and Carlson, D., introduced:

H. F. No. 402, A bill for an act relating to usury; interest rates on business and agricultural loans; amending Minnesota Statutes 1976, Section 334.011, Subdivision 1; repealing Minnesota Statutes 1976, Section 334.011, Subdivision 4.

The bill was read for the first time and referred to the Committee on Financial Institutions and Insurance.

Cummiskey, McCarron, Metzen, Wenzel and Brinkman introduced:

H. F. No. 403, A bill for an act relating to intoxicating liquor; repealing third party liability; repealing Minnesota Statutes 1976, Section 340.95.

The bill was read for the first time and referred to the Committee on Financial Institutions and Insurance.

George; Petrafeso; Anderson, I.; Haugerud and Carlson, A., introduced:

H. F. No. 404, A bill for an act relating to political activities; providing for their regulation; revising certain filing and reporting requirements; clarifying language; removing obsolete provisions; amending Minnesota Statutes 1976, Sections 10A.01, Subdivisions 2, 5, 6, 7, 9, 10, 11, 13, 15 and 18; 10A.02, Subdivisions 1, 2, 4, 8, 9, 11, 12 and 13; 10A.04, Subdivision 1; 10A.07; 10A.09, Subdivision 6; 10A.11, Subdivision 6; 10A.12, Subdivisions 1, 3 and 5; 10A.13; 10A.14, Subdivisions 1 and 2; 10A.15; 10A.16; 10A.17; 10A.20, Subdivisions 3, 4, 5 and 6; 10A.21; 10A.22, Subdivisions 3, 4, 5 and 7; ~~10A.24~~; 10A.25; 10A.26; 10A.27, Subdivision 4 and by adding a subdivision; 10A.28; 10A.29; 10A.31, Subdivisions 3a, 7, 10 and by adding a subdivision; 10A.32, Subdivisions 2, 3 and 4; 10A.33; and 210A.44; and Chapter 10A by adding sections.

The bill was read for the first time and referred to the Committee on General Legislation and Veterans Affairs.

Reding, Jensen, Brinkman, Jacobs and McEachern introduced:

H. F. No. 405, A bill for an act relating to gambling; authorizing certain activities by nonprofit organizations; amending Minnesota Statutes 1976, Sections 325.54, Subdivision 1; and 609.75, Subdivision 3, and by adding a subdivision.

The bill was read for the first time and referred to the Committee on General Legislation and Veterans Affairs.

Knickerbocker introduced:

H. F. No. 406, A bill for an act relating to elections; providing that certain recounts may be omitted; amending Minnesota Statutes 1976, Sections 204A.51, Subdivision 2; and 204A.53, Subdivision 2.

The bill was read for the first time and referred to the Committee on General Legislation and Veterans Affairs.

Braun, Setzepfandt, Smogard, Carlson, D., and Gunter introduced:

H. F. No. 407, A bill for an act relating to unemployment compensation; extending to ten weeks the disqualification period for persons voluntarily terminating employment without good cause; amending Minnesota Statutes 1976, Section 268.09, Subdivision 1.

The bill was read for the first time and referred to the Committee on Governmental Operations.

Osthoff, Adams, Metzen, McEachern and Biersdorf introduced:

H. F. No. 408, A bill for an act relating to public welfare; authorizing the release of data maintained by the department of employment services to the department of public welfare; amending Minnesota Statutes 1976, Chapter 256, by adding a section.

The bill was read for the first time and referred to the Committee on Governmental Operations.

Pehler, Brinkman, Reding, Kroening and Patton introduced:

H. F. No. 409, A bill for an act relating to retirement; membership of non-public school teachers in the teachers retirement fund; appropriating funds.

The bill was read for the first time and referred to the Committee on Governmental Operations.

Simoneau and McCarron introduced:

H. F. No. 410, A bill for an act relating to the Fridley police pension association; membership in the public employees police and fire fund; benefits and contributions.

The bill was read for the first time and referred to the Committee on Governmental Operations.

Simoneau and Fudro introduced:

H. F. No. 411, A bill for an act relating to the city of Columbia Heights police department relief association; membership therein; benefits and contributions; membership of certain police personnel in the public employees' police and fire fund.

The bill was read for the first time and referred to the Committee on Governmental Operations.

Enebo, Byrne, Berglin, Kahn and Wynia introduced:

H. F. No. 412, A bill for an act relating to state employees; day care centers; establishing a state day care pilot project; appropriating money.

The bill was read for the first time and referred to the Committee on Governmental Operations.

Beauchamp, Patton, Biersdorf, Moe and Reding introduced:

H. F. No. 413, A bill for an act relating to retirement; state employees; reducing the penalty for early retirement in certain cases; increasing the retirement annuity formula; amending Minnesota Statutes 1976, Sections 352.115, Subdivision 3; and 352.116, Subdivision 1.

The bill was read for the first time and referred to the Committee on Governmental Operations.

Peterson introduced:

H. F. No. 414, A bill for an act relating to the city of Fairmont; membership of new police in the public employees retirement association.

The bill was read for the first time and referred to the Committee on Governmental Operations.

Hokanson, Dean, Stoa, Samuelson and Jacobs introduced:

H. F. No. 415, A bill for an act relating to collection and dissemination of data; clarifying information practices; defining terms; classifying data; prescribing penalties; amending Minnesota Statutes 1976, Sections 15.162, Subdivisions 3, 5, and 6; 15.163, Subdivision 1, and by adding subdivisions; 15.165; 15.1671; 15.17, by adding a subdivision; 138.18; 144.065; 144.346; 297A.43; 435.194; and Chapters 15, 134, 144, 273, 299C, 327 and 375, by adding sections; repealing Minnesota Statutes 1976, Sections 15.162, Subdivisions 1a, 2a, 5a, and 5b; 15.163, Subdivision 2; 15.1641; and 15.1642.

The bill was read for the first time and referred to the Committee on Governmental Operations.

Sieben, H.; Suss; Byrne; Zubay and Stoa introduced:

H. F. No. 416, A bill for an act relating to the disposition of unclaimed property; changing certain definitions; changing the length of time unclaimed property must be held before disposition; changing certain disposition procedures; amending Minnesota Statutes 1976, Sections 345.31, Subdivisions 3 and 6; 345.32; 345.33; 345.35; 345.37; 345.39; 345.41; 345.47; and Chapter 345, by adding sections; repealing Minnesota Statutes 1976, Section 55.14.

The bill was read for the first time and referred to the Committee on Governmental Operations.

Sieben, H.; Clawson; Heinitz; Carlson, L.; and Berglin introduced:

H. F. No. 417, A bill for an act relating to public health; providing a definition of death.

The bill was read for the first time and referred to the Committee on Health and Welfare.

Berkelman; Carlson, L.; Petrafeso; Clawson and Kaley introduced:

H. F. No. 418, A bill for an act relating to public welfare; exempting licensed hospitals from day care licensing requirements; amending Minnesota Statutes 1976, Section 245.791.

The bill was read for the first time and referred to the Committee on Health and Welfare.

Berglin, Scheid, Forsythe, Samuelson and Munger introduced:

H. F. No. 419, A bill for an act relating to public welfare; establishing programs for displaced homemakers; establishing multipurpose service programs; defining terms; appropriating money.

The bill was read for the first time and referred to the Committee on Health and Welfare.

Berglin, Mangan, Brandl, Kvam and Petrafeso introduced:

H. F. No. 420, A bill for an act relating to education; Montessori schools; excluding Montessori schools from day care regulation; amending Minnesota Statutes 1976, Section 245.791.

The bill was read for the first time and referred to the Committee on Health and Welfare.

Kempe, A.; Tomlinson; McCollar and Pehler introduced:

H. F. No. 421, A bill for an act relating to health; defining "migrant laborers"; amending Minnesota Statutes 1976, Section 145.912, by adding a subdivision.

The bill was read for the first time and referred to the Committee on Health and Welfare.

Swanson, Norton, Faricy, Novak and Heinitz introduced:

H. F. No. 422, A bill for an act relating to the Gillette hospital board; board membership; amending Minnesota Statutes 1976, Section 250.05, Subdivision 2.

The bill was read for the first time and referred to the Committee on Health and Welfare.

Carlson, L.; Vanasek; Kroening; Swanson and Wenstrom introduced:

H. F. No. 423, A bill for an act relating to education; requiring state universities to give full credit for graduate courses completed in other state universities.

The bill was read for the first time and referred to the Committee on Higher Education.

Beauchamp, Brandl, Schulz, Knickerbocker and Corbid introduced:

H. F. No. 424, A bill for an act allowing money in the state treasury not currently needed to be invested in the local government pooled investment fund; establishing and setting forth procedures for a state investment pool for local government funds; amending Minnesota Statutes 1976, Section 11.10, Subdivision 1; and Chapter 11, by adding sections.

The bill was read for the first time and referred to the Committee on Local and Urban Affairs.

Brinkman introduced:

H. F. No. 425, A bill for an act relating to the city of Paynesville; providing for the acquisition of the Paynesville historical society; providing for a tax levy.

The bill was read for the first time and referred to the Committee on Local and Urban Affairs.

Jensen; Metzen; Sieben, H.; Lemke and Osthoff introduced:

H. F. No. 426, A bill for an act relating to highways; removing certain highway construction limitations; extending Legislative Route No. 390 through the city of St. Paul; amending Minnesota Statutes 1976, Section 161.12; repealing Minnesota Statutes 1976, Sections 161.117; and 161.123.

The bill was read for the first time and referred to the Committee on Local and Urban Affairs.

Kaley, Neisen, Johnson, Zubay and Eckstein introduced:

H. F. No. 427, A bill for an act relating to regional development; withdrawal of counties from development regions; amending Minnesota Statutes 1976, Chapter 462, by adding a section.

The bill was read for the first time and referred to the Committee on Local and Urban Affairs.

St. Onge, Metzen, Murphy, Pehler and Enebo introduced:

H. F. No. 428, A bill for an act relating to public employment labor relations; clarifying and revising the powers and duties of the director of the bureau of mediation services and the public employment relations board; authorizing the director to decertify exclusive representatives and to clarify or amend appropriate bargaining units; exempting the public employment relations board from the administrative procedure act; authorizing the public employment relations board to obtain administrative services and staff subject to appropriation, and to issue notices, subpoenas and orders; revising the criteria for determining appropriate units; authorizing the appeal of certain decisions by the public employment relations board to the supreme court; revising the compensation of arbitrators; eliminating the independent review of grievances; amending Minnesota Statutes 1976, Sections 15.0411, Subdivision 2; 179.61; 179.62; 179.63, Subdivisions 1, 6, 8, 9, 9a, 10, 11, 13, 14 and 17; 179.64, Subdivision 7; 179.65, Subdivisions 1, 2 and 6; 179.66, Subdivisions 5, 6 and 9; 179.67, Subdivisions 1, 4, 5, 6, 14, and by adding a subdivision; 179.68; 179.69, Subdivisions 1 and 2; 179.70, Subdivision 1; 179.71, Subdivisions 2, 3, 4 and 5; 179.72, Subdivisions 1, 3, 4, 6 and 7; 179.74, Subdivisions 2 and 4; repealing Minnesota Statutes 1976, Section 179.76.

The bill was read for the first time and referred to the Committee on Labor-Management Relations.

Byrne; Patton; Carlson, A.; McCarron and Begich introduced:

H. F. No. 429, A bill for an act relating to taxation; providing for a deduction from gross income of the cost of home insulation; amending Minnesota Statutes 1976, Section 290.09, by adding a subdivision.

The bill was read for the first time and referred to the Committee on Taxes.

Clawson, Welch, Mangan, Carlson, D., and White introduced :

H. F. No. 430, A bill for an act relating to taxation ; increasing the percentage of valuation used in the assessment of structures financed by the farmers home administration ; amending Minnesota Statutes 1976, Section 273.13, Subdivisions 17b and 19.

The bill was read for the first time and referred to the Committee on Taxes.

Jacobs, Scheid, Kostohryz, Jude and Berglin introduced :

H. F. No. 431, A bill for an act relating to taxation ; authorizing retroactive payments for certain claimants of income adjusted homestead credit ; amending Laws 1976, Chapter 334, Section 21.

The bill was read for the first time and referred to the Committee on Taxes.

Hanson, Pehler, Wigley, Metzen and Munger introduced :

H. F. No. 432, A bill for an act relating to taxation ; exempting newsprint and ink from the sales tax ; amending Minnesota Statutes 1976, Section 297A.14 and 297A.25, Subdivision 1.

The bill was read for the first time and referred to the Committee on Taxes.

St. Onge introduced :

H. F. No. 433, A bill for an act relating to Beltrami county ; tax forfeited lands ; disposition of the net proceeds from the sale or rental of such lands or from the sale of any products therefrom ; increasing the amount that may be expended for promotion of tourist, agricultural, and industrial developments ; amending Laws 1967, Chapter 558, Section 1, Subdivision 5.

The bill was read for the first time and referred to the Committee on Taxes.

Wenstrom, Smogard, Jacobs, Peterson and McCollar introduced :

H. F. No. 434, A bill for an act relating to taxation ; exempting certain square dance admissions from sales taxation ; amending Minnesota Statutes 1976, Section 297A.25, Subdivision 1.

The bill was read for the first time and referred to the Committee on Taxes.

Knickerbocker introduced:

H. F. No. 435, A bill for an act relating to taxation; increasing the percentage of rent constituting property taxes for income adjusted homestead credit purposes; amending Minnesota Statutes 1976, Section 290A.03, Subdivision 11.

The bill was read for the first time and referred to the Committee on Taxes.

Kelly, R.; Reding; Osthoff; Neisen and Clark introduced:

H. F. No. 436, A bill for an act relating to motor vehicles; registration and taxation; fees for filing applications; appointment and duties of deputy registrars; amending Minnesota Statutes 1976, Section 168.33, Subdivisions 2 and 7.

The bill was read for the first time and referred to the Committee on Transportation.

MESSAGES FROM THE SENATE

The following message was received from the Senate:

Mr. Speaker:

I hereby announce the adoption by the Senate of the following Senate Concurrent Resolution, herewith transmitted:

Senate Concurrent Resolution No. 5, A senate concurrent resolution relating to adjournment.

PATRICK E. FLAHAVEN, Secretary of the Senate

SUSPENSION OF RULES

Anderson, I., moved that the Rules be so far suspended that Senate Concurrent Resolution No. 5 be now considered and be placed upon its adoption. The motion prevailed.

SENATE CONCURRENT RESOLUTION NO. 5

A senate concurrent resolution relating to adjournment.

Be It Resolved, by the Senate, the House of Representatives concurring, that when either the Senate or the House of Representatives adjourns on February 10, 1977, it may adjourn to any date not later than February 15, 1977.

Anderson, I., moved that Senate Concurrent Resolution No. 5 be now adopted. The motion prevailed and the resolution was adopted.

Berkelman was excused at 2:40 p.m.

GENERAL ORDERS

Pursuant to rules of the House, the House resolved itself into the Committee of the Whole, with Sabo in the Chair, for the consideration of bills pending on General Orders of the Day. After some time spent therein the Committee arose.

REPORT OF COMMITTEE OF THE WHOLE

The Speaker resumed the Chair, whereupon the following proceedings of the Committee as kept by the Chief Clerk were reported to the House:

H. F. No. 6 upon which it recommended to pass with the following amendments:

Offered by Patton:

Page 2, line 11, after "(4)" strike the balance of the line.

Page 2, strike lines 12, 13 and 14.

Page 2, line 15, strike "shall".

Page 2, line 18, after "seniority," insert "shall not".

Offered by Enebo:

Page 3, lines 4 thru 29, strike Section 3 from the bill.

Renumber the following sections.

Further amend the title:

Page 1, line 5, delete "Subdivisions" and insert "Subdivision".

Page 1, line 6, delete "and 3".

On the motion of Anderson, I., the report of the Committee of the Whole was adopted.

ROLL CALLS IN COMMITTEE OF THE WHOLE

Pursuant to Rule 1.6, the following roll calls were taken in the Committee of the Whole:

Zubay moved to amend H. F. No. 6 as follows:

Page 2, line 27, delete the period and insert a semicolon.

Page 2, after line 27, insert a clause to read:

“(6) A restriction imposed by state statute, home rule charter, ordinance, or civil service rule or regulation, which establishes a maximum age for entry into employment as a peace officer or firefighter.”

The question was taken on the adoption of the amendment and the roll was called. There were 26 yeas and 99 nays as follows:

Those who voted in the affirmative were:

Albrecht	Esau	Kempe, R.	Niehaus	Wigley
Anderson, D.	Evans	Kvam	Peterson	Zubay
Biersdorf	Fjoslien	Lemke	Samuelson	
Brinkman	Forsythe	McDonald	Savelkoul	
Eckstein	Friedrich	Moe	Searles	
Erickson	Kempe, A.	Nelsen, B.	Wieser	

Those who voted in the negative were:

Abeln	Clark	Jacobs	Metzen	Sieben, H.
Adams	Clawson	Jaros	Munger	Sieben, M.
Anderson, B.	Cohen	Jensen	Murphy	Simoneau
Anderson, G.	Corbid	Johnson	Neisen	Skoglund
Anderson, I.	Cummiskey	Jude	Nelsen, M.	Smogard
Anderson, R.	Dahl	Kahn	Norton	Stanton
Arlandson	Dean	Kaley	Novak	Stoa
Battaglia	Eken	Kelly, R.	Osthoff	Suss
Beauchamp	Ellingson	Kelly, W.	Patton	Tomlinson
Begich	Enebo	King	Pehler	Vanasek
Berg	Ewald	Knickerbocker	Pleasant	Voss
Berglin	Faricy	Kostohryz	Prahl	Waldorf
Berkelman	Fudro	Laidig	Reding	Welch
Birnstihl	Fugina	Langseth	Rose	Wenstrom
Brandl	George	Lehto	St. Onge	Wenzel
Braun	Gunter	Mangan	Sarna	White
Byrne	Hanson	Mann	Scheid	Williamson
Carlson, A.	Hangerud	McCarron	Schulz	Wynia
Carlson, D.	Heinitz	McCollar	Setzpfandt	Speaker Sabo
Carlson, L.	Hokanson	McEachern	Sherwood	

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

Patton moved to amend H. F. No. 6, as follows:

Page 2, line 11, after “(4)” strike the balance of the line.

Page 2, strike lines 12, 13 and 14.

Page 2, line 15, strike “shall”.

Page 2, line 18, after “seniority,” insert “shall not”.

The question was taken on the adoption of the amendment and the roll was called. There were 126 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Abeln	Corbid	Jensen	Munger	Sieben, H.
Adams	Cummiskey	Johnson	Murphy	Sieben, M.
Albrecht	Dahl	Jude	Neisen	Simoneau
Anderson, B.	Dean	Kahn	Nelsen, B.	Skoglund
Anderson, D.	Eckstein	Kaley	Nelsen, M.	Smogard
Anderson, G.	Eken	Kelly, R.	Niehaus	Stanton
Anderson, I.	Ellingson	Kelly, W.	Norton	Stoa
Anderson, R.	Enebo	Kempe, A.	Novak	Suss
Arlandson	Erickson	Kempe, R.	Osthoff	Tomlinson
Battaglia	Esau	King	Patton	Vanasek
Beauchamp	Evans	Knickerbocker	Pehler	Voss
Begich	Ewald	Kostohryz	Peterson	Waldorf
Berg	Faricy	Kroening	Pleasant	Welch
Berglin	Fjoslien	Kvam	Prahl	Wenstrom
Biersdorf	Forsythe	Laidig	Reding	Wenzel
Birnstihl	Friedrich	Langseth	Rice	White
Brandl	Fudro	Lehto	Rose	Wieser
Braun	Fugina	Lemke	St. Onge	Wigley
Brinkman	George	Mangan	Samuelson	Williamson
Byrne	Gunter	Mann	Sarna	Wynia
Carlson, A.	Hanson	McCarron	Savelkoul	Zubay
Carlson, D.	Haugerud	McCollar	Scheid	Speaker Sabo
Carlson, L.	Heinitz	McDonald	Schulz	
Clark	Hokanson	McEachern	Searles	
Clawson	Jacobs	Metzen	Setzepfandt	
Cohen	Jaros	Moe	Sherwood	

The motion prevailed and the amendment was adopted.

MOTIONS AND RESOLUTIONS

Anderson, G., moved that H. F. No. 338 be recalled from the Committee on Commerce and Economic Development and be referred to the Committee on Financial Institutions and Insurance. The motion prevailed.

Searles moved that the name of Cohen be added as an author on H. F. No. 375. The motion prevailed.

Anderson, G., moved that the name of Heinitz be added as an author on H. F. No. 338. The motion prevailed.

Kempe, A., moved that the name of Abeln be added as an author on H. F. No. 29. The motion prevailed.

Cummiskey moved that the name of Cohen be added as an author on H. F. No. 382. The motion prevailed.

Brinkman moved that the name of Cohen be added as an author on H. F. No. 327. The motion prevailed.

Samuelson moved that the name of McDonald be added as an author on H. F. No. 51. The motion prevailed.

St. Onge moved that H. F. No. 367 be returned to its author. The motion prevailed.

Sherwood was excused for the remainder of today's session.

Laidig introduced:

House Resolution No. 4, A house resolution requesting the Governor to appoint a qualified acting commissioner of the Department of Natural Resources.

SUSPENSION OF RULES

Laidig moved that the Rules be so far suspended that House Resolution No. 4 be now considered and be placed upon its adoption.

A roll call was requested and properly seconded.

The question was taken on the Laidig motion and the roll was called. There were 28 yeas and 93 nays as follows:

Those who voted in the affirmative were:

Albrecht	Dean	Friedrich	Nelsen, B.	Searles
Anderson, D.	Erickson	Heinitz	Niehaus	Welch
Anderson, R.	Evans	Kaley	Peterson	Wigley
Biersdorf	Ewald	Knickerbocker	Pleasant	Zubay
Carlson, A.	Fjoslien	Laidig	Rose	
Carlson, D.	Forsythe	McDonald	Savelkoul	

Those who voted in the negative were:

Abeln	Corbid	Kahn	Murphy	Skoglund
Adams	Cummiskey	Kelly, R.	Neisen	Smogard
Anderson, B.	Dahl	Kelly, W.	Nelsen, M.	Spanish
Anderson, G.	Eckstein	Kempe, A.	Norton	Stanton
Anderson, I.	Eken	Kempe, R.	Novak	Stoa
Arlandson	Ellingson	King	Osthoff	Suss
Battaglia	Enebo	Kostohryz	Patton	Tomlinson
Beauchamp	Fudro	Kroening	Pehler	Vanasek
Begich	Fugina	Langseth	Prahl	Voss
Berg	George	Lehto	Reding	Waldorf
Berglin	Gunter	Lemke	Rice	Wenstrom
Birnstihl	Hanson	Mangan	St. Onge	Wenzel
Brandl	Haugerud	Mann	Samuelson	White
Braun	Hokanson	McCarron	Sarna	Wieser
Brinkman	Jacobs	McCollar	Scheid	Williamson
Carlson, L.	Jaros	McEachern	Setzepfandt	Wynia
Clark	Jensen	Metzen	Sieben, H.	Speaker Sabo
Clawson	Johnson	Moe	Sieben, M.	
Cohen	Jude	Munger	Simoneau	

The motion did not prevail.

House Resolution No. 4 was referred to the Committee on Rules and Legislative Administration.

ADJOURNMENT

Anderson, I., moved that when the House adjourns today it adjourn until 2:00 p.m., Tuesday, February 15, 1977. The motion prevailed.

Anderson, I., moved that the House adjourn. The motion prevailed, and the Speaker declared the House stands adjourned until 2:00 p.m., Tuesday, February 15, 1977.

EDWARD A. BURDICK, Chief Clerk, House of Representatives

STATE OF MINNESOTA

SEVENTIETH SESSION - 1977

FOURTEENTH DAY

SAINT PAUL, MINNESOTA, TUESDAY, FEBRUARY 15, 1977

The House of Representatives convened at 2:00 p.m. and was called to order by the Speaker.

Prayer was offered by the Chaplain.

ANNOUNCEMENT BY THE SPEAKER

The Speaker announced the resignation of A. O. H. Setzepfandt of House District 21B effective today, February 15, 1977. Representative Setzepfandt was elected as Senator from Senate District 21.

The roll was called and the following members were present:

Abeln	Clawson	Jaros	Moe	Searles
Adams	Cohen	Jensen	Munger	Sherwood
Albrecht	Corbid	Jude	Murphy	Sieben, H.
Anderson, B.	Cummiskey	Kahn	Neisen	Sieben, M.
Anderson, D.	Dahl	Kalis	Neisen, B.	Simoneau
Anderson, G.	Dean	Kelly, R.	Nelsen, M.	Skoglund
Anderson, I.	Eckstein	Kelly, W.	Nelson	Smogard
Anderson, R.	Eken	Kempe, A.	Niehaus	Spanish
Arlandson	Ellingson	Kempe, R.	Norton	Stanton
Battaglia	Enebo	King	Osthoff	Stoa
Begich	Erickson	Knickerbocker	Patton	Suss
Berg	Esau	Kostohryz	Pehler	Swanson
Berglin	Evans	Kroening	Peterson	Tomlinson
Berkelman	Ewald	Kvam	Petrafeso	Vanasek
Biersdorf	Fjosien	La'dig	Pleasant	Voss
Birnstihl	Forsythe	Langseth	Prahl	Waldorf
Brandl	Fudro	Lehto	Reding	Welch
Braun	Fugina	Lemke	Rose	Wenstrom
Brinkman	George	Mangan	St. Onge	Wenzel
Byrne	Gunter	Mann	Samuelson	White
Carlson, A.	Hanson	McCarron	Sarna	Wieser
Carlson, D.	Haugerud	McCollar	Savelkoul	Wigley
Carlson, L.	Heinitz	McDonald	Scheid	Williamson
Cassery	Hokanson	McEachern	Schulz	Wynia
Clark	Jacobs	Metzen	Searle	Speaker Sabo

A quorum was present.

Beauchamp, Friedrich, Johnson, Kaley, Novak, Rice and Zubay were excused. Faricy was excused until 2:20 p.m.

The Chief Clerk proceeded to read the Journal of the preceding day. Esau moved that further reading of the Journal be dispensed with and that the Journal be approved as corrected by the Chief Clerk. The motion prevailed.

REPORTS OF CHIEF CLERK

Pursuant to Rules of the House, printed copies of H.F. Nos. 187, 42 and 6 have been placed in the members' files.

REPORTS OF STANDING COMMITTEES

Hanson from the Committee on Commerce and Economic Development to which was referred:

H. F. No. 38, A bill for an act relating to housing; providing implied and express warranties on the sale of new housing upon the seller.

Reported the same back with the following amendments:

Strike everything after the enacting clause and insert:

"Section 1. [DEFINITIONS.] *Subdivision 1. As used in this act, the terms in this section shall have the meanings assigned to them.*

Subd. 2. "Building standards" means the structural, mechanical, electrical, and quality standards of the home building industry for the geographic area in which the dwelling is situated.

Subd. 3. "Dwelling" means a new building, not previously occupied, constructed for the purpose of habitation; but does not include appurtenant recreational facilities, detached garages, driveways, walkways, patios, boundary walls, retaining walls not necessary for the structural stability of the dwelling, landscaping, fences, nonpermanent construction materials, off-site improvements, and all other similar items.

Subd. 4. "Initial vendee" means a person who first contracts to purchase a dwelling from a vendor for the purpose of habitation and not for resale in the ordinary course of trade.

Subd. 5. "Major construction defect" means actual damage to the load-bearing portion of the dwelling, including damage due to subsidence, expansion or lateral movement of the soil, which affects its load-bearing function and which vitally affects or is imminently likely to vitally affect use of the dwelling for

residential purposes. "Major construction defect" does not include damage due to movement of the soil caused by flood, earthquake or other natural disaster.

Subd. 6. "Vendee" means any purchaser of a dwelling and includes the initial vendee and any subsequent purchasers.

Subd. 7. "Vendor" means any person, firm or corporation which constructs dwellings for the purpose of sale.

Subd. 8. "Warranty date" means the date from and after which the statutory warranties provided in section 2 of this act shall be effective, and is the earliest of

(a) The date of the initial vendee's first occupancy of the dwelling; or

(b) The date on which the initial vendee takes legal or equitable title in the dwelling.

Sec. 2. [STATUTORY WARRANTIES.] *Subdivision 1. In every sale of a completed dwelling, and in every contract for the sale of a dwelling to be completed, the vendor shall warrant to the vendee that:*

(a) During the one year period from and after the warranty date the dwelling shall be free from defects caused by faulty workmanship and defective materials due to noncompliance with building standards;

(b) During the two year period from and after the warranty date, the dwelling shall be free from defects caused by faulty installation of plumbing, electrical, heating, and cooling systems; and

(c) During the ten year period from and after the warranty date, the dwelling shall be free from major construction defects.

Subd. 2. The statutory warranties provided in section 2 of this act shall survive the passing of legal or equitable title in the dwelling to the vendee.

Sec. 3. [EXCLUSIONS.] *The liability of the vendor under this act is limited to the specific items set forth in this act and does not extend to the following:*

(a) Loss or damage not reported by the vendee to the vendor in writing within six months after the vendee discovers or should have discovered the loss or damage;

(b) *Loss or damage caused by defects in design, installation, or materials which the vendee supplied, installed, or had installed under his direction;*

(c) *Secondary loss or damage such as personal injury or property damage;*

(d) *Loss or damage from normal wear and tear;*

(e) *Loss or damage from normal shrinkage caused by drying of the dwelling within tolerances of building standards;*

(f) *Loss or damage from dampness and condensation due to insufficient ventilation after occupancy;*

(g) *Loss or damage from negligence, improper maintenance or alteration of the dwelling by parties other than the vendor;*

(h) *Loss or damage from changes in grading of the ground around the dwelling by parties other than the vendor;*

(i) *Landscaping or insect loss or damage;*

(j) *Loss or damage from failure to maintain the dwelling in good repair;*

(k) *Loss or damage which the vendee, whenever feasible, has not taken timely action to minimize;*

(l) *Loss or damage which occurs after the dwelling is no longer used primarily as a residence;*

(m) *Accidental loss or damage usually described as acts of God, including, but not limited to: fire, explosion, smoke, water escape, windstorm, hail or lightning, falling trees, aircraft and vehicles, flood, and earthquake, except when the loss or damage is caused by failure to comply with building standards;*

(n) *Loss or damage from soil movement which is compensated by legislation or covered by insurance;*

(o) *Loss or damage due to soil conditions where construction is done upon lands owned by the vendee and obtained by him from a source independent of the vendor.*

Sec. 4. [WAIVER AND MODIFICATION LIMITED.]
Subdivision 1. Except as provided in subdivision 2 of this section, the provisions of this act cannot be waived or modified by contract or otherwise. Any agreement which purports to waive or

modify the provisions of this act, except as provided in subdivision 2 of this section, shall be void.

Subd. 2. At any time after a contract for the sale of a dwelling is entered into by and between a vendor and a vendee, any of the statutory warranties provided for in this act may be excluded or modified only by a written instrument, printed in bold face type of a minimum size of ten points, which is signed by the vendee and which sets forth in detail the warranty involved, the consent of the vendee, and the terms of the new agreement contained in the writing. No exclusion or modification shall be effective unless the vendor provides substitute express warranties offering substantially the same protections to the vendee as the statutory warranties set forth in section 2 of this act. Any modification or exclusion agreed to by vendee and vendor pursuant to this subdivision shall not require the approval of the commissioner of administration pursuant to section 7 of this act.

Sec. 5. [REMEDIES.] Upon breach of any warranty imposed by this act, the vendee shall have a cause of action against the vendor for damages arising out of the breach, or for specific performance. Damages shall be limited to:

*(a) The amount necessary to remedy the defect or breach;
or*

(b) The difference between the value of the dwelling without the defect and the value of the dwelling with the defect.

Sec. 6. [OTHER WARRANTIES.] The statutory warranties provided for in this act shall be in addition to all other warranties imposed by law or agreement. The remedies provided in section 5 of this act shall not be construed as limiting the remedies in any action not predicated upon breach of the statutory warranties imposed by section 2 of this act.

Sec. 7. [VARIATIONS.] The commissioner of administration may approve pursuant to Minnesota Statutes, Section 15.0412, variations from the provisions of sections 2 and 3 if the warranty program of the vendor requesting the variation offers at least substantially the same protections to the vendee as provided by the statutory warranties set forth in section 2 of this act.

Sec. 8. Minnesota Statutes 1976, Section 541.051, is amended by adding a subdivision to read:

Subd. 4. Section 541.051 shall not apply to actions based on breach of the statutory warranties set forth in section 2 of this act.

Sec. 9. [EFFECTIVE DATE.] *This act shall be effective January 1, 1978, and shall apply to all contracts for the sale of a dwelling signed on or after that date.*"

Further, amend the title as follows:

Page 1, line 2, delete "implied and express" and insert "statutory".

Page 1, line 3, delete "upon the".

Page 1, delete line 4, and insert "; establishing a cause of action for breach of warranty; providing remedies; amending Minnesota Statutes 1976, Section 541.051, by adding a subdivision."

With the recommendation that when so amended the bill pass.

The report was adopted.

Hanson from the Committee on Commerce and Economic Development to which was referred:

H. F. No. 283, A bill for an act relating to securities; disciplinary action against a licensee; clarifying the time for initiating a proceeding; amending Minnesota Statutes 1976, Section 80A.07, Subdivision 2.

Reported the same back with the following amendments:

Page 1, after line 14 insert the following:

"Sec. 2. Minnesota Statutes 1976, Section 80A.21, Subdivision 1, is amended to read:

80A.21 [CEASE AND DESIST ORDERS; INJUNCTIONS; RECEIVERS.] Subdivision 1. Whenever it appears to the commissioner that any person has engaged or is about to engage in any act or practice constituting a violation of this chapter or any rule or order hereunder:

(a) He shall have the power to issue and cause to be served upon such person an order requiring the person to cease and desist from violations of sections 80A.01 to 80A.31. The order shall be calculated to give reasonable notice of the (TIME AND PLACE FOR HEARING THEREON) *rights of the person to request a hearing thereon* and shall state the reasons for the entry of the order. A hearing shall be held not later than seven days after the (ISSUANCE OF THE ORDER) *request for such hearing is received by the commissioner* after which and within 20 days of the date of the hearing the commissioner shall issue a further order vacating the cease and desist order or making

it permanent as the facts require. All hearings shall be conducted in accordance with the provisions of chapter 15. If the person to whom a cease and desist order is issued fails to appear at the hearing after being duly notified, such person shall be deemed in default, and the proceeding may be determined against him upon consideration of the cease and desist order, the allegations of which may be deemed to be true. The commissioner may adopt rules of procedure concerning all proceedings conducted pursuant to this subdivision; and

(b) He may bring an action in the district court of the appropriate county to enjoin the acts or practices and to enforce compliance with sections 80A.01 to 80A.31 or any rule or order thereunder and he may refer the matter to the attorney general or the county attorney of the appropriate county. Upon a proper showing, a permanent or temporary injunction, restraining order or writ of mandamus shall be granted and a receiver may be appointed for the defendant or the defendant's assets. The court may not require the commissioner to post a bond."

Renumber the section in sequence.

Further amend the title as follows:

Line 5, delete "Section" and insert "Sections".

Line 5, after "2" insert ", and 80A.21, Subdivision 1".

With the recommendation that when so amended the bill pass.

The report was adopted.

Rice from the Committee on General Legislation and Veterans Affairs to which was referred:

H. F. No. 21, A bill for an act relating to elections; providing that certificates of election to the legislature be sent to the legislature; amending Minnesota Statutes 1976, Section 204A.54, Subdivision 1.

Reported the same back with the following amendments:

Page 1, line 11, before the "The" insert "*Except in the case of election to the state house of representatives or senate,*".

Page 1, line 17, after "fee." insert "*In the case of election to the state house of representatives or senate,*".

Page 1, line 18, delete "*to the state house of*".

Page 1, line 19, delete "*representatives or senate*".

Page 1, line 22, after "*copy*" insert "*by the chief clerk of the house or the secretary of the senate*".

With the recommendation that when so amended the bill pass.

The report was adopted.

Rice from the Committee on General Legislation and Veterans Affairs to which was referred:

H. F. No. 51, A bill for an act relating to elections; providing for election judges in certain precincts; amending Minnesota Statutes 1976, Sections 204A.17, Subdivision 5; and 204A.18, Subdivision 1.

Reported the same back with the following amendments:

Pages 1 and 2, delete section 2.

Further amend the title:

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

Page 1, line 4, delete the semi-colon and insert a period.

Page 1, delete line 5.

With the recommendation that when so amended the bill pass and be placed on the Consent Calendar.

The report was adopted.

SECOND READING OF HOUSE BILLS

H. F. Nos. 38, 283, 21 and 51 were read for the second time.

INTRODUCTION AND FIRST READING OF HOUSE BILLS

The following House Files were introduced:

Kelly, W., for the Committee on Taxes, introduced:

H. F. No. 437, A bill for an act relating to taxation; altering the definition of gross income for income tax purposes for individuals, trusts and estates; placing restrictions on certain deductions and allowing certain tax free distributions; extending time for certain sales or exchanges of residential property; making certain changes in treatment of small business corporations; amending Minnesota Statutes 1976, Sections 290.01, Subdivision 20; 290.09, Subdivisions 2 and 29; 290.13, Subdivision 9; 290.23, by adding a subdivision; 290.26, by adding a subdivision; 290.-971, Subdivisions 1 and 3, and by adding subdivisions; 290.972, Subdivision 5; and 290A.03, Subdivision 3.

The bill was read for the first time and laid over one day.

Carlson, D.; Schulz; Nelsen, B.; and Biersdorf introduced:

H. F. No. 438, A bill for an act relating to agriculture; expanding the family farm security program to cover farm loans for purposes other than acquiring farm real estate; providing an appropriation; amending Minnesota Statutes 1976, Sections 41.51; 41.52, Subdivisions 5 and 9; 41.55; 41.56, Subdivisions 1, 3 and 4; 41.57, Subdivisions 1 and 2; 41.59, Subdivision 1; and 41.61, Subdivision 1, and by adding a subdivision.

The bill was read for the first time and referred to the Committee on Agriculture.

Clawson, Neisen, Peterson and Schulz introduced:

H. F. No. 439, A bill for an act relating to agriculture; regulating the use of the name "Minnesota Farmstead Cheese".

The bill was read for the first time and referred to the Committee on Agriculture.

Langseth, Wenstrom, Smogard, Anderson. G., and Evans introduced:

H. F. No. 440, A bill for an act relating to public safety; requiring smoke detectors in hotels; amending Minnesota Statutes 1976, Chapter 16, by adding a section.

The bill was read for the first time and referred to the Committee on Commerce and Economic Development.

Novak, Arlandson, Simoneau, Clark and Pehler introduced:

H. F. No. 441, A bill for an act relating to public safety; bureau of criminal apprehension; providing for identification data of persons convicted of certain crimes; prohibiting fingerprint records and other identifying data of juvenile offenders from being forwarded to the bureau of criminal apprehension except under certain circumstances; appropriating money; amending Minnesota Statutes 1976, Sections 299C.10; and 299C.11.

The bill was read for the first time and referred to the Committee on Criminal Justice.

Kempe, A., introduced:

H. F. No. 442, A bill for an act relating to children; damage done by a child; altering amount of parental liability; amending Minnesota Statutes 1976, Section 540.18, Subdivision 1.

The bill was read for the first time and referred to the Committee on Criminal Justice.

Begich, Battaglia and Sarna introduced:

H. F. No. 443, A bill for an act relating to highway traffic regulations; littering; providing for a reward for information resulting in the arrest and conviction of litterers; providing penalties; appropriating money; amending Minnesota Statutes 1976, Section 169.42, Subdivision 5, and by adding a subdivision.

The bill was read for the first time and referred to the Committee on Criminal Justice.

Mangan, Clawson and Voss introduced:

H. F. No. 444, A bill for an act relating to Independent School District No. 11; transferring title of certain land from the state to Independent School District No. 11.

The bill was read for the first time and referred to the Committee on Education.

Stoa, Kostohryz, Patton, Searle and Vanasek introduced:

H. F. No. 445, A bill for an act relating to natural resources; acquisition, development, and maintenance of recreational sites along designated canoe and boating routes; amending Minnesota Statutes 1976, Section 85.32, Subdivision 2.

The bill was read for the first time and referred to the Committee on Environment and Natural Resources.

Skoglund, Munger, Dean, Kahn and Sherwood introduced:

H. F. No. 446, A bill for an act relating to environmental conservation; directing the commissioner of administration to study and implement certain practices; promoting use of recycled and recyclable materials and supplies by state government; amending Minnesota Statutes 1976, Section 16.28.

The bill was read for the first time and referred to the Committee on Environment and Natural Resources.

Carlson, D.; Munger and Kahn introduced:

H. F. No. 447, A bill for an act relating to natural resources; directing the commissioner of natural resources to provide an alternative road access to General C. C. Andrews State Forest; appropriating money therefor.

The bill was read for the first time and referred to the Committee on Environment and Natural Resources.

Erickson, Munger, Mann, Esau and Eckstein introduced:

H. F. No. 448, A bill for an act relating to waters; appropriation and use of waters; priorities; amending Minnesota Statutes 1976, Section 105.41, Subdivision 1a.

The bill was read for the first time and referred to the Committee on Environment and Natural Resources.

Begich, Battaglia and Fugina introduced:

H. F. No. 449, A bill for an act relating to game and fish; permitting the use of tip-ups; amending Minnesota Statutes 1976, Section 101.42, Subdivision 20.

The bill was read for the first time and referred to the Committee on Environment and Natural Resources.

Norton, George, Brinkman, Novak and Ewald introduced:

H. F. No. 450, A bill for an act relating to financial institutions; the terms and conditions under which they may make home loans; authorizing the making and purchase of certain conventional home loans; modifying the definition of conventional loan; amending Minnesota Statutes 1976, Section 47.20, Subdivisions 2 and 3.

The bill was read for the first time and referred to the Committee on Financial Institutions and Insurance.

Corbid, Ewald, Wieser, George and Brinkman introduced:

H. F. No. 451, A bill for an act relating to banks; authorizing a bank to establish two detached banking facilities; detached banking facility notice and approval procedures; amending Minnesota Statutes 1976, Sections 47.51; 47.52; 47.53; 47.55; and Chapter 47, by adding a section; repealing Minnesota Statutes 1976, Section 47.54.

The bill was read for the first time and referred to the Committee on Financial Institutions and Insurance.

Jaros, Berkelman, Dahl, Forsythe and Skoglund introduced:

H. F. No. 452, A bill for an act relating to health care; certification of qualified plans of health coverage; accelerating the phase-in period for certain minimum benefits; clarifying applicable deductible, coinsurance and lifetime benefit limitations; requiring certain public education programs; appropriating money; amending Minnesota Statutes 1976, Sections 62E.06, Subdivision 1; and 62E.09.

The bill was read for the first time and referred to the Committee on Financial Institutions and Insurance.

Niehaus, Schulz, McDonald, Carlson, D., and Erickson introduced:

H. F. No. 453, A bill for an act relating to elections; regulating determination of residence of students and others; amending Minnesota Statutes 1976, Section 201.26.

The bill was read for the first time and referred to the Committee on General Legislation and Veterans Affairs.

Gunter, Brinkman, Biersdorf and Smogard introduced:

H. F. No. 454, A bill for an act relating to elections; providing for payment of costs of certain special elections; amending Minnesota Statutes 1976, Section 204A.24.

The bill was read for the first time and referred to the Committee on General Legislation and Veterans Affairs.

Forsythe, Scheid, Pleasant, McCarron and Simoneau introduced:

H. F. No. 455, A bill for an act relating to elections; providing for judges of election to serve under certain conditions; amending Minnesota Statutes 1976, Sections 207.02; and 204A.17, Subdivisions 1 and 2.

The bill was read for the first time and referred to the Committee on General Legislation and Veterans Affairs.

Reding, Suss, Jensen and McEachern introduced:

H. F. No. 456, A bill for an act relating to the operation of state government; providing for the purchase of certain motor vehicles for use by investigative and undercover agents of the department of public safety without competitive bids; amending Minnesota Statutes 1976, Section 16.07, by adding a subdivision.

The bill was read for the first time and referred to the Committee on Governmental Operations.

Voss, Berg, Clawson, Kroening and Pehler introduced:

H. F. No. 457, A bill for an act relating to courts; providing for the organization, compensation, personnel, terms and procedures of the several courts; appropriating money; amending Minnesota Statutes 1976, Sections 2.722; 2.724; 15A.083; 480.15, by adding subdivisions; 480.17; 480.18; 484.08; 484.54; 485.01; 487.01, Subdivisions 3, 5, and 6; 487.03, Subdivision 1; 488A.01, Subdivision 10; 488A.12, Subdivision 5; 525.04; and 525.081, Subdivision 7; and Chapter 480, by adding a section; repealing Minnesota Statutes 1976, Sections 15A.083, Subdivision 2; 484.05; 484.09; 484.10; 484.11; 484.12; 484.13; 484.14; 484.15; 484.16; 484.17; 484.18; 484.28; 484.34; 487.03, Subdivision 4; 487.05; 488A.021, Subdivisions 7 and 8; 488A.19, Subdivisions 8, 9, and 10; and 525.081, Subdivisions 1, 2, 3, 4, 5, 6, 8, and 9; Chapters 488, 530, 531, 532 and 633; and Extra Session Laws 1971, Chapter 42.

The bill was read for the first time and referred to the Committee on Governmental Operations.

Pleasant, Kvam, Esau, Evans and Friedrich introduced:

H. F. No. 458, A bill for an act relating to employment services; unemployment compensation; providing disqualification for benefits; amending Minnesota Statutes 1976, Section 268.09, Subdivision 1.

The bill was read for the first time and referred to the Committee on Governmental Operations.

Niehaus; Birnstihl; Carlson, D.; Brinkman and Esau introduced:

H. F. No. 459, A bill for an act relating to crimes; requiring prosecution of persons issuing worthless checks; amending Minnesota Statutes 1976, Section 609.535, Subdivision 2.

The bill was read for the first time and referred to the Committee on Governmental Operations.

Patton, Moe, Beauchamp, Biersdorf and Reding introduced:

H. F. No. 460, A bill for an act relating to retirement; adjustment in annuities through the adjustable fixed benefit fund; amending Minnesota Statutes 1976, Section 11.25, Subdivisions 12 and 13.

The bill was read for the first time and referred to the Committee on Governmental Operations.

Wieser, Heinitz, Swanson, Samuelson and Abeln introduced:

H. F. No. 461, A bill for an act relating to welfare; providing penalties for welfare offenses; requiring notification of change of circumstances; amending Minnesota Statutes 1976, Sections 256.98; and 393.07, Subdivision 10.

The bill was read for the first time and referred to the Committee on Health and Welfare.

McCollar; Carlson, L.; Scheid; Berglin and Heinitz introduced:

H. F. No. 462, A bill for an act relating to public health; providing for ownership and control of medical records by their individual subjects; amending Minnesota Statutes 1976, Chapter 144, by adding a section.

The bill was read for the first time and referred to the Committee on Health and Welfare.

Swanson; Carlson, L.; Berkelman; Clawson and Heinitz introduced:

H. F. No. 463, A bill for an act relating to health; prohibiting the prescription, sale and distribution of certain drugs, medicines or other compounds; providing a penalty.

The bill was read for the first time and referred to the Committee on Health and Welfare.

St. Onge, Erickson, Beauchamp, Braun and Kelly, W., introduced:

H. F. No. 464, A bill for an act relating to licensed occupations; providing for reciprocity in licensing for plumbers licensed in other states; amending Minnesota Statutes 1976, Chapter 326, by adding a section.

The bill was read for the first time and referred to the Committee on Labor-Management Relations.

Corbid; Berg; Kelly, W.; Braun and Wenstrom introduced:

H. F. No. 465, A bill for an act relating to redevelopment; providing for membership on regional development commissions; amending Minnesota Statutes 1976, Section 462.388, Subdivision 1.

The bill was read for the first time and referred to the Committee on Local and Urban Affairs.

Clawson, Begich, Neisen, Vanasek and Searles introduced:

H. F. No. 466, A bill for an act relating to home rule charter and statutory cities; permitting the adoption by reference of model ordinances, ordinances of cities and counties, and ordinance codes; amending Minnesota Statutes 1976, Section 471.62.

The bill was read for the first time and referred to the Committee on Local and Urban Affairs.

Clawson introduced:

H. F. No. 467, A bill for an act relating to local government; setting a time limit for local improvements; amending Minnesota Statutes 1976, Sections 429.021, Subdivision 3; 429.041, Subdivision 1; and Chapter 435, by adding a section.

The bill was read for the first time and referred to the Committee on Local and Urban Affairs.

Sieben, H.; Metzen; White; Fudro and Lemke introduced:

H. F. No. 468, A bill for an act relating to highways; removing the construction moratorium on certain interstate routes; extending an interstate route through the city of St. Paul and directing the commissioner of transportation to expedite settlement of litigation and commence construction of one segment of that route; removing certain routes from the trunk highway system; amending Minnesota Statutes 1976, Sections 161.12; and 161.123; repealing Minnesota Statutes 1976, Section 161.117.

The bill was read for the first time and referred to the Committee on Local and Urban Affairs.

Niehaus, Wenzel, Zubay, Erickson and Carlson, D., introduced:

H. F. No. 469, A bill for an act relating to taxation; providing that persons over 65 years of age not be required to pay sales tax on residential heating fuel oils; providing penalties; appropriating money; amending Minnesota Statutes 1976, Section 297A.25, Subdivision 1; and Chapter 297A, by adding a section.

The bill was read for the first time and referred to the Committee on Taxes.

Dean, Munger, Clark, Beauchamp and Carlson, D., introduced:

H. F. No. 470, A bill for an act relating to taxation; providing a tax credit for increased utility rates charged to low-income persons over the age of 65; amending Minnesota Statutes 1976, Section 290.06, by adding a subdivision.

The bill was read for the first time and referred to the Committee on Taxes.

Clawson, Mangan, Cummiskey, George and McCollar introduced:

H. F. No. 471, A bill for an act relating to taxation; providing a 10 acre limit for nonagricultural homesteads; amending Minnesota Statutes 1976, Sections 273.011, Subdivision 3; 273.13, Subdivision 7; and 290A.03, Subdivision 6.

The bill was read for the first time and referred to the Committee on Taxes.

Anderson, B.; Welch; Berkelman; Fudro and Rose introduced:

H. F. No. 472, A bill for an act relating to highway traffic regulations; specifying minimum property damage accident report requirements; amending Minnesota Statutes 1976, Section 169.09, Subdivision 7.

The bill was read for the first time and referred to the Committee on Transportation.

Dean; Sieben, H.; George; Forsythe and Ellingson introduced:

H. F. No. 473, A bill for an act relating to the operation of state government; authorizing value analysis of certain department of transportation construction projects; establishing procedures for implementing value analysis change proposals.

The bill was read for the first time and referred to the Committee on Transportation.

Kahn, Dean, Lehto, Ellingson and Novak introduced:

H. F. No. 474, A bill for an act relating to highway traffic regulations; defining terms; driving rules; pedestrian rules; regulating the operation of motor vehicles, bicycles and other human powered vehicles; prescribing penalties; amending Minnesota Statutes 1976, Sections 169.01, Subdivisions 2, 3, 31, 51, and by adding a subdivision; 169.18, Subdivision 7; 169.19, Subdivisions 1 and 8; 169.20, Subdivision 4; 169.21, Subdivision 3; 169.31; and Chapter 169, by adding sections; repealing Minnesota Statutes 1976, Section 169.221.

The bill was read for the first time and referred to the Committee on Transportation.

Stanton; Anderson, I.; Lemke; Fudro and Patton introduced:

H. F. No. 475, A bill for an act proposing an amendment to the Minnesota Constitution, Article XIV, Section 11; changing the conditions for issuance of highway bonds.

The bill was read for the first time and referred to the Committee on Transportation.

HOUSE ADVISORIES

Pursuant to rule 5.3, the following House Advisory was introduced:

Abeln introduced:

H. A. No. 11, A proposal for energy conservation; study to determine potential energy savings by reducing highway lighting.

The advisory was referred to the Committee on Transportation.

CONSENT CALENDAR

H. F. No. 42 was reported to the House.

Begich offered an amendment to H. F. No. 42.

POINT OF ORDER

Berg raised a point of order pursuant to rule 3.9 that the Begich amendment was out of order. The Speaker ruled the point of order well taken and the Begich amendment out of order.

H. F. No. 42, A bill for an act relating to firearms; clarifying the requirements for transportation of muzzle loading firearms; amending Minnesota Statutes 1976, Section 100.29, Subdivision 5.

The bill was read for the third time and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 121 yeas and 1 nay as follows:

Those who voted in the affirmative were:

Abeln	Clawson	Jaros	Moe	Sieben, M.
Adams	Cohen	Jensen	Munger	Simoneau
Albrecht	Corbid	Jude	Murphy	Skoglund
Anderson, B.	Cummiskey	Kahn	Neisen	Smogard
Anderson, D.	Dahl	Kalis	Nelsen, B.	Spanish
Anderson, G.	Dean	Kelly, R.	Nelson	Stanton
Anderson, I.	Eckstein	Kelly, W.	Niehaus	Stoa
Anderson, R.	Eken	Kempe, A.	Norton	Suss
Arlandson	Ellingson	Kempe, R.	Patton	Swanson
Battaglia	Enebo	King	Pehler	Tomlinson
Begich	Erickson	Knickerbocker	Peterson	Vanasek
Berg	Esau	Kostohryz	Petraseso	Voss
Berglin	Evans	Kroening	Pleasant	Waldorf
Berkelman	Ewald	Kvam	Prahl	Wenstrom
Biersdorf	Fjoslien	Laidig	Reding	Wenzel
Birnstihl	Forsythe	Langseth	Rose	White
Brandl	Fudro	Lehto	St. Onge	Wieser
Braun	Fugina	Lemke	Samuelson	Wigley
Brinkman	George	Mangan	Sarna	Williamson
Byrne	Gunter	Mann	Savelkoul	Wynia
Carlson, A.	Hanson	McCarron	Scheid	Speaker Sabo
Carlson, D.	Haugerud	McCollar	Searle	
Carlson, L.	Heinitz	McDonald	Searles	
Casserly	Hokanson	McEachern	Sherwood	
Clark	Jacobs	Metzen	Sieben, H.	

Those who voted in the negative were:

Nelsen, M.

The bill was passed and its title agreed to.

CALENDAR

H. F. No. 6 was reported to the House and given its third reading.

UNANIMOUS CONSENT

Enebo requested unanimous consent to offer an amendment. The request was granted.

Enebo moved to amend H. F. No. 6 as follows:

Page 6, line 4, after "cannot" delete "*clearly and forcefully*".

Page 6, line 5, after "been" delete "*motivated by compelling reasons*" and insert "*based on just cause*".

The motion prevailed and the amendment was adopted.

H. F. No. 6, A bill for an act relating to human rights; prohibiting employment and education discrimination based on age; amending Minnesota Statutes 1976, Sections 363.01, by adding a subdivision; 363.02, Subdivision 1, and by adding a subdivision; 363.03, Subdivisions 1 and 5, and by adding a subdivision; 363.05, Subdivision 1; 363.11; 363.115; and 363.12, Subdivision 1.

The bill was read for the third time, as amended, and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 118 yeas and 3 nays as follows:

Those who voted in the affirmative were:

Abeln	Berkelman	Corbid	Fudro	Kelly, W.
Adams	Biersdorf	Cummiskey	George	Kempe, A.
Albrecht	Birnstihl	Dahl	Gunter	Kempe, R.
Anderson, B.	Brandl	Dean	Hanson	King
Anderson, D.	Braun	Eken	Haugerud	Knickerbocker
Anderson, G.	Byrne	Ellingson	Heinitz	Kostohryz
Anderson, I.	Carlson, A.	Enebo	Hokanson	Kroening
Anderson, R.	Carlson, D.	Erickson	Jacobs	Laidig
Arlandson	Carlson, L.	Evans	Jaros	Langseth
Battaglia	Casserly	Ewald	Jensen	Lehto
Begich	Clark	Faricy	Jude	Lemke
Berg	Clawson	Fjoslien	Kahn	Mangan
Berglin	Cohen	Forsythe	Kelly, R.	Mann

McCarron	Niehaus	St. Onge	Skoglund	Welch
McCollar	Norton	Samuelson	Smogard	Wenstrom
McEachern	Osthoff	Sarna	Spanish	Wenzel
Metzen	Patton	Savelkoul	Stanton	White
Moc	Pehler	Scheid	Stoa	Wieser
Munger	Peterson	Searle	Suss	Wigley
Murphy	Petrafeso	Searles	Swanson	Williamson
Neisen	Pleasant	Sherwood	Tomlinson	Wynia
Nelsen, B.	Prahl	Sieben, H.	Vanasek	Speaker Sabo
Nelsen, M.	Reding	Sieben, M.	Voss	
Nelson	Rose	Simoneau	Waldorf	

Those who voted in the negative were:

Eckstein Kalis McDonald

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

GENERAL ORDERS

Pursuant to rules of the House, the House resolved itself into the Committee of the Whole, with Sabo in the Chair, for the consideration of bills pending on General Orders of the Day. After some time spent therein the Committee arose.

REPORT OF COMMITTEE OF THE WHOLE

The Speaker resumed the Chair, whereupon the following proceedings of the Committee as kept by the Chief Clerk were reported to the House:

H. F. No. 187 which it recommended progress.

On the motion of Anderson, I., the report of the Committee of the Whole was adopted.

MOTIONS AND RESOLUTIONS

Mangan moved that the name of Jacobs be added as an author on H. F. No. 444. The motion prevailed.

Sieben, H., moved that the name of Suss be shown as chief author and the name of Sieben, H., be shown as second author on H. F. No. 416. The motion prevailed.

ANNOUNCEMENTS BY THE SPEAKER

The Speaker announced the appointment of the following members of the House to the following commissions and committees:

LEGISLATIVE COMMISSION TO REVIEW ADMINISTRATIVE RULES pursuant to the provisions of Minnesota Statutes 1976, Section 3.965: Anderson, I.; Forsythe; Haugerud; Simoneau and Voss.

EDUCATION COMPACT COMMISSION OF THE STATES pursuant to the provisions of Minnesota Statutes 1976, Sections 121.81 and 121.82: Fugina.

GREAT LAKES COMMISSION pursuant to the provisions of Minnesota Statutes 1976, Section 1.22: Jaros and Sieben, H.

INDIAN AFFAIRS INTERTRIBAL BOARD pursuant to the provisions of Minnesota Statutes 1976, Section 3.922: Clark, Laidig and St. Onge.

INTERSTATE COOPERATION COMMISSION pursuant to the provisions of Minnesota Statutes 1976, Section 3.29: Adams, Berglin, Erickson, Johnson, C., and Rice.

IRON RANGE RESOURCES AND REHABILITATION BOARD pursuant to the provisions of Minnesota Statutes 1976, Section 298.22: Begich, Prahl and Samuelson.

LEGISLATIVE COORDINATING COMMISSION pursuant to the provisions of Minnesota Statutes 1976, Section 3.303: Kelly, W., and Norton.

LEGISLATIVE ADVISORY COMMITTEE TO ASSIST THE MINNESOTA-WISCONSIN BOUNDARY AREA COMMISSION pursuant to provisions of Minnesota Statutes 1976, Section 1.34: Lemke; Sieben, M.; Stoa; Wieser and Zubay.

MISSISSIPPI RIVER PARKWAY COMMISSION pursuant to provisions of Minnesota Statutes 1976, Section 161.1419: McEachern, Niehaus and Sarna.

LEGISLATIVE COMMISSION ON MINNESOTA RESOURCES pursuant to provisions of Minnesota Statutes 1976, Section 86.07: Anderson, I.; Casserly; Haugerud; Knickerbocker; Munger; Norton and Searle.

LEGISLATIVE COMMISSION ON PENSIONS AND RETIREMENT pursuant to provisions of Minnesota Statutes 1976, Section 3.85: Beauchamp, Biersdorf, Moe, Patton and Reding.

ECONOMIC STATUS OF WOMEN pursuant to provisions of Minnesota Laws 1976, Chapter 337: Berglin, Enebo, Forsythe, Kahn and Stanton.

CITIZENS COMMITTEE ON VOYAGEURS NATIONAL PARK pursuant to provisions of Minnesota Laws 1975, Chapter 235: Anderson, I., and Munger.

JOINT LEGISLATIVE REVIEW COMMITTEE TO THE COMMISSION ON MINNESOTA'S FUTURE pursuant to provisions of Minnesota Laws 1973, Chapter 741, Section 7: Carlson, L.; Kelly, W.; and Stanton.

ADJOURNMENT

Anderson, I., moved that when the House adjourns today it adjourn until 2:00 p.m., Thursday, February 17, 1977. The motion prevailed.

Anderson, I., moved that the House adjourn. The motion prevailed, and the Speaker declared the House stands adjourned until 2:00 p.m., Thursday, February 17, 1977.

EDWARD A. BURDICK, Chief Clerk, House of Representatives

STATE OF MINNESOTA

SEVENTIETH SESSION - 1977

FIFTEENTH DAY

SAINT PAUL, MINNESOTA, THURSDAY, FEBRUARY 17, 1977

The House of Representatives convened at 2:00 p.m. and was called to order by the Speaker.

Prayer was offered by the Chaplain.

The roll was called and the following members were present:

Abeln	Cohen	Johnson	Murphy	Sieben, M.
Adams	Corbid	Jude	Neisen	Simoneau
Albrecht	Cummiskey	Kahn	Nelsen, B.	Skoglund
Anderson, B.	Dahl	Kaley	Nelsen, M.	Smogard
Anderson, D.	Dean	Kalis	Nelson	Spanish
Anderson, G.	Eckstein	Kelly, R.	Niehaus	Stanton
Anderson, I.	Eken	Kelly, W.	Norton	Stoa
Anderson, R.	Ellingson	Kempe, A.	Novak	Suss
Arlandson	Enebo	Kempe, R.	Osthoff	Swanson
Battaglia	Erickson	King	Patton	Tomlinson
Beauchamp	Esau	Knickerbocker	Pehler	Vanasek
Begich	Evans	Kostohryz	Peterson	Voss
Berg	Ewald	Kroening	Petraieso	Waldorf
Berglin	Faricy	Kvam	Pleasant	Welch
Berkelman	Fjoslien	Laidig	Prahl	Wenstrom
Biersdorf	Forsythe	Langseth	Reding	Wenzel
Birnstihl	Friedrich	Lehto	Rose	White
Brandl	Fudro	Lemke	St. Onge	Wieser
Braun	Fugina	Mangan	Samuelson	Wigley
Brinkman	George	Mann	Sarna	Williamson
Byrne	Gunter	McCarron	Savelkoul	Wynia
Carlson, A.	Hanson	McCollar	Scheid	Zubay
Carlson, D.	Heinitz	McDonald	Schulz	Speaker Sabo
Carlson, L.	Hokanson	McEachern	Searle	
Casserly	Jacobs	Metzen	Searles	
Clark	Jaros	Moe	Sherwood	
Clawson	Jensen	Munger	Sieben, H.	

A quorum was present.

Haugerud and Rice were excused.

The Chief Clerk proceeded to read the Journal of the preceding day. Johnson moved that further reading of the Journal be dispensed with and that the Journal be approved as corrected by the Chief Clerk. The motion prevailed.

REPORTS OF CHIEF CLERK

Pursuant to Rules of the House, printed copies of H. F. Nos. 38, 283, 21, 6 and 51 have been placed in the members' files.

REPORTS OF STANDING COMMITTEES

Mann from the Committee on Agriculture to which was referred:

H. F. No. 235, A bill for an act relating to agriculture; soybean research and promotion council; powers of the commissioner of agriculture and the council; providing for an increase in fees and specifying the uses thereof; amending Minnesota Statutes 1976, Sections 21A.01; 21A.05; 21A.06; 21A.09; 21A.12; 21A.16, Subdivision 2; 21A.19, Subdivision 1; and Chapter 21A, by adding a section; repealing Minnesota Statutes 1976, Section 21A.18.

Reported the same back with the following amendments:

Page 3, line 12, after "*prescribed*" insert "*in increments of not more than one half cent per bushel annually*".

Page 3, lines 26 to 30, delete new language.

Page 4, line 22, after "*fees*" insert "*not to exceed ten percent of the fees collected annually*".

Page 6, line 17, delete "*and*".

Page 6, line 18, delete "*consent*".

With the recommendation that when so amended the bill pass.

The report was adopted.

Brinkman from the Committee on Financial Institutions and Insurance to which was referred:

H. F. No. 16, A bill for an act relating to insurance; providing for interest on unpaid benefits; amending Minnesota Statutes 1976, Chapter 61A, by adding a section.

Reported the same back with the following amendments:

Page 1, line 16, delete "*not later than 60 days after*".

Page 2, line 20, delete "*notify*".

Page 2, delete lines 21 to 25 and insert "enclose with the payment a notice stating that interest is being paid and specifying the rate of interest and the amount paid."

Page 2, line 27, after "which" insert ": (a)".

Page 2, line 27, after "beneficiary" insert "or policy owner".

Page 2, line 32, after "death" insert the following: "; or (b) the terms of the policy insure an indebtedness owed by the insured and the proceeds include post-death interest on the indebtedness."

Nothing in this subdivision shall be construed to preclude the payment of interest required under subdivision 1 or 2 on any proceeds remaining after extinguishment of the insured's indebtedness".

Page 3, after line 2, insert the following:

"Subd. 6. For the purposes of this section "to pay" means to issue a check for payment and "date of payment" means the date on which the insurer issues a check to transfer the amount in question to the beneficiaries or to deposit that amount:

(a) With the district court of this state in accordance with Rule 67, Minnesota Rules of Civil Procedure for the District Courts;

(b) With the courts of any foreign jurisdiction as authorized by the laws of that jurisdiction; or

(c) In a trust account in any bank or trust company operating under the laws of this state or in any foreign bank, provided that the insurer keeps records of the account and makes these records open to inspection by the commissioner of insurance.

Sec. 2. [SEVERABILITY.] The provisions of this act are severable, and if any of its provisions or the application of any of its provisions under any circumstance is held invalid, it shall not affect any other provision of this act or the application of any of its provisions under different circumstances."

With the recommendation that when so amended the bill pass.

The report was adopted.

Fudro from the Committee on Transportation to which was referred:

H. F. No. 176, A bill for an act relating to drivers licenses; providing that nonqualification certificates may be issued to ap-

plicants who are 14 years of age or older; amending Minnesota Statutes 1976, Section 171.07, Subdivision 3.

Reported the same back with the recommendation that the bill pass and be placed on the Consent Calendar.

The report was adopted.

Fudro from the Committee on Transportation to which was referred:

H. F. No. 380, A bill for an act relating to bicycles; registration; administration of the bicycle registration law; including unicycles within the definition of bicycle; clarifying provisions relating to bicycle registration; providing for the disposition of certain service fees charged in handling registrations; extending the time for the report of the commissioner of public safety to the legislature on recommendations for mandatory registration of bicycles; amending Minnesota Statutes 1976, Sections 168C.02, Subdivision 2; 168C.03; 168C.07; 168C.10; 168C.11, Subdivisions 1 and 2; 168C.12; 168C.13, Subdivision 1; and Laws 1976, Chapter 199, Section 14, Subdivision 2.

Reported the same back with the following amendments:

Page 3, line 9, after "officer" insert "*, or authorized representative of a peace officer who has reason to believe the bicycle is stolen,*".

Page 3, line 19, after "thereof," insert "*or any municipality that sells bicycles at public auction*".

With the recommendation that when so amended the bill pass.

The report was adopted.

SECOND READING OF HOUSE BILLS

H. F. Nos. 437, 235, 16, 176 and 380 were read for the second time.

INTRODUCTION AND FIRST READING OF HOUSE BILLS

The following House Files were introduced:

Cummiskey, Berglin, Wigley and Kahn introduced:

H. F. No. 476, A bill for an act relating to education; appropriating money to expand nursing education programs at Mankato state university.

The bill was read for the first time and referred to the Committee on Appropriations.

Jude; Clawson; Anderson, G.; Haugerud and Anderson, I., introduced:

H. F. No. 477, A bill for an act relating to telephone companies; requiring revocation of territorial authority certificates for failure to provide adequate service; amending Minnesota Statutes 1976, Section 237.16, Subdivision 5.

The bill was read for the first time and referred to the Committee on Commerce and Economic Development.

Abeln, Adams, Fudro, Metzen, and Dean introduced:

H. F. No. 478, A bill for an act relating to intoxicating liquors; requiring licensed importers to offer wine to licensed wholesalers and manufacturers on an equal basis; amending Minnesota Statutes 1976, Section 340.114, Subdivisions 2 and 4.

The bill was read for the first time and referred to the Committee on Commerce and Economic Development.

Wynia, King, Casserly, Searles and Stanton introduced:

H. F. No. 479, A bill for an act relating to public safety; requiring certain hotels and residential buildings to install smoke detectors; bringing state building code into compliance; amending Minnesota Statutes 1976, Section 16.85, Subdivision 1; and Chapter 299F by adding a section.

The bill was read for the first time and referred to the Committee on Commerce and Economic Development.

Clawson; Sieben, M.; Haugerud; Pehler and Waldorf introduced:

H. F. No. 480, A bill for an act relating to drivers licenses; aggravated violations; providing a penalty for operating a motor vehicle before the driver's license or driver's privilege has been reinstated following the cancellation, suspension or revocation thereof for certain offenses; amending Minnesota Statutes 1976, Section 171.245.

The bill was read for the first time and referred to the Committee on Criminal Justice.

Kempe, A., introduced:

H. F. No. 481, A bill for an act relating to crimes; providing for increased sentences for persons convicted of certain second or subsequent violations involving the crime of theft; authorizing peace officers and private persons to arrest upon reasonable cause for retail theft; providing penalties; amending Minnesota Statutes 1976, Sections 609.52, Subdivision 3; 629.34; and 629.37.

The bill was read for the first time and referred to the Committee on Criminal Justice.

Mangan, Faricy, Begich, Welch and Knickerbocker introduced:

H. F. No. 482, A bill for an act relating to education; teachers; interpreters for the deaf; including interpreters for the deaf in licensing requirements for teachers and interns under the jurisdiction of the board of teaching; amending Minnesota Statutes 1976, Section 125.185, Subdivision 4.

The bill was read for the first time and referred to the Committee on Education.

Prahl, Mangan and Hokanson introduced:

H. F. No. 483, A bill for an act relating to education; requiring properly licensed personnel to be in charge of steam boilers in schools at certain times when the steam boilers are in operation.

The bill was read for the first time and referred to the Committee on Education.

Hanson; Kempe, R.; Faricy; Brandl and Searle introduced:

H. F. No. 484, A bill for an act relating to education; defining high potential children; increasing aids for certain enrichment programs; appropriating money.

The bill was read for the first time and referred to the Committee on Education.

Skoglund, Sherwood, Reding, Biersdorf and Munger introduced:

H. F. No. 485, A bill for an act relating to game and fish; authorizing a season for taking bobcat; amending Minnesota Statutes 1976, Sections 100.26, Subdivision 1; and 100.27, Subdivisions 3 and 7.

The bill was read for the first time and referred to the Committee on Environment and Natural Resources.

Kahn, Stoa, Patton, Searle and Munger introduced:

H. F. No. 486, A bill for an act relating to outdoor recreation; providing ski touring trails and programs; appropriating money.

The bill was read for the first time and referred to the Committee on Environment and Natural Resources.

Ellingson, Nelson, Dean, Wynia and Gunter introduced:

H. F. No. 487, A bill for an act relating to commerce; prohibiting certain containers for carbonated beverages; providing a penalty.

The bill was read for the first time and referred to the Committee on Environment and Natural Resources.

Cummiskey introduced:

H. F. No. 488, A bill for an act relating to elections; registration of voters; removing exemption of certain counties from the permanent registration system; eliminating the requirement that voter registration places be open for certain specified periods of time; requiring reports of name changes and reports of guardianships, commitments, legal incompetents, and restorations to capacity; amending Minnesota Statutes 1976, Sections 201.021; 201.091, Subdivision 6; 201.14; and 201.15.

The bill was read for the first time and referred to the Committee on General Legislation and Veterans Affairs.

Jaros, St. Onge, Begich, Enebo and Jensen introduced:

H. F. No. 489, A bill for an act relating to legal newspapers; simplifying procedures for receiving reimbursement for publication of proposed constitutional amendments; amending Minnesota Statutes 1976, Section 3.22.

The bill was read for the first time and referred to the Committee on General Legislation and Veterans Affairs.

McCarron, Hokanson, Kostohryz, McDonald and Jacobs introduced:

H. F. No. 490, A bill for an act relating to veterans; authorizing commissioner of veterans affairs to assist in proceedings for upgrading other than honorable discharges; amending Minnesota Statutes 1976, Section 196.05.

The bill was read for the first time and referred to the Committee on General Legislation and Veterans Affairs.

Kelly, W., and Corbid introduced:

H. F. No. 491, A bill for an act relating to retirement; police pensions in cities of the fourth class; amending Minnesota Statutes 1976, Sections 423.55 and 423.56.

The bill was read for the first time and referred to the Committee on Governmental Operations.

Stoa introduced:

H. F. No. 492, A bill for an act relating to the city of Winona; placing the chief of police under the public employees police and fire fund.

The bill was read for the first time and referred to the Committee on Governmental Operations.

Samuelson, Searle, Reding, Lemke and Biersdorf introduced:

H. F. No. 493, A bill for an act relating to retirement; disability benefits for highway patrolmen; amending Minnesota Statutes 1976, Section 352B.10.

The bill was read for the first time and referred to the Committee on Governmental Operations.

Abeln, Swanson, Petrafeso, Wigley and Clawson introduced:

H. F. No. 494, A bill for an act relating to health; permitting certain nursing homes to require and accept certain payments from residents; amending Minnesota Statutes 1976, Section 256B.48, Subdivision 1.

The bill was read for the first time and referred to the Committee on Health and Welfare.

Pehler, Hanson, Voss, Metzen and Brinkman introduced:

H. F. No. 495, A bill for an act relating to public welfare; increasing the equity limitation for medical assistance and supplemental aid; amending Minnesota Statutes 1976, Sections 256B.06, Subdivision 1; 256D.37, Subdivision 2.

The bill was read for the first time and referred to the Committee on Health and Welfare.

Voss, Fugina, Knickerbocker, Neisen and Kroening introduced:

H. F. No. 496, A bill for an act proposing an amendment to the Minnesota Constitution, Article XIII, Section 3; allowing the status of the University of Minnesota to be provided by law.

The bill was read for the first time and referred to the Committee on Higher Education.

Fudro, Sarna, Biersdorf, Friedrich and Nelsen, M., introduced:

H. F. No. 497, A bill for an act establishing an automatic fire sprinkler journeymen's examining board; prescribing powers and duties; providing penalties.

The bill was read for the first time and referred to the Committee on Labor-Management Relations.

Faricy introduced:

H. F. No. 498, A bill for an act relating to insurance; subrogation of claims; requiring subrogated insurers to pay a proportionate share of certain attorney fees and costs; amending Minnesota Statutes 1976, Section 65B.53, Subdivision 5, and by adding a subdivision.

The bill was read for the first time and referred to the Committee on Financial Institutions and Insurance.

Nelsen, B.; Osthoff; Rice; Kempe, A.; and Evans introduced:

H. F. No. 499, A bill for an act relating to insurance; permitting employees to opt for lower benefits provided by certain group insurance contracts; amending Minnesota Statutes 1976, Section 471.616, Subdivision 1.

The bill was read for the first time and referred to the Committee on Financial Institutions and Insurance.

George, Adams, Dean, Beauchamp and Berkelman introduced :

H. F. No. 500, A bill for an act relating to financial institutions; regulating lenders of conventional mortgage loans; regulating mortgages and escrow accounts; requiring registration and reporting; regulating installment loans; abolishing a usury exception; providing a penalty; amending Minnesota Statutes 1976, Sections 47.20; 48.153; and 334.06.

The bill was read for the first time and referred to the Committee on Financial Institutions and Insurance.

Enebo introduced :

H. F. No. 501, A bill for an act relating to Hennepin county; providing for tenure and benefits to certain employees; amending Laws 1903, Chapter 247, Section 2, as amended.

The bill was read for the first time and referred to the Committee on Local and Urban Affairs.

Skoglund and Dean introduced :

H. F. No. 502, A bill for an act relating to county parks and parks and park districts; qualifications and compensation of commissioners; amending Minnesota Statutes 1976, Section 398.05.

The bill was read for the first time and referred to the Committee on Local and Urban Affairs.

Sieben, H., introduced :

H. F. No. 503, A bill for an act relating to the senate; providing for appointment of members of the senate to various commissions, committees, and other bodies; amending Minnesota Statutes 1976, Sections 1.22; 1.34, Subdivision 1; 3.85, Subdivision 3; 3.921, Subdivision 2; 3.922, Subdivision 1; 3.965, Subdivision 1; 84B.11, Subdivision 1; 86.07, Subdivision 1; 121.82, Subdivisions 1 and 2; 161.1419, Subdivision 2; 298.22, Subdivision 2; Extra Session Laws 1971, Chapter 31, Article XIII, Section 1, Subdivision 3, as amended; and Laws 1976, Chapter 337, Section 1, Subdivision 2.

The bill was read for the first time and referred to the Committee on Rules and Legislative Administration.

Tomlinson, Norton, Abeln, Pleasant and King introduced :

H. F. No. 504, A bill for an act relating to taxation ; changing the homestead base value for property tax purposes ; amending Minnesota Statutes 1976, Section 273.122, Subdivision 1.

The bill was read for the first time and referred to the Committee on Taxes.

Reding ; Sherwood ; Nelsen, B. ; Smogard and Wieser introduced :

H. F. No. 505, A bill for an act relating to taxation ; providing a credit against income tax for the cost of insulating existing residences ; amending Minnesota Statutes 1976, Section 290.06, by adding a subdivision.

The bill was read for the first time and referred to the Committee on Taxes.

Voss, Vanasek, Evans, Suss and McCollar introduced :

H. F. No. 506, A bill for an act relating to taxation ; providing a change in the aviation gasoline and special fuel tax refund ; amending Minnesota Statutes 1976, Section 296.18, Subdivision 4.

The bill was read for the first time and referred to the Committee on Taxes.

Pleasant ; Carlson, A. ; Clark ; Lehto and Forsythe introduced :

H. F. No. 507, A bill for an act relating to taxation ; specifically including female hygiene products in health care exemption from sales tax ; amending Minnesota Statutes 1976, Section 297A.25, Subdivision 1.

The bill was read for the first time and referred to the Committee on Taxes.

Cummiskey ; Carlson, L. ; Wenstrom ; Haugerud and Kahn introduced :

H. F. No. 508, A bill for an act relating to taxation ; providing that gross receipts from the sale of secondary school yearbooks be exempt from sales tax ; amending Minnesota Statutes 1976, Section 297A.25, Subdivision 1.

The bill was read for the first time and referred to the Committee on Taxes.

Simoneau, Voss, Erickson, Neisen and Novak introduced :

H. F. No. 509, A bill for an act relating to energy conservation ; exempting solar energy systems from property taxation ; providing a ten percent credit against income tax for the cost of certain individual sewage treatment systems and solar energy systems ; allowing carryback and carryforward of the feedlot pollution control equipment credit ; exempting solar energy systems from sales taxation ; amending Minnesota Statutes 1976, Sections 272.02, Subdivision 1 ; 290.06, Subdivisions 9 and 9a ; and 297A.25, Subdivision 1.

The bill was read for the first time and referred to the Committee on Taxes.

Cummiskey introduced :

H. F. No. 510, A bill for an act relating to taxation ; imposing a gross earnings tax on utilities which furnish heat ; providing for the distribution of the proceeds ; providing penalties.

The bill was read for the first time and referred to the Committee on Taxes.

Lemke, Fudro, Eckstein, Biersdorf and Birnstihl introduced :

H. F. No. 511, A bill for an act relating to the state transportation system ; correcting conditions of a bond authorization ; amending Laws 1976, Chapter 339, Section 3.

The bill was read for the first time and referred to the Committee on Transportation.

HOUSE ADVISORIES

Pursuant to rule 5.3, the following House Advisory was introduced :

King, Kelly, W., and Adams introduced :

H. A. No. 12, A proposal for the study of economic relief for energy consumption.

The advisory was referred to the Committee on Taxes.

MESSAGES FROM THE SENATE

The following message was received from the Senate:

Mr. Speaker:

I hereby announce the adoption by the Senate of the following Senate Concurrent Resolution, herewith transmitted:

Senate Concurrent Resolution No. 6, a senate concurrent resolution relating to adjournment.

PATRICK E. FLAHAVERN, Secretary of the Senate

SUSPENSION OF RULES

Anderson, I., moved that the Rules be so far suspended that Senate Concurrent Resolution No. 6 be now considered and be placed upon its adoption. The motion prevailed.

SENATE CONCURRENT RESOLUTION NO. 6

A Senate concurrent resolution relating to adjournment.

Be It Resolved, by the Senate, the House of Representatives concurring, that when either the Senate or the House of Representatives adjourns on February 17, 1977, it may adjourn to any date not later than February 22, 1977.

Anderson, I., moved that Senate Concurrent Resolution No. 6 be now adopted. The motion prevailed and the resolution was adopted.

CONSENT CALENDAR

H. F. No. 51, A bill for an act relating to elections; providing for election judges in certain precincts; amending Minnesota Statutes 1976, Section 204A.17, Subdivision 5.

The bill was read for the third time and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 124 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Abeln	Anderson, G.	Beauchamp	Biersdorf	Byrne
Adams	Anderson, I.	Begich	Birnstihl	Carlson, A.
Albrecht	Anderson, R.	Berg	Brandl	Carlson, D.
Anderson, B.	Arlandson	Berglin	Braun	Carlson, L.
Anderson, D.	Battaglia	Berkelman	Brinkman	Casserly

Clark	Fugina	Laidig	Osthoff	Skoglund
Clawson	George	Langseth	Patton	Smogard
Cohen	Gunter	Lehto	Pehler	Stanton
Corbid	Hanson	Lemke	Peterson	Stoa
Cummiskey	Heinitz	Mangan	Petrafeso	Suss
Dahl	Hokanson	Mann	Pleasant	Swanson
Dean	Jacobs	McCarron	Prahl	Tomlinson
Eckstein	Jaros	McCollar	Reding	Vanasek
Eken	Johnson	McDonald	Rose	Voss
Ellingson	Jude	McEachern	St. Onge	Waldorf
Enebo	Kahn	Metzen	Samuelson	Welch
Erickson	Kaley	Moe	Sarna	Wenstrom
Esau	Kelly, R.	Munger	Savelkoul	Wenzel
Evans	Kempe, A.	Murphy	Scheid	White
Ewald	Kempe, R.	Nelsen, B.	Searle	Wieser
Faricy	King	Nelsen, M.	Searles	Wigley
Fjoslien	Knickerbocker	Nelson	Sherwood	Williamson
Forsythe	Kostohryz	Niehaus	Sieben, H.	Wynia
Friedrich	Kroening	Norton	Sieben, M.	Speaker Sabo
Fudro	Kvam	Novak	Simoneau	

The bill was passed and its title agreed to.

GENERAL ORDERS

Pursuant to rules of the House, the House resolved itself into the Committee of the Whole, with Sabo in the Chair, for the consideration of bills pending on General Orders of the Day. After some time spent therein the Committee arose.

REPORT OF COMMITTEE OF THE WHOLE

The Speaker resumed the Chair, whereupon the following proceedings of the Committee as kept by the Chief Clerk were reported to the House:

H. F. No. 283 which it recommended to pass.

H. F. No. 21 which it recommended progress.

H. F. No. 38 which it recommended progress until Thursday, February 24, 1977.

H. F. No. 187 upon which it recommended to pass with the following amendments:

Offered by Mangan:

Page 1, line 7, strike "Subdivisions 1 and 2 are" and insert "is".

Page 1, after line 9 insert a new section to read:

"Sec. 2. This act shall be effective the day following final enactment."

Offered by Petrafeso:

Strike everything after the enacting clause and insert the following:

“Section 1. Minnesota Statutes 1976, Section 128A.03, Subdivision 3, is amended to read:

Subd. 3. (THE COUNCILS SHALL EXPIRE AND) The terms, compensation and removal of members of the councils shall be as provided in section 15.059 *however, the councils shall expire on December 31, 1977.*

Sec. 2. *Minnesota Statutes 1976, Section 128A.03 is effective the day following final enactment of this act, notwithstanding Laws 1976, Chapter 271, Section 99.*

Sec. 3. *This act shall be effective the day following final enactment.”.*

Further amend the title as follows:

Line 3, after “councils” insert “; amending Minnesota Statutes 1976, Section 128A.03, Subdivision 3”.

On the motion of Anderson, I., the report of the Committee of the Whole was adopted.

MOTIONS AND RESOLUTIONS

Niehaus moved that H. F. No. 459 be recalled from the Committee on Governmental Operations and be re-referred to the Committee on Financial Institutions and Insurance. The motion prevailed.

Carlson, A., moved that the names of Beauchamp, Faricy, Kahn and Dean be added as authors on H. F. No. 89. The motion prevailed.

Cummiskey moved that the name of Wenzel be stricken as an author on H. F. No. 403. The motion prevailed.

Carlson, A., moved that the names of Swanson, Samuelson, and McDonald be added as authors on H. F. No. 244. The motion prevailed.

Faricy moved that H. F. No. 43 be returned to its author. The motion prevailed.

ADJOURNMENT

Anderson, I., moved that when the House adjourns today it adjourn until 9:00 a.m., Monday, February 21, 1977. The motion prevailed.

Anderson, I., moved that the House adjourn. The motion prevailed, and the Speaker declared the House stands adjourned until 9:00 a.m., Monday, February 21, 1977.

EDWARD A. BURDICK, Chief Clerk, House of Representatives

STATE OF MINNESOTA

SEVENTIETH SESSION - 1977

SIXTEENTH DAY

SAINT PAUL, MINNESOTA, MONDAY, FEBRUARY 21, 1977

The House of Representatives convened at 9:00 a.m. and was called to order by the Speaker.

Prayer was offered by the Chaplain.

The roll was called and the following members were present:

Abeln	Clark	Jaros	Munger	Skoglund
Adams	Clawson	Jensen	Murphy	Smogard
Albrecht	Cohen	Johnson	Neisen	Spanish
Anderson, B.	Corbid	Jude	Nelsen, B.	Stanton
Anderson, D.	Cummiskey	Kahn	Nelson	Stoa
Anderson, G.	Dahl	Kaley	Niehaus	Suss
Anderson, I.	Dean	Kalis	Norton	Swanson
Anderson, R.	Eckstein	Kelly, R.	Novak	Tomlinson
Arlandson	Eken	Kelly, W.	Osthoff	Vanasek
Battaglia	Ellingson	Kempe, A.	Patton	Voss
Beauchamp	Enebo	Kempe, R.	Pehler	Waldorf
Begich	Erickson	King	Peterson	Welch
Berg	Esau	Kostohryz	Petrafaso	Westrom
Berglin	Evans	Kroening	Reding	Wenzel
Berkelman	Ewald	Laidig	Rose	White
Biersdorf	Farcy	Langseth	Samuelson	Wieser
Birnstihl	Fjoslien	Lehto	Sarna	Wigley
Brandl	Friedrich	Lemke	Scheid	Wynia
Braun	Fudro	Mangan	Schulz	Zubay
Brinkman	Fugina	McCarron	Searle	Speaker Sabo
Byrne	George	McCollar	Searles	
Carlson, A.	Gunter	McDonald	Sherwood	
Carlson, D.	Hanson	McEachern	Sieben, H.	
Carlson, L.	Hokanson	Metzen	Sieben, M.	
Casserly	Jacobs	Moe	Simoneau	

A quorum was present.

Forsythe; Haugerud; Heinitz; Knickerbocker; Kvam; Mann; Nelsen, M.; Pleasant; Prahl; Rice; St. Onge; Savelkoul and Williamson were excused.

The Chief Clerk proceeded to read the Journal of the preceding day. Vanasek moved that further reading of the Journal be dispensed with and that the Journal be approved as corrected by the Chief Clerk. The motion prevailed.

REPORTS OF CHIEF CLERK

Pursuant to Rules of the House, printed copies of H. F. Nos. 437, 187, 176, 235, 16 and 380 have been placed in the members' files.

REPORTS OF STANDING COMMITTEES

Hanson from the Committee on Commerce and Economic Development to which was referred:

H. F. No. 112, A bill for an act relating to human rights; prohibiting discrimination against students in housing; amending Minnesota Statutes 1976, Sections 363.03, Subdivision 2; and 363.12, Subdivision 1.

Reported the same back with the following amendments:

Page 5, line 5, after the period insert:

“(5) The provisions in this subdivision prohibiting discrimination in housing because of student status shall not apply to prevent public or private educational institutions from providing or maintaining housing facilities specifically for students or for students only.”.

With the recommendation that when so amended the bill pass and be re-referred to the Committee on Appropriations.

The report was adopted.

Hanson from the Committee on Commerce and Economic Development to which was referred:

H. F. No. 114, A bill for an act relating to intoxicating liquor; regulation and taxation of liquor sold in commemorative bottles; amending Minnesota Statutes 1976, Sections 340.11, Subdivision 15; 340.44; and 340.50.

Reported the same back with the following amendments:

Page 2, line 18, delete “*unique*” and insert “*collectors*”.

Page 2, line 22, delete “*uniquely*” and insert “*specially*”.

With the recommendation that when so amended the bill pass and be placed on the Consent Calendar.

The report was adopted.

Hanson from the Committee on Commerce and Economic Development to which was referred:

H. F. No. 115, A bill for an act relating to commerce; extending the effective date of certain provisions of law that require tents and sleeping bags to be flame resistant; amending Laws 1975, Chapter 341, Section 6.

Reported the same back with the following amendments:

Page 1, line 12, strike "January 1," and insert "*October 1,*"; delete the new language and restore the stricken language.

With the recommendation that when so amended the bill pass.

The report was adopted.

Johnson from the Committee on Education to which was referred:

H. F. No. 291, A bill for an act relating to education; school districts; joint powers; authorizing joint boards to acquire certain property for data processing; amending Minnesota Statutes 1976, Section 123.73.

Reported the same back with the following amendments:

Page 1, line 18, delete "*by*" and insert "*pursuant to*".

Page 1, line 19, after "*16.93*" insert "*or other state law*".

With the recommendation that when so amended the bill pass.

The report was adopted.

Munger from the Committee on Environment and Natural Resources to which was referred:

H. F. No. 140, A bill for an act relating to natural resources; imposing limits on the issuance of licenses for commercial fishing on Lake Superior; providing maximum amounts of gill net to be licensed in Lake Superior; amending Minnesota Statutes 1976, Sections 98.46, Subdivision 12; and 102.28, Subdivision 4.

Reported the same back with the following amendments:

Page 2, line 7, after "*\$1,500*" insert "*, except for those state waters from Duluth to Silver Bay until one year after the cessation of discharge of taconite tailings into the lake*".

Page 2, line 8, delete "*Fished gill nets*" and insert "*Engaged in commercial fishing*".

Page 2, line 8, delete "*or pound nets*".

Page 2, line 9, delete "*for at least 20 days*".

Page 2, line 19, after "*circumstances*" insert "*, or he has reached the age of 65 and has been licensed over the previous 15 years*".

Page 2, line 20, delete "*pursuant to this paragraph*" and insert "*under the provisions for applicants 65 years of age or more*".

Page 2, line 21, after the period insert "*The commissioner may issue multiple licenses to individuals who meet the requirements of subdivision 12, clause (b), and have held multiple licenses prior to 1978.*".

Page 2, line 26, delete "*from*" and insert "*connected with*".

Page 2, line 26, delete "*licensee;*" and insert "*license; or (2) Shows proof of inheritance of all the gear and facilities connected with an existing license; or*".

Page 2, line 27, delete "*(2)*" and insert "*(3)*".

Page 2, line 30, delete "*(3)*" and insert "*(4)*".

Page 3, line 7, delete "*200,000*" and insert "*300,000*".

With the recommendation that when so amended the bill pass.

The report was adopted.

SECOND READING OF HOUSE BILLS

H. F. Nos. 114, 115, 291 and 140 were read for the second time.

INTRODUCTION AND FIRST READING OF HOUSE BILLS

The following House Files were introduced:

Berglin and King introduced:

H. F. No. 512, A bill for an act relating to public welfare; increasing supplemental aid; appropriating money; amending Minnesota Statutes 1976, Section 256D.37, Subdivision 2, and by adding subdivisions.

The bill was read for the first time and referred to the Committee on Appropriations.

Wenstrom; Anderson, G.; Corbid; Clawson and Anderson, I., introduced:

H. F. No. 513, A bill for an act relating to telephone companies; revocation of service permits in certain instances; amending Minnesota Statutes 1976, Chapter 237, by adding a section.

The bill was read for the first time and referred to the Committee on Commerce and Economic Development.

Adams; White; Anderson, G.; Friedrich and Pleasant introduced:

H. F. No. 514, A bill for an act relating to interest; authorizing charges for open end credit sales; amending Minnesota Statutes 1976, Section 334.16, Subdivision 1.

The bill was read for the first time and referred to the Committee on Commerce and Economic Development.

Murphy; Hanson; Sieben, M.; Skoglund and Carlson, D., introduced:

H. F. No. 515, A bill for an act relating to telephone companies; prohibiting charges for directory assistance; amending Minnesota Statutes 1976, Chapter 237, by adding a section.

The bill was read for the first time and referred to the Committee on Commerce and Economic Development.

Moe, Nelson, Forsythe, Kaley and Novak introduced:

H. F. No. 516, A bill for an act relating to victims of crime; directing the commissioner of corrections to establish victim crisis centers; appropriating money.

The bill was read for the first time and referred to the Committee on Criminal Justice.

Begich and Battaglia introduced:

H. F. No. 517, A bill for an act relating to juvenile courts; requiring disclosure to the news media of the names of children adjudicated delinquent for violating any state or local law or ordinance for a third time; amending Minnesota Statutes 1976, Section 260.161, by adding a subdivision.

The bill was read for the first time and referred to the Committee on Criminal Justice.

Novak, Jude, Moe, Jaros and Nelson introduced:

H. F. No. 518, A bill for an act relating to highway traffic regulations; procedures for revocation of driver's license when certain tests disclose a blood alcohol content of .10 percent or more by weight of alcohol; providing that hearings be held as early as practicable; amending Minnesota Statutes 1976, Section 169.127, Subdivision 3.

The bill was read for the first time and referred to the Committee on Criminal Justice.

Clark; Moe; Carlson, A.; McCarron and Novak introduced:

H. F. No. 519, A bill for an act relating to juveniles; requiring petitions alleging delinquency to be issued by judicial authorities and to be based on probable cause; amending Minnesota Statutes 1976, Section 260.131, Subdivision 2, and by adding a subdivision.

The bill was read for the first time and referred to the Committee on Criminal Justice.

Sherwood, Reding, Biersdorf, Lehto and Gunter introduced:

H. F. No. 520, A bill for an act relating to the department of natural resources; providing conservation officers with the powers of peace officers; amending Minnesota Statutes 1976, Section 84.028, Subdivision 3.

The bill was read for the first time and referred to the Committee on Criminal Justice.

Jensen; Sieben, H.; Patton; Suss and White introduced:

H. F. No. 521, A bill for an act relating to Independent School District No. 196 (Rosemount) and Independent School District No. 194 (Lakeville); providing for certain land to be detached from Independent School District No. 196 and annexed to Independent School District No. 194.

The bill was read for the first time and referred to the Committee on Education.

Munger, Hanson, Voss, Carlson, A., and Kostohryz introduced:

H. F. No. 522, A bill for an act relating to energy; extending the life of the Minnesota energy agency; further defining large energy facility; requiring promulgation of certain energy conservation standards; revising certain requirements; prescribing penalties; amending Minnesota Statutes 1976, Chapter 116H, by adding sections; and Sections 116H.02, Subdivision 5; 116H.07, Subdivision 1; 116H.12, Subdivision 5; 116H.121; 116H.124; 116H.126; and 116H.13, Subdivision 4; repealing Laws 1974, Chapter 307, Section 19.

The bill was read for the first time and referred to the Committee on Environment and Natural Resources.

Begich and Fugina introduced:

H. F. No. 523, A bill for an act relating to public safety; requiring fencing of unused open pit mines; providing a penalty.

The bill was read for the first time and referred to the Committee on Environment and Natural Resources.

Haugerud, Kahn, Vanasek and Stanton introduced:

H. F. No. 524, A bill for an act relating to beverage containers; detachable parts of noncarbonated beverage cans; amending Minnesota Statutes 1976, Section 325.248, Subdivision 1.

The bill was read for the first time and referred to the Committee on Environment and Natural Resources.

Schulz and Lemke introduced:

H. F. No. 525, A bill for an act relating to natural resources; drainage; providing for transfer by county boards of certain surplus ditch funds to another governing body taking over the drainage system; amending Minnesota Statutes 1976, Section 106.471, Subdivision 6.

The bill was read for the first time and referred to the Committee on Environment and Natural Resources.

Brinkman; Nelsen, M.; Kelly, R.; Suss and Heinitz introduced:

H. F. No. 526, A bill for an act relating to insurance; providing for the procurement of insurance from and the regulation of surplus line insurers and agents; providing for the regulation and imposition of penalties on certain insurance agents; amending Minnesota Statutes 1976, Section 60A.20.

The bill was read for the first time and referred to the Committee on Financial Institutions and Insurance.

Brinkman; Nelsen, M.; Suss; Fjoslien and Heinitz introduced:

H. F. No. 527, A bill for an act relating to insurance companies; simplifying language and removing obsolete provisions; clarifying ambiguities; establishing certain responsibilities; requiring performance bonds for certain corporate officers and employees; increasing certain fees; increasing certain capitalization and reserve requirements; providing certain restrictions; authorizing mutual companies to write certain additional kinds of insurance; prescribing certain penalties; amending Minnesota Statutes 1976, Sections 60A.07, Subdivisions 5d and 11; 60A.09, Subdivision 1; 60A.10, Subdivision 1; 60A.11, Subdivision 2; 60A.12, Subdivision 5; 60A.19, Subdivision 1; 60A.23, Subdivision 7; 60C.06, Subdivision 1; 61A.33; 61A.40; 66A.08, Subdivision 1; 66A.09; 66A.10; 66A.16, Subdivision 2; repealing Minnesota Statutes 1976, Sections 60A.12, Subdivision 6; and 63.36.

The bill was read for the first time and referred to the Committee on Financial Institutions and Insurance.

Ellingson; Kelly, R.; Arlandson; Fjoslien and Heinitz introduced:

H. F. No. 528, A bill for an act relating to insurance; regulating licensing procedures; amending Minnesota Statutes 1976, Section 60A.17, Subdivision 2.

The bill was read for the first time and referred to the Committee on Financial Institutions and Insurance.

Ellingson, Wynia, Arlandson, Kempe, A., and Heinitz introduced:

H. F. No. 529, A bill for an act relating to automobile insurance; establishing certain definitions; requiring insurers to provide summaries of insurance policies or issue "readable" policies; requiring coverage for the expenses of car rental; prohibiting sale of property damage coverage without no-fault coverage; regulating termination and renewal of certain policies; requiring certain insurers to offer replacement policies; amending Minnesota Statutes 1976, Sections 65B.14; 65B.17; and Chapter 65B, by adding sections.

The bill was read for the first time and referred to the Committee on Financial Institutions and Insurance.

Ellingson; Kelly, R.; Abeln; Fjoslien and Wynia introduced:

H. F. No. 530, A bill for an act relating to insurance; regulating the use of credit life and credit health and accident insurance; amending Minnesota Statutes 1976, Sections 61A.12, by adding subdivisions; 62B.01; 62B.04, Subdivision 1; 62B.05; 62B.06, by adding subdivisions; 62B.07, Subdivision 2, and by adding a subdivision; 62B.08, Subdivision 2, and by adding subdivisions; and 62B.11.

The bill was read for the first time and referred to the Committee on Financial Institutions and Insurance.

Erickson, Brinkman, Johnson, Mann and Niehaus introduced:

H. F. No. 531, A bill for an act relating to banks; permitting banks to take second mortgages in drought areas; amending Minnesota Statutes 1976, Section 48.19, Subdivision 1.

The bill was read for the first time and referred to the Committee on Financial Institutions and Insurance.

Hokanson, Suss, Osthoff, White and Forsythe introduced:

H. F. No. 532, A bill for an act relating to elections; allowing municipalities to open polling places at 6:00 a.m.; amending Minnesota Statutes 1976, Section 204A.05, Subdivision 1.

The bill was read for the first time and referred to the Committee on General Legislation and Veterans Affairs.

Knickerbocker introduced:

H. F. No. 533, A bill for an act relating to elections; election day voter registration; permitting registration upon oath that voter possesses no document to prove residence in the precinct; eliminating registration by voucher of registered voter; providing for verification of sworn facts; amending Minnesota Statutes 1976, Section 201.061, Subdivision 3, and by adding a subdivision.

The bill was read for the first time and referred to the Committee on General Legislation and Veterans Affairs.

Williamson, Cummiskey, Jensen, Knickerbocker and Scheid introduced:

H. F. No. 534, A bill for an act relating to elections; providing for the tabulation and announcement of votes cast on electronic voting systems; amending Minnesota Statutes 1976, Section 206.185, Subdivision 5, and by adding a subdivision.

The bill was read for the first time and referred to the Committee on General Legislation and Veterans Affairs.

Williamson, Cummiskey and Jensen introduced:

H. F. No. 535, A bill for an act relating to elections; permitting electronic voting systems for absentee voters; amending Minnesota Statutes 1976, Section 206.07, by adding a subdivision.

The bill was read for the first time and referred to the Committee on General Legislation and Veterans Affairs.

Begich, Kroening, Mangan and Battaglia introduced:

H. F. No. 536, A bill for an act relating to civil service; providing that promotion and place of service are separate considerations; amending Minnesota Statutes 1976, Section 43.19, by adding a subdivision.

The bill was read for the first time and referred to the Committee on Governmental Operations.

Knickerbocker introduced:

H. F. No. 537, A bill for an act relating to the attorney general; creating an office of bond counsel; restricting the use of private bond counsels by state agencies and political subdivisions; prescribing duties; appropriating money.

The bill was read for the first time and referred to the Committee on Governmental Operations.

Prahl, Jacobs, Mangan and Fugina introduced:

H. F. No. 538, A bill for an act relating to retirement; military service credit for teachers; amending Minnesota Statutes 1976, Section 354.53, Subdivisions 1 and 3.

The bill was read for the first time and referred to the Committee on Governmental Operations.

Begich, Battaglia and Osthoff introduced:

H. F. No. 539, A bill for an act relating to education; limiting scholarship aid for foreign students; amending Minnesota Statutes 1976, Chapter 136A, by adding a section.

The bill was read for the first time and referred to the Committee on Higher Education.

Pehler, Simoneau, Stanton, Carlson, L., and Byrne introduced:

H. F. No. 540, A bill for an act relating to labor; specifying a minimum wage rate for agricultural sugar beet workers; regulating hours for minor sugar beet employees; amending Minnesota Statutes 1976, Chapter 177, by adding a section; and Section 181A.07, Subdivision 1.

The bill was read for the first time and referred to the Committee on Labor-Management Relations.

Byrne, Skoglund, Enebo, Searle and Murphy introduced:

H. F. No. 541, A bill for an act relating to labor; prohibiting the deduction of certain losses from wages without authorization by the employee; providing a cause of action for wrongful deduction.

The bill was read for the first time and referred to the Committee on Labor-Management Relations.

Kelly, R.; Cohen; Tomlinson; Kempe, A.; and Byrne introduced:

H. F. No. 542, A bill for an act relating to the city of Saint Paul; establishing a public housing agency; transferring functions from housing and redevelopment authority.

The bill was read for the first time and referred to the Committee on Local and Urban Affairs.

White, Jensen, Vanasek, Friedrich and Sieben, H., introduced:

H. F. No. 543, A bill for an act relating to towns; granting certain towns the powers of statutory cities.

The bill was read for the first time and referred to the Committee on Local and Urban Affairs.

Kempe, A.; Osthoff; Kostohryz; McCollar and Kempe, R., introduced:

H. F. No. 544, A bill for an act relating to highways; removing the construction moratorium on a certain interstate route, and extending it through the city of St. Paul; removing a certain route from the trunk highway system; amending Minnesota Statutes 1976, Sections 161.117; 161.12; and 161.123.

The bill was read for the first time and referred to the Committee on Local and Urban Affairs.

Brinkman introduced:

H. F. No. 545, A bill for an act relating to regional development; providing for withdrawal of a county or municipality from a regional development commission; providing for dissolution of a commission; amending Minnesota Statutes 1976, Section 462.387, by adding subdivisions.

The bill was read for the first time and referred to the Committee on Local and Urban Affairs.

Prahl, Sherwood and Anderson, I., introduced:

H. F. No. 546, A bill for an act relating to towns; authorizing the electors of certain towns to provide for certain services; amending Minnesota Statutes 1976, Section 365.20.

The bill was read for the first time and referred to the Committee on Local and Urban Affairs.

Suss, McDonald, Reding, Jude and White introduced:

H. F. No. 547, A bill for an act relating to metropolitan government; changing the appointment procedure for metropolitan council members; amending Minnesota Statutes 1976, Sections 473.121, by adding subdivisions; 473.123, Subdivisions 5, 6, and by adding subdivisions; repealing Minnesota Statutes 1976, Section 473.123, Subdivisions 2, 3 and 4.

The bill was read for the first time and referred to the Committee on Local and Urban Affairs.

George, McCarron, Patton and Sieben, H., introduced:

H. F. No. 548, A bill for an act relating to county government; requiring boards of seven members in certain counties; amending Minnesota Statutes 1976, Sections 375.01; and 375A.09, Subdivision 2.

The bill was read for the first time and referred to the Committee on Local and Urban Affairs.

Knickerbocker introduced:

H. F. No. 549, A bill for an act proposing an amendment to the Minnesota Constitution, Article IV, Section 17; strengthening the prohibition of laws embracing more than one subject.

The bill was read for the first time and referred to the Committee on Rules and Legislative Administration.

Eken, Johnson, Tomlinson, Esau and Berg introduced:

H. F. No. 550, A bill for an act relating to education; school districts; revising financing systems and accounting procedures for certain district funds; amending Minnesota Statutes 1976, Sections 121.902; 121.914, Subdivisions 1, 2, 3 and 4; 121.917, Subdivision 1; 123.335, Subdivision 2; 123.71, Subdivisions 1 and 2; 275.125, Subdivision 8; and 475.61, Subdivision 4.

The bill was read for the first time and referred to the Committee on Education.

Vanasek, Searles, White, Scheid and Abeln introduced:

H. F. No. 551, A bill for an act relating to taxation; providing for transfer of jointly held property to heirs of decedent joint tenant; clarifying marital exemption provisions; providing for deduction for certain taxes on estates of nonresidents; clarifying time for filing and extension; providing for abatement of penalties in cases of reasonable cause for delay; correcting references to private code provisions; requiring filing of affidavits and copies of documents; amending Minnesota Statutes 1976, Sections 291.01, Subdivision 4; 291.051, Subdivision 1; 291.08; 291.09, by adding a subdivision; 291.11, Subdivision 1; 291.131, Subdivision 2; 291.20, Subdivision 3; 291.40; 524.3-1003; 524.3-1201; and 524.3-1202.

The bill was read for the first time and referred to the Committee on Taxes.

Kelly, W.; Forsythe; McCollar; Skoglund and Novak introduced:

H. F. No. 552, A bill for an act relating to taxation; permitting certain appeals of assessments to the commissioner of revenue; providing for appointment of local assessors or termination of their offices; refining terms of senior citizens property tax freeze; eliminating assessors' and auditors' bonds; providing for appeal of property classification; defining certain powers of boards of equalization; clarifying redemption period for tax-forfeited lands; amending Minnesota Statutes 1976, Sections 270.11, Subdivision 7; 270.50; 273.011, Subdivision 4; 273.012, Subdivision 2; 273.04; 273.05, Subdivisions 1 and 2; 273.06; 274.01, Subdivision 1; 274.13, Subdivision 1; 276.12; and 281.17; and Chapter 270, by adding a section.

The bill was read for the first time and referred to the Committee on Taxes.

Kelly, R., introduced:

H. F. No. 553, A bill for an act relating to taxation; providing for adjustment to gross income for investment credit; amending Minnesota Statutes 1976, Section 290.01, Subdivision 20.

The bill was read for the first time and referred to the Committee on Taxes.

Skoglund, Wynia, Clark, Jaros and Murphy introduced:

H. F. No. 554, A bill for an act relating to taxation; providing for a credit against income tax for the cost of care for certain dependents; appropriating money; amending Minnesota Statutes 1976, Chapter 290, by adding a section; repealing Minnesota Statutes 1976, Section 290.09, Subdivision 26.

The bill was read for the first time and referred to the Committee on Taxes.

Prahl, Sherwood, Fugina and Samuelson introduced:

H. F. No. 555, A bill for an act relating to taxation; providing for reduced assessment classification and homestead treatment of certain resort property; amending Minnesota Statutes 1976, Section 273.13, Subdivisions 4 and 6.

The bill was read for the first time and referred to the Committee on Taxes.

Albrecht; Nelsen, B.; Wigley; Esau and Carlson, D., introduced:

H. F. No. 556, A bill for an act relating to taxation; providing an inflation adjustment for the income tax rate schedule; amending Minnesota Statutes 1976, Section 290.06, Subdivision 2c, and by adding a subdivision.

The bill was read for the first time and referred to the Committee on Taxes.

Welch, Langseth, Battaglia, Anderson, B., and Evans introduced:

H. F. No. 557, A bill for an act relating to highways; reimbursement of fire fighting and protection expenses in certain instances; appropriating funds.

The bill was read for the first time and referred to the Committee on Transportation.

Brinkman, Samuelson and Eken introduced:

H. F. No. 558, A bill for an act relating to snowmobiles; providing for operation on certain highways; amending Minnesota Statutes 1976, Section 84.87, Subdivision 3.

The bill was read for the first time and referred to the Committee on Transportation.

CONSENT CALENDAR

H. F. No. 176, A bill for an act relating to drivers licenses; providing that nonqualification certificates may be issued to applicants who are 14 years of age or older; amending Minnesota Statutes 1976, Section 171.07, Subdivision 3.

The bill was read for the third time and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 115 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Abeln	Anderson, R.	Biersdorf	Carlson, D.	Dahl
Adams	Arlandson	Birnstihl	Carlson, L.	Dean
Albrecht	Battaglia	Brandl	Clark	Eckstein
Anderson, B.	Beauchamp	Braun	Clawson	Eken
Anderson, D.	Begich	Brinkman	Cohen	Ellingson
Anderson, G.	Berglin	Byrne	Corbid	Enebo
Anderson, I.	Berkelman	Carlson, A.	Cummiskey	Erickson

Esau	Jude	McDonald	Petrafaso	Stoa
Evans	Kaley	McEachern	Reding	Suss
Ewald	Kalis	Metzen	Rose	Swanson
Faricy	Kelly, R.	Moe	Samuelson	Tomlinson
Fjoslien	Kelly, W.	Munger	Sarna	Vanasek
Friedrich	Kempe, A.	Murphy	Scheid	Voss
Fudro	Kempe, R.	Neisen	Schulz	Waldorf
Fugina	King	Nelsen, B.	Searle	Welch
George	Kostohryz	Nelson	Searles	Wenstrom
Gunter	Kroening	Niehaus	Sherwood	Wenzel
Hanson	Langseth	Norton	Sieben, H.	White
Hokanson	Lehto	Novak	Sieben, M.	Wieser
Jacobs	Lemke	Osthoff	Simoneau	Wigley
Jaros	Mangan	Patton	Skoglund	Wynia
Jensen	McCarron	Pehler	Smogard	Zubay
Johnson	McCollar	Peterson	Spanish	Speaker Sabo

The bill was passed and its title agreed to.

CALENDAR

H. F. No. 187, A bill for an act relating to education; braille and deaf schools; providing for appointment of advisory councils; amending Minnesota Statutes 1976, Section 128A.03, Subdivision 3.

The bill was read for the third time and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 117 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Abeln	Clark	Jacobs	Moe	Sieben, M.
Adams	Clawson	Jaros	Munger	Simoneau
Albrecht	Cohen	Jensen	Murphy	Skoglund
Anderson, B.	Corbid	Johnson	Neisen	Smogard
Anderson, D.	Cummiskey	Jude	Nelsen, B.	Spanish
Anderson, G.	Dahl	Kaley	Nelson	Stoa
Anderson, I.	Dean	Kalis	Niehaus	Suss
Anderson, R.	Eckstein	Kelly, R.	Norton	Swanson
Arlandson	Eken	Kelly, W.	Novak	Tomlinson
Battaglia	Ellingson	Kempe, A.	Osthoff	Vanasek
Beauchamp	Enebo	Kempe, R.	Patton	Voss
Begich	Erickson	King	Pehler	Waldorf
Berglin	Esau	Kostohryz	Peterson	Welch
Berkelman	Evans	Kroening	Petrafaso	Wenstrom
Biersdorf	Ewald	Laidig	Reding	Wenzel
Birnstihl	Faricy	Langseth	Rose	White
Brandl	Fjoslien	Lehto	Samuelson	Wieser
Braun	Friedrich	Lemke	Sarna	Wigley
Brinkman	Fudro	Mangan	Scheid	Wynia
Byrne	Fugina	McCarron	Schulz	Zubay
Carlson, A.	George	McCollar	Searle	Speaker Sabo
Carlson, D.	Gunter	McDonald	Searles	
Carlson, L.	Hanson	McEachern	Sherwood	
Casserly	Hokanson	Metzen	Sieben, H.	

The bill was passed and its title agreed to.

H. F. No. 283, A bill for an act relating to securities; disciplin-ary action against a licensee; clarifying the time for initiating a proceeding; amending Minnesota Statutes 1976, Sections 80A.07, Subdivision 2, and 80A.21, Subdivision 1.

The bill was read for the third time and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 119 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Abeln	Casslerly	Hokanson	Metzen	Sieben, H.
Adams	Clark	Jacobs	Moe	Sieben, M.
Albrecht	Clawson	Jaros	Munger	Simoneau
Anderson, B.	Cohen	Jensen	Murphy	Skoglund
Anderson, D.	Corbid	Johnson	Neisen	Smogard
Anderson, G.	Cummiskey	Jude	Nelsen, B.	Spanish
Anderson, I.	Dahl	Kaley	Nelson	Stanton
Anderson, R.	Dean	Kalis	Niehaus	Stoa
Arlandson	Eckstein	Kelly, R.	Norton	Suss
Battaglia	Eken	Kelly, W.	Novak	Swanson
Beauchamp	Ellingson	Kempe, A.	Osthoff	Tomlinson
Begich	Enebo	Kempe, R.	Patton	Vanasek
Berg	Erickson	King	Pehler	Voss
Berglin	Esau	Kostohryz	Peterson	Waldorf
Berkelman	Evans	Kroening	Petraferoso	Welch
Biersdorf	Ewald	Laidig	Reding	Wenstrom
Birnstihl	Faricy	Langseth	Rose	Wenzel
Brandl	Fjoslien	Lehto	Samuelson	White
Braun	Friedrich	Lemke	Sarna	Wieser
Brinkman	Fudro	Mangan	Scheid	Wigley
Byrne	Fugina	McCarron	Schulz	Wynia
Carlson, A.	George	McCollar	Searle	Zubay
Carlson, D.	Gunter	McDonald	Searles	Speaker Sabo
Carlson, L.	Hanson	McEachern	Sherwood	

The bill was passed and its title agreed to.

GENERAL ORDERS

Pursuant to rules of the House, the House resolved itself into the Committee of the Whole, with Sabo in the Chair, for the consideration of bills pending on General Orders of the Day. After some time spent therein the Committee arose.

REPORT OF COMMITTEE OF THE WHOLE

The Speaker resumed the Chair, whereupon the following proceedings of the Committee as kept by the Chief Clerk were reported to the House:

H. F. Nos. 21 and 437 which it recommended to pass.

On the motion of Anderson, I., the report of the Committee of the Whole was adopted.

MOTIONS AND RESOLUTIONS

Knickerbocker moved that the name of Cohen be added as an author on H. F. No. 435. The motion prevailed.

Carlson, D., moved that the name of Cohen be added as an author on H. F. No. 303. The motion prevailed.

Sieben, M., moved that the name of Osthoff be added as an author on H. F. No. 38. The motion prevailed.

Clawson moved that the name of Neisen be stricken as an author on H. F. No. 265. The motion prevailed.

Anderson, I., introduced:

House Concurrent Resolution No. 4, A house concurrent resolution providing for a joint convention of the Senate and the House of Representatives to elect members of the Board of Regents of the University of Minnesota.

The resolution was referred to the Committee on Rules and Legislative Administration.

ADJOURNMENT

Anderson, I., moved that when the House adjourns today it adjourn until 2:00 p.m., Thursday, February 24, 1977. The motion prevailed.

Anderson, I., moved that the House adjourn. The motion prevailed, and the Speaker declared the House stands adjourned until 2:00 p.m., Thursday, February 24, 1977.

EDWARD A. BURDICK, Chief Clerk, House of Representatives

STATE OF MINNESOTA

SEVENTIETH SESSION - 1977

SEVENTEENTH DAY

SAINT PAUL, MINNESOTA, TUESDAY, FEBRUARY 22, 1977

The Senate met on Tuesday, February 22, 1977, which was the Seventeenth Legislative Day of the Seventieth Session of the Minnesota State Legislature. The House of Representatives did not meet on this date.

STATE OF MINNESOTA
SEVENTIETH SESSION - 1977

EIGHTEENTH DAY

SAINT PAUL, MINNESOTA, THURSDAY, FEBRUARY 24, 1977

The House of Representatives convened at 2:00 p.m. and was called to order by the Speaker.

Prayer was offered by the Chaplain.

The roll was called and the following members were present:

Abeln	Clark	Jacobs	Moe	Sherwood
Adams	Clawson	Jaros	Munger	Sieben, H.
Albrecht	Cohen	Jensen	Neisen	Sieben, M.
Anderson, B.	Corbid	Jude	Nelsen, B.	Simoneau
Anderson, D.	Cummiskey	Kahn	Nelsen, M.	Skoglund
Anderson, G.	Dahl	Kaley	Nelson	Smogard
Anderson, I.	Dean	Kalis	Niehaus	Spanish
Anderson, R.	Eckstein	Kelly, R.	Norton	Stanton
Arlandson	Eken	Kempe, R.	Novak	Stoa
Battaglia	Ellingson	King	Osthoff	Suss
Beauchamp	Erickson	Knickerbocker	Patton	Tomlinson
Begich	Esau	Kostohryz	Pehler	Vanasek
Berg	Ewald	Kroening	Peterson	Voss
Berglin	Faricy	Kvam	Petrafeso	Waldorf
Berkelman	Fjoslien	Laidig	Pleasant	Welch
Birnstihl	Forsythe	Langseth	Prahl	Wenstrom
Brandl	Friedrich	Lehto	Reding	Wenzel
Braun	Fudro	Lemke	Rice	White
Brinkman	Fugina	Mangan	Samuelson	Wieser
Byrne	George	Mann	Savelkoul	Wigley
Carlson, A.	Gunter	McCarron	Scheid	Williamson
Carlson, D.	Hanson	McCollar	Schulz	Wynia
Carlson, L.	Heinitz	McDonald	Searle	Zubay
Casserly	Hokanson	McEachern	Searles	Speaker Sabo

A quorum was present.

Biersdorf; Enebo; Evans; Haugerud; Johnson; Kelly, W.; Kempe, A.; Metzen; Murphy; Rose; St. Onge; Sarna and Swanson were excused.

The Chief Clerk proceeded to read the Journals of the preceding days. Esau moved that further reading of the Journals be dispensed with and that the Journals be approved as corrected by the Chief Clerk. The motion prevailed.

REPORTS OF CHIEF CLERK

Pursuant to Rules of the House, printed copies of H. F. Nos. 114, 140, 291 and 115 have been placed in the members' files.

PETITIONS AND COMMUNICATIONS

The following report was received and filed in the Chief Clerk's Office: Report on the Minnesota Pollution Control Agency Resource Recovery Grant-In-Aid Program 1974-1977 submitted by the Resource Management Section, Division of Solid Waste.

The following communication was received:

STATE OF MINNESOTA
HOUSE OF REPRESENTATIVES
SAINT PAUL, MINNESOTA

February 21, 1977

The Honorable Irvin N. Anderson, Chairman
Committee on Rules and Legislative Administration
House of Representatives

Dear Sir:

This is to notify you of my resignation from the position of Postmaster effective February 21, 1977.

Sincerely,

PAIGE Q. PIPER
Postmaster

REPORTS OF STANDING COMMITTEES

Brinkman from the Committee on Financial Institutions and Insurance to which was referred:

H. F. No. 258, A bill for an act relating to political subdivisions; regulating certain interests in contracts by public officials; amending Minnesota Statutes 1976, Section 471.88, Subdivisions 2, 5, and 8.

Reported the same back with the recommendation that the bill pass and be re-referred to the Committee on Local and Urban Affairs.

The report was adopted.

Brinkman from the Committee on Financial Institutions and Insurance to which was referred:

H. F. No. 299, A bill for an act relating to banking; authorized investments and powers of savings banks; amending Minnesota Statutes 1976, Sections 50.14, Subdivision 5; 50.148; and 50.157.

Reported the same back with the following amendments:

Page 1, line 11, strike "deed" and insert "deeds".

Page 1, line 17, after "clause" insert "(1)".

Page 2, line 14, delete "deed" and insert "deeds".

Page 2, line 15, delete "a" and insert "an original".

Page 2, line 19, after "prescribe" insert "*provided that construction loans made by a savings bank pursuant to this clause (1)(c) shall not exceed in the aggregate five percent of the assets of the savings bank*".

Page 3, line 11, delete "\$20,000" and insert "\$25,000".

With the recommendation that when so amended the bill pass.

The report was adopted.

Fudro from the Committee on Transportation to which was referred:

H. F. No. 511, A bill for an act relating to the state transportation system; correcting conditions of a bond authorization; amending Laws 1976, Chapter 339, Section 3.

Reported the same back with the following amendments:

Page 1, line 16, strike "; provided that no bonds may be sold in any year".

Page 1, strike line 17.

Page 1, line 18, strike "clause (a), has been".

Page 1, line 18, delete "encumbered".

Page 2, line 7, strike "; provided that no bonds shall be sold".

Page 2, strike line 8.

Page 2, line 9, strike "subdivision 2, clause (b), has been".

Page 2, line 9, delete "*encumbered*".

With the recommendation that when so amended the bill pass and be placed on the Consent Calendar.

The report was adopted.

SECOND READING OF HOUSE BILLS

H. F. Nos. 299 and 511 were read for the second time.

INTRODUCTION AND FIRST READING OF HOUSE BILLS

The following House Files were introduced:

Fugina, for the Committee on Higher Education, introduced:

H. F. No. 559, A bill for an act relating to education; higher education coordinating board; student financial aid; changing certain requirements for scholarships, aids and grants to students; increasing the bonding and loan making authority of the board; transferring the program of nursing student grants to the board; appropriating money; amending Minnesota Statutes 1976, Sections 136A.121, Subdivisions 1, 2 and 3; 136A.144; 136A.16, Subdivisions 4, 6 and 7; 136A.17, Subdivisions 3, 4, 5 and 6; 136A.171; and 136A.233, Subdivision 2.

The bill was read for the first time and referred to the Committee on Higher Education.

Simoneau, Novak, Neisen, Pleasant and Corbid introduced:

H. F. No. 560, A bill for an act relating to motor vehicles; requiring manufacturers to make replacement parts available for certain motor vehicles.

The bill was read for the first time and referred to the Committee on Commerce and Economic Development.

Abeln introduced:

H. F. No. 561, A bill for an act relating to intoxicating liquor; limitations on license ownership; amending Minnesota Statutes 1976, Section 340.13, Subdivision 3.

The bill was read for the first time and referred to the Committee on Commerce and Economic Development.

Prahl, Stanton, Neisen and Biersdorf introduced :

H. F. No. 562, A bill for an act relating to motor vehicles; requiring informational labels on new pickup trucks; providing penalties.

The bill was read for the first time and referred to the Committee on Commerce and Economic Development.

Suss, Jensen and Vanasek introduced :

H. F. No. 563, A bill for an act relating to Independent School District No. 721 (New Prague) and Independent School District No. 194 (Lakeville); providing for certain land to be detached from Independent School District No. 721 and annexed to Independent School District No. 194.

The bill was read for the first time and referred to the Committee on Education.

Petrafeso, Johnson, Abeln, Swanson and Moe introduced :

H. F. No. 564, A bill for an act relating to education; authorizing certain teachers to take extended leaves of absence; providing for retirement benefits of teachers on leave; amending Minnesota Statutes 1974, Chapters 354, by adding a section; and 354A, by adding a section.

The bill was read for the first time and referred to the Committee on Education.

Battaglia, Johnson, Eken and Fugina introduced :

H. F. No. 565, A bill for an act relating to school districts; permitting an excess tax levy for tuition costs above the foundation formula amount; amending Minnesota Statutes 1976, Section 275.125, Subdivision 3, and by adding a subdivision.

The bill was read for the first time and referred to the Committee on Education.

Laidig and McEachern introduced :

H. F. No. 566, A bill for an act relating to natural resources; allowing certain portable tree stands to be used to take big game; amending Minnesota Statutes 1976, Section 100.29, Subdivision 14.

The bill was read for the first time and referred to the Committee on Environment and Natural Resources.

Sarna, Vanasek, Biersdorf, Lehto and Begich introduced:

H. F. No. 567, A bill for an act relating to wild animals; modifying certain restrictions on the taking of fish; amending Minnesota Statutes 1976, Section 101.42, Subdivision 11.

The bill was read for the first time and referred to the Committee on Environment and Natural Resources.

Laidig, Munger, Carlson, A., and Kahn introduced:

H. F. No. 568, A bill for an act relating to railroads; regulating disposal of certain abandoned property.

The bill was read for the first time and referred to the Committee on Environment and Natural Resources.

Corbid, Wenstrom, Biersdorf, Sherwood and Kelly, W., introduced:

H. F. No. 569, A bill for an act relating to public drainage systems; increasing the authorized interest rates on bonds; limiting assessment levies for repairs and maintenance; providing for a redetermination of benefits and benefited areas; amending Minnesota Statutes 1976, Sections 106.411, Subdivisions 3, 4 and 7; and 106.471, Subdivision 2; and Chapter 106, by adding a section.

The bill was read for the first time and referred to the Committee on Environment and Natural Resources.

Carlson, D., introduced:

H. F. No. 570, A bill for an act relating to health care; catastrophic health expense protection; redefining qualified expense to include blood used to treat hemophiliacs; amending Minnesota Statutes 1976, Section 62E.52, Subdivision 3.

The bill was read for the first time and referred to the Committee on Financial Institutions and Insurance.

Suss, Ewald and Abeln introduced:

H. F. No. 571, A bill for an act relating to banking; interest payments on escrow accounts; amending Minnesota Statutes 1976, Section 47.20, Subdivision 8.

The bill was read for the first time and referred to the Committee on Financial Institutions and Insurance.

Carlson, L.; Swanson; Dahl; Petrafeso and Heinitz introduced:

H. F. No. 572, A bill for an act relating to public welfare; establishing home care programs for the needy; appropriating money; amending Minnesota Statutes 1976, Section 256B.51.

The bill was read for the first time and referred to the Committee on Health and Welfare.

Sieben, H.; Samuelson; Sieben, M.; and White introduced:

H. F. No. 573, A bill for an act relating to public welfare; establishing a citizens advisory task force on the use of Hastings state hospital; appropriating money.

The bill was read for the first time and referred to the Committee on Health and Welfare.

Faricy introduced:

H. F. No. 574, A bill for an act relating to adoption; removing certain witness requirements in the execution of consents; amending Minnesota Statutes 1976, Section 259.24, Subdivision 5.

The bill was read for the first time and referred to the Committee on Health and Welfare.

Clawson; Sieben, H.; Heinitz; Brandl and Forsythe introduced:

H. F. No. 575, A bill for an act relating to public welfare; licensing and regulating social workers; establishing the board of social work examiners; appropriating money; amending Minnesota Statutes 1976, Section 214.01, Subdivision 2.

The bill was read for the first time and referred to the Committee on Health and Welfare.

Neisen, Heinitz, Simoneau and Pleasant introduced:

H. F. No. 576, A bill for an act relating to municipalities; authorizing creation of storm sewer reserve funds within storm sewer improvement districts; authorizing special levies in anticipation of capital improvements and bond retirement in storm sewer improvement districts; amending Minnesota Statutes 1976, Chapter 444, by adding a section.

The bill was read for the first time and referred to the Committee on Local and Urban Affairs.

Tomlinson; Kelly, R.; Rose; Waldorf and Wynia introduced:

H. F. No. 577, A bill for an act relating to the city of St. Paul; authorizing an on-sale liquor license for the St. Paul Labor Centre, Inc.

The bill was read for the first time and referred to the Committee on Local and Urban Affairs.

Kempe, A.; Hanson; Tomlinson; Waldorf and Cohen introduced:

H. F. No. 578, A bill for an act relating to the city of Saint Paul; authorizing the city council to adopt rules permitting payroll deductions for nonprofit entities.

The bill was read for the first time and referred to the Committee on Local and Urban Affairs.

Kahn, Casserly, Voss, Berglin and Hanson introduced:

H. F. No. 579, A bill for an act relating to taxation; requiring municipalities to remove diseased trees not removed by property owners; assessing cost of removal against property; providing for an income-related tax credit to cover cost assessed for removal of diseased trees by municipalities; appropriating money; amending Minnesota Statutes 1976, Section 18.023, Subdivisions 2, 3a, and 7; and Chapter 290A, by adding a section.

The bill was read for the first time and referred to the Committee on Local and Urban Affairs.

Enebo; Mangan; Anderson, I.; Osthoff and Sieben, H., introduced:

H. F. No. 580, A bill for an act relating to labor; requiring employers to provide all employees with a meal break.

The bill was read for the first time and referred to the Committee on Labor-Management Relations.

Kelly, R.; Kempe, A.; McCollar; Novak and Neisen introduced:

H. F. No. 581, A bill for an act relating to labor unions; providing time off for employees engaged in union business.

The bill was read for the first time and referred to the Committee on Labor-Management Relations.

Prahl, Anderson, I., and Enebo introduced:

H. F. No. 582, A bill for an act relating to human rights; specifying medical standards for employment and bona fide occupational qualifications; amending Minnesota Statutes 1976, Section 363.03, Subdivision 1.

The bill was read for the first time and referred to the Committee on Labor-Management Relations.

Osthoff introduced:

H. F. No. 583, A bill for an act relating to employment; prohibiting mandatory overtime; providing a penalty.

The bill was read for the first time and referred to the Committee on Labor-Management Relations.

Osthoff, McCarron, Adams, Enebo and Biersdorf introduced:

H. F. No. 584, A bill for an act relating to labor; prohibiting minors from keeping accounts and collecting bills without adult supervision; amending Minnesota Statutes 1976, Chapter 181A, by adding a section.

The bill was read for the first time and referred to the Committee on Labor-Management Relations.

Casserly, McCollar, Skoglund, Evans and Kempe, A., introduced:

H. F. No. 585, A bill for an act relating to taxation; altering definitions of "income" for senior citizen's property tax freeze purposes; "taxes", "alimony" and "investment company" for income tax purposes; allowing commissioner of revenue to disregard small amounts due or penalties and to require withholding of delinquent taxes by employees; providing for tax lien on personal property; amending Minnesota Statutes 1976, Sections 273.012, Subdivision 3; 290.06, Subdivision 2c; 290.09, Subdivisions 4 and 14; 290.21, Subdivision 3; 290.36; 290.54; 290.92, by adding a subdivision; 290.934, Subdivision 5; and 290A.06.

The bill was read for the first time and referred to the Committee on Taxes.

Kelly, W.; Sabo; Anderson, I.; Savelkoul and Vanasek introduced:

H. F. No. 586, A bill for an act relating to taxation; information contained in income tax returns; amending Minnesota Statutes 1976, Sections 290.081; and 290.61.

The bill was read for the first time and referred to the Committee on Taxes.

Kelly, W., introduced:

H. F. No. 587, A bill for an act relating to taxation; increasing the exemption for business excise tax; exempting ink and newsprint from sales tax; providing a new method for payment of occupation taxes; shifting the payment dates for local government aid; amending Minnesota Statutes 1976, Sections 290.031, Subdivision 4; 297A.14; 297A.25, Subdivision 1; 477A.01, Subdivision 4b; and Chapter 298, by adding sections.

The bill was read for the first time and referred to the Committee on Taxes.

Vanasek, Wenzel, Jacobs, Anderson, B., and Carlson, D., introduced:

H. F. No. 588, A bill for an act relating to taxation; providing for exclusion from estate of one half of the value of joint property held by decedent and spouse; providing for election to create joint tenancies between spouses; amending Minnesota Statutes 1976, Sections 291.01, Subdivision 4; and 292.01, Subdivision 7.

The bill was read for the first time and referred to the Committee on Taxes.

Kalis, Mann, Esau, Birnstihl and Jensen introduced:

H. F. No. 589, A bill for an act relating to taxation; increasing the amount of state paid property tax credit on certain agricultural and recreational property; amending Minnesota Statutes 1976, Section 273.132.

The bill was read for the first time and referred to the Committee on Taxes.

Faricy introduced:

H. F. No. 590, A bill for an act relating to taxation; eliminating city excise taxes on utility charges; providing for replacement of revenues lost by the cities due to elimination of that revenue; appropriating funds; amending Minnesota Statutes 1976, Section 477A.01, by adding a subdivision.

The bill was read for the first time and referred to the Committee on Taxes.

Tomlinson; Kelly, R.; Abeln; Searles and Jacobs introduced:

H. F. No. 591, A bill for an act relating to taxation; increasing the size of land classified as a homestead; amending Minnesota Statutes 1976, Sections 290.0601, Subdivision 5; and 290A.03, Subdivision 6.

The bill was read for the first time and referred to the Committee on Taxes.

Carlson, D., introduced:

H. F. No. 592, A bill for an act relating to taxation; exempting home heating and lighting energy sources from sales taxation; amending Minnesota Statutes 1976, Section 297A.25, Subdivision 1.

The bill was read for the first time and referred to the Committee on Taxes.

Kaley, Patton, Moe, Vanasek and Laidig introduced:

H. F. No. 593, A bill for an act relating to taxation; specifying certain annuities exempt from the inheritance tax; amending Minnesota Statutes 1976, Sections 291.065; 352B.071; and 352C.07.

The bill was read for the first time and referred to the Committee on Taxes.

Stoa; Anderson, B.; Evans; Lemke and King introduced:

H. F. No. 594, A bill for an act relating to taxation; exempting insulation and residential heating fuels from sales tax; amending Minnesota Statutes 1976, Section 297A.25, Subdivision 1.

The bill was read for the first time and referred to the Committee on Taxes.

Sherwood, Jensen, Beauchamp, Nelsen, B., and Corbid introduced:

H. F. No. 595, A bill for an act relating to taxation; exempting certain sales of gas and fuel oil from the general sales tax; amending Minnesota Statutes 1976, Section 297A.25, Subdivision 1.

The bill was read for the first time and referred to the Committee on Taxes.

Kaley, Moe, Patton, Vanasek and Laidig introduced:

H. F. No. 596, A bill for an act relating to taxation; exempting certain public pension plan and peace officers benefit fund payments from inheritance taxes; amending Minnesota Statutes 1976, Chapter 291, by adding a section.

The bill was read for the first time and referred to the Committee on Taxes.

Norton, Stanton, Peterson, Pehler and Wynia introduced:

H. F. No. 597, A bill for an act relating to taxation; providing a credit against income taxes for the cost of treating diseased trees; amending Minnesota Statutes 1976, Section 290.06, by adding a subdivision.

The bill was read for the first time and referred to the Committee on Taxes.

Evans introduced:

H. F. No. 598, A bill for an act relating to Becker county; providing for the imposition of a tax upon persons, copartnerships, companies, joint stock companies, corporations, and associations however organized engaged therein in the business of removing gravel from gravel pits or deposits of gravel, for enforcing the same and prescribing penalties for violations thereof.

The bill was read for the first time and referred to the Committee on Taxes.

Sarna, Osthoff, Sabo, Savelkoul and Rice introduced:

H. F. No. 599, A bill for an act relating to elections; providing for elections to fill vacancies in the United States senate; amending Minnesota Statutes 1976, Chapter 202A, by adding a section; repealing Minnesota Statutes 1976, Section 202A.72.

The bill was read for the first time and referred to the Committee on General Legislation and Veterans Affairs.

Rice, Osthoff, Tomlinson, Sarna and Knickerbocker introduced:

H. F. No. 600, A bill for an act relating to elections; providing for uniform reporting dates for and disclosure of campaign contributions and expenditures of political committees and candidates; providing for statements of economic interest for candidates and persons elected to public office; providing for registration of voters for all counties; defining certain terms; providing uniform filing date for corporations spending money for certain election purposes; providing exemption from disclosure requirements for certain persons and political committees; providing restrictions on the use of names and pictures of public officials in government publications; prohibiting sample ballots of the same color as official ballots; giving the secretary of state and county auditors certain duties with respect to elections; permitting codes of ethics for counties, cities, and school districts; providing penalties; amending Minnesota Statutes 1976, Sections 210A.01, Subdivisions 1, 3, 5, 6, and 8, and by adding subdivisions; 210A.05, Subdivision 1; 210A.16; 210A.21; 210A.24; 210A.27, Subdivision 1; 210A.29; 210A.32; 210A.34, Subdivision 8; and 290.09, Subdivision 2; and Chapters 123, by adding a section; 210A, by adding sections; 375, by adding a section; and 471, by adding a section; repealing Minnesota Statutes 1976, Sections 123.015; 210.22; 210A.01, Subdivisions 4, 7, and 9; 210A.22; 210A.23; 210A.25; 210A.26; 210A.28; 210A.30; 210A.31; and 210A.33; and Laws 1975, Chapter 342, Section 1.

The bill was read for the first time and referred to the Committee on General Legislation and Veterans Affairs.

Nelson, Petrafeso and Arlandson introduced:

H. F. No. 601, A bill for an act relating to unemployment compensation; ineligibility for benefits in certain instances; amending Minnesota Statutes 1976, Section 268.08, Subdivision 3.

The bill was read for the first time and referred to the Committee on Governmental Operations.

Byrne, Cohen, Clark, Kahn and Casserly introduced:

H. F. No. 602, A bill for an act relating to courts; juvenile courts in Ramsey and Hennepin counties; providing terms for district judges designated as juvenile judges; amending Minnesota Statutes 1976, Section 260.021, Subdivisions 2 and 3.

The bill was read for the first time and referred to the Committee on Governmental Operations.

White, Friedrich, Adams, Sieben, H., and Casserly introduced:

H. F. No. 603, A bill for an act relating to courts; allowing the inclusion of attorney's fees in judgments in certain actions.

The bill was read for the first time and referred to the Committee on Governmental Operations.

Carlson, D., introduced:

H. F. No. 604, A bill for an act relating to state government; transferring the conservation officers from the natural resources department to the public safety department; amending Minnesota Statutes 1976, Sections 84.081, Subdivision 1; and 84.086, Subdivision 2; repealing Minnesota Statutes 1976, Section 84.028, Subdivision 3.

The bill was read for the first time and referred to the Committee on Governmental Operations.

Hanson, Mangan, Voss, Samuelson and Faricy introduced:

H. F. No. 605, A bill for an act relating to retirement; annuities, benefits and contributions under certain public retirement plans.

The bill was read for the first time and referred to the Committee on Governmental Operations.

HOUSE ADVISORIES

Pursuant to rule 5.3, the following House Advisory was introduced:

Fjoslien; Anderson, D.; Brinkman; Niehaus and Wenstrom introduced:

H. A. No. 13, A proposal to study the health aspects of high voltage transmission lines.

The advisory was referred to the Committee on Environment and Natural Resources.

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Mr. Speaker:

I hereby announce the passage by the Senate of the following Senate Files, herewith transmitted:

S. F. Nos. 21 and 43.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

I hereby announce the passage by the Senate of the following Senate File, herewith transmitted:

S. F. No. 51.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

I hereby announce the passage by the Senate of the following Senate File, herewith transmitted:

S. F. No. 232.

PATRICK E. FLAHAVEN, Secretary of the Senate

FIRST READING OF SENATE BILLS

S. F. No. 21, A bill for an act relating to health; authorizing the licensing of physicians from Canada without an examination; amending Minnesota Statutes 1976, Section 147.03.

The bill was read for the first time and referred to the Committee on Health and Welfare.

S. F. No. 43, A bill for an act relating to highway traffic regulations; parking privileges for the physically handicapped; amending Minnesota Statutes 1976, Section 169.345, Subdivisions 2 and 3.

The bill was read for the first time and referred to the Committee on Transportation.

S. F. No. 51, A bill for an act relating to elections; election officers; procedures for counting ballots; recounts in legislative races on request; prohibiting certain public meetings and school events on election days; duties of the secretary of state; and preparation and reception of absentee ballots; amending Minnesota Statutes 1976, Sections 204A.17, Subdivision 5; 204A.39, Subdivision 2; 204A.41; 204A.51, Subdivisions 2 and 3; 204A.53, Subdivisions 2 and 3; 204A.54, Subdivision 1; 206.026, Subdivision 5; 206.03; 206.075; 206.19, Subdivision 1; 206.23; 207.11; 207.19, Subdivision 1; and Chapter 204A, by adding a section.

The bill was read for the first time and referred to the Committee on General Legislation and Veterans Affairs.

S. F. No. 232, A bill for an act relating to unemployment compensation; redefining "base period"; redefining "wages" for contribution purposes; changing contribution rates; providing for charging of benefits; increasing weekly benefits; redefining "credit week"; providing for disqualification for benefits; providing a penalty; amending Minnesota Statutes 1976, Sections 268.04, Subdivisions 2, 25 and 29; 268.06, Subdivisions 5 and 8; 268.07, Subdivision 2; 268.08, Subdivision 1; 268.09; and 268.18, Subdivision 3.

The bill was read for the first time and referred to the Committee on Governmental Operations.

CONSENT CALENDAR

H. F. No. 114 was reported to the House.

There being no objection H. F. No. 114 was continued on the Consent Calendar until Monday, February 28, 1977.

CALENDAR

H. F. No. 21 was reported to the House.

Sieben, M., moved that H. F. No. 21 be continued on the Calendar until Thursday, March 3, 1977. The motion prevailed.

H. F. No. 437 was reported to the House and given its third reading.

Vanasek moved that H. F. No. 437 be continued on the Calendar until Monday, February 28, 1977. The motion prevailed.

Searles was excused at 3:15 p.m. Carlson, L., was excused at 3:45 p.m.

GENERAL ORDERS

Pursuant to rules of the House, the House resolved itself into the Committee of the Whole, with Sabo in the Chair, for the consideration of bills pending on General Orders of the Day. After some time spent therein the Committee arose.

REPORT OF COMMITTEE OF THE WHOLE

The Speaker resumed the Chair, whereupon the following proceedings of the Committee as kept by the Chief Clerk were reported to the House:

H. F. Nos. 38 and 16 which it recommended to pass.

H. F. No. 380 which it recommended progress.

H. F. No. 235 upon which it recommended to pass with the following amendment offered by Anderson, G.:

Page 3, line 8, strike "one" and insert "one-half".

On the motion of Anderson, I., the report of the Committee of the Whole was adopted.

MOTIONS AND RESOLUTIONS

Sieben, M., moved that the name of Adams be added as an author on H. F. No. 38. The motion prevailed.

Begich moved that the name of Osthoff be added as an author on H. F. No. 517. The motion prevailed.

Nelson moved that the name of Norton be added as an author on H. F. No. 387. The motion prevailed.

Kempe, A., moved that his name be stricken as an author on H. F. No. 299. The motion prevailed.

Begich moved that the name of Cohen be added as an author on H. F. No. 517. The motion prevailed.

Sieben, M., moved that the name of Laidig be added as first author on H. F. No. 181. The motion prevailed.

Osthoff moved that the name of Sieben, H., be added as author on H. F. No. 583. The motion prevailed.

ADJOURNMENT

Anderson, I., moved that when the House adjourns today it adjourn until 2:00 p.m., Monday, February 28, 1977. The motion prevailed.

Anderson, I., moved that the House adjourn. The motion prevailed, and the Speaker declared the House stands adjourned until 2:00 p.m., Monday, February 28, 1977.

EDWARD A. BURDICK, Chief Clerk, House of Representatives

STATE OF MINNESOTA

SEVENTIETH SESSION - 1977

NINETEENTH DAY

SAINT PAUL, MINNESOTA, MONDAY, FEBRUARY 28, 1977

The House of Representatives convened at 2:00 p.m. and was called to order by the Speaker.

Prayer was offered by the Chaplain.

The roll was called and the following members were present:

Abeln	Clawson	Jaros	Moe	Searle
Adams	Cohen	Jensen	Munger	Sherwood
Albrecht	Corbid	Jude	Murphy	Sieben, H.
Anderson, B.	Cummiskey	Kahn	Neisen	Sieben, M.
Anderson, D.	Dahl	Kaley	Nelsen, B.	Simoneau
Anderson, G.	Dean	Kalis	Nelsen, M.	Skoglund
Anderson, I.	Eckstein	Kelly, R.	Nelson	Smogard
Anderson, R.	Eken	Kelly, W.	Niehau	Spanish
Arlandson	Ellingson	Kempe, A.	Norton	Stanton
Battaglia	Enebo	Kempe, R.	Novak	Stoa
Beauchamp	Erickson	King	Osthoff	Suss
Begich	Esau	Knickerbocker	Patton	Swanson
Berg	Evans	Kostohryz	Pehler	Tomlinson
Berglin	Ewald	Kroening	Peterson	Vanasek
Berkelman	Faricy	Kvam	Petrafeso	Voss
Biersdorf	Fjoslien	Laidig	Pleasant	Waldorf
Birnstihl	Forsythe	Langseth	Prahl	Welch
Brandl	Friedrich	Lehto	Reding	Wenstrom
Braun	Fudro	Lemke	Rice	Wenzel
Brinkman	Fugina	Mangan	Rose	White
Byrne	George	Mann	St. Onge	Wieser
Carlson, A.	Gunter	McCarron	Samuelson	Wigley
Carlson, D.	Hanson	McCollar	Sarna	Williamson
Carlson, L.	Haugerud	McDonald	Savelkoul	Wynia
Casserly	Hokanson	McEachern	Scheid	Zubay
Clark	Jacobs	Metzen	Schulz	Speaker Sabo

A quorum was present.

Heinitz, Johnson and Searles were excused.

The Chief Clerk proceeded to read the Journal of the preceding day. McCollar moved that further reading of the Journal be dispensed with and that the Journal be approved as corrected by the Chief Clerk. The motion prevailed.

REPORTS OF CHIEF CLERK

Pursuant to Rules of the House, printed copies of H. F. Nos. 511, 299 and 235 and S. F. Nos. 21, 43, 51 and 232 have been placed in the members' files.

PETITIONS AND COMMUNICATIONS

The following report was received and filed in the Chief Clerk's Office: University of Minnesota Facilities Report for School of Nursing and College of Pharmacy.

REPORTS OF STANDING COMMITTEES

Hanson from the Committee on Commerce and Economic Development to which was referred:

H. F. No. 37, A bill for an act relating to commerce; requiring individually marked prices on certain retail food packaging.

Reported the same back with the following amendments:

Page 1, line 6, delete "FOOD PRODUCTS" and insert "RETAIL MERCHANDISE".

Page 1, line 8, delete "food items" and insert "merchandise".

Page 1, line 9, delete "food" and insert "merchandise".

Page 1, line 14, delete "only".

Page 1, line 18, after "to" insert a colon.

Page 1, line 18, delete "food items".

Page 1, delete lines 19 to 21.

Page 2, delete lines 1 to 4 and insert

"(a) Food items intended to be consumed on or about the retail premises;

(b) Consumer commodities which are under three cubic inches in size, weigh less than three ounces, and are priced under 30 cents;

(c) Consumer commodities offered for a period of seven days or less on sale in good faith at a price below the price such commodities are usually sold for in the store, provided that the sale price is clearly indicated to the consumer by conspicuous sign or

otherwise, located at or near the point of sale of such commodities;

(d) Cigarettes, cigars, tobacco and tobacco products with a retail price of \$1 or less;

(e) Items actually sold through vending machines; and

(f) Any type of consumer commodity which is not marked in accordance with the uniform products code or any similar marking system designed to be scanned by electronic checkout equipment.

Sec. 2. [PENALTIES.] (a) Failure to have a clearly readable price indicated on more than six individual items of the same commodity shall constitute a petty misdemeanor and each commodity not priced in compliance with this act shall constitute a separate violation. Each day that a violation continues shall also constitute a separate violation;

(b) Notwithstanding any other provision of law, any person may bring an action to enjoin a violation of this act.”.

Further amend the title as follows:

Page 1, line 3, delete “food packaging” and insert “merchandise; providing exceptions; providing penalties”.

With the recommendation that when so amended the bill pass.

The report was adopted.

Rice from the Committee on General Legislation and Veterans Affairs to which was referred:

H. F. No. 193, A bill for an act relating to the military; financing of armory construction; amending Minnesota Statutes 1976, Sections 193.143; 193.145, Subdivision 2; and 193.146, Subdivision 1; repealing Minnesota Statutes 1976, Section 193.1431.

Reported the same back with the following amendments:

Page 7, line 18, delete “334.01” and insert “475.55”.

With the recommendation that when so amended the bill pass.

The report was adopted.

Rice from the Committee on General Legislation and Veterans Affairs to which was referred:

H. F. No. 260, A bill for an act relating to the military; abolishing the naval militia and deleting references thereto; correcting other terminology; amending Minnesota Statutes 1976, Sections 190.05, Subdivision 3; 190.06, Subdivision 2; 191.09; 192.26, Subdivision 1; 193.141, Subdivision 1; 193.142; 193.143; 193.1431; 193.145; and 193.36, Subdivision 1; repealing Minnesota Statutes 1976, Chapter 194.

Reported the same back with the recommendation that the bill pass and be placed on the Consent Calendar.

The report was adopted.

Rice from the Committee on General Legislation and Veterans Affairs to which were referred:

The following appointments as reported in the Journal for January 10, 1977:

ETHICAL PRACTICES BOARD

Mrs. Connie Burchett and Mr. Roger Noreen.

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

Rice moved that the report of the Committee on General Legislation and Veterans Affairs relating to the appointments of Mrs. Connie Burchett and Mr. Roger Noreen to the Ethical Practices Board be adopted. The motion prevailed and the report was adopted.

CONFIRMATION

Rice moved that the House, having advised, do now consent to and confirm the appointments of Mrs. Connie Burchett, 9849 Zilla Street N. W., Coon Rapids, Anoka County, effective July 20, 1976, for a term expiring January 2, 1978, and Mr. Roger Noreen, 4684 James Road, Mendota Heights, Dakota County, effective April 29, 1976, for a term expiring January 7, 1980. The motion prevailed and the appointments were confirmed.

SECOND READING OF HOUSE BILLS

H. F. Nos. 37, 193 and 260 were read for the second time.

INTRODUCTION AND FIRST READING OF HOUSE BILLS

The following House Files were introduced:

Fjoslien introduced:

H. F. No. 606, A bill for an act relating to agriculture; allowing sale of foliar fertilizers for noncommercial, research and experimental purposes; amending Minnesota Statutes 1976, Section 17.713, Subdivision 20, and by adding a subdivision.

The bill was read for the first time and referred to the Committee on Agriculture.

Fjoslien introduced:

H. F. No. 607, A bill for an act relating to agriculture; regulating the sale and use of foliar fertilizers; amending Minnesota Statutes 1976, Sections 17.713, by adding a subdivision; 17.714, by adding a subdivision; 17.717, by adding a subdivision; 17.718, Subdivision 1; and 17.721, Subdivision 2.

The bill was read for the first time and referred to the Committee on Agriculture.

Jaros, St. Onge, Begich, Enebo and Jacobs introduced:

H. F. No. 608, A bill for an act relating to employment agencies; relieving job applicants from the payment of reference or placement fees; requiring employers to pay all employment agency service charges; amending Minnesota Statutes 1976, Sections 184.37; 184.38, Subdivisions 3, 4, 13, and by adding a subdivision; repealing Minnesota Statutes 1976, Section 184.38, Subdivision 11.

The bill was read for the first time and referred to the Committee on Commerce and Economic Development.

Petrafeso, Ellingson, Arlandson, Knickerbocker and Munger introduced:

H. F. No. 609, A bill for an act relating to watersheds; providing for the issuance of county bonds to pay the cost of watershed district improvements; amending Minnesota Statutes 1976, Section 112.60, Subdivision 2.

The bill was read for the first time and referred to the Committee on Environment and Natural Resources.

Clawson, Jude, Fjoslien, Pehler and Wenstrom introduced:

H. F. No. 610, A bill for an act relating to eminent domain; authorizing payment in installments with interest; amending Minnesota Statutes 1976, Section 117.231.

The bill was read for the first time and referred to the Committee on Governmental Operations.

Reding, Moe, Beauchamp, Biersdorf and Patton introduced:

H. F. No. 611, A bill for an act relating to retirement; date for payment of monthly annuities and benefits; amending Minnesota Statutes 1976, Chapter 356, by adding a section.

The bill was read for the first time and referred to the Committee on Governmental Operations.

Petrafeso; Sieben, H.; Cummiskey; Smogard and Zubay introduced:

H. F. No. 612, A bill for an act relating to the organization of state government; providing that heads of certain departments and other governmental units of the state shall be appointed by and shall serve at the pleasure of the appointing authority; providing for the succession of commissioners; defining position and duties of deputy department heads; standardizing the format and procedures relating to executive orders and reorganization orders; prescribing uses for executive orders; limiting the scope of reorganization orders; eliminating obsolete language; amending Minnesota Statutes 1976, Sections 15.051, Subdivisions 1 and 3; 15.06; 16.01; 16.125; 16A.01, Subdivisions 2 and 3; 17.01; 43.001, Subdivisions 2 and 3; 45.02; 45.15; 84.01, Subdivision 2; 116.03, Subdivision 1; 116H.03, Subdivisions 2 and 3; 121.09; 121.16, Subdivision 1; 144.02; 174.02, Subdivision 1; 175.001, Subdivision 1; 179.02; 196.02, Subdivision 1; 216A.06, Subdivision 1; 241.01, Subdivisions 1 and 2; 245.03; 268.12, Subdivision 1; 270.02, Subdivision 2; 298.22, Subdivision 1; 299A.01, Subdivisions 1 and 2; 362.09, Subdivision 1; 363.04, Subdivision 1; 462A.04, Subdivision 8; and Chapter 144, by adding a section; repealing Minnesota Statutes 1976, Sections 16.13; 121.07; 121.08; 121.10; 121.16, Subdivision 2; 144.03; 144.04; 175.001, Subdivision 4; and 216A.06, Subdivision 2.

The bill was read for the first time and referred to the Committee on Governmental Operations.

Clark, Petrafeso, Kroening, Hokanson and Skoglund introduced:

H. F. No. 613, A bill for an act relating to the operation of state government; establishing an office of volunteer services within the office of the governor; coordinating volunteer programs throughout the state; appropriating money.

The bill was read for the first time and referred to the Committee on Governmental Operations.

Berglin, Stoa, Patton, Petrafeso and Ewald introduced:

H. F. No. 614, A bill for an act relating to governmental operations; authorizing access of citizens to data; classifying data; defining terms; providing penalties; amending Minnesota Statutes 1976, Sections 15.17, Subdivisions 1, 2, 4 and by adding subdivisions; and 15.171.

The bill was read for the first time and referred to the Committee on Governmental Operations.

Cummiskey introduced:

H. F. No. 615, A bill for an act relating to retirement; computation of various public retirement annuities; amending Minnesota Statutes 1976, Sections 352.115, Subdivision 2; 352.93, Subdivision 1; 353.29, Subdivision 2; 353.651, Subdivision 2; and 354.44, Subdivision 6.

The bill was read for the first time and referred to the Committee on Governmental Operations.

Nelson, Berglin, Petrafeso, Dean and Berg introduced:

H. F. No. 616, A bill for an act relating to the county of Hennepin; duties of personnel board; providing for referral of eligible names to fill vacancies; amending Laws 1965, Chapter 855, Section 4, Subdivision 2.

The bill was read for the first time and referred to the Committee on Local and Urban Affairs.

Battaglia, Begich and Anderson, I., introduced:

H. F. No. 617, A bill for an act relating to taxation; providing local option to specified counties to receive property tax payments from state for state owned land; providing an appropriation.

The bill was read for the first time and referred to the Committee on Taxes.

Begich introduced:

H. F. No. 618, A bill for an act proposing an amendment to the Minnesota Constitution, Article VI, Sections 7 and 8; to provide for the nomination of persons for the office of judge by a nonpartisan judicial commission, and the election of judges.

The bill was read for the first time and referred to the Committee on Governmental Operations.

Samuelson and Nelsen, M., introduced:

H. F. No. 619, A bill for an act relating to taxation; providing for increase in levy of county where new construction has increased assessed valuation of the area; amending Minnesota Statutes 1976, Section 275.52, Subdivision 2.

The bill was read for the first time and referred to the Committee on Taxes.

Lemke, Novak, Esau, Sarna and Fudro introduced:

H. F. No. 620, A bill for an act relating to public carriers; providing for their regulation; amending Minnesota Statutes 1976, Sections 216A.05, Subdivision 6; 218.041; 221.011, Subdivisions 17, 22 and 24; 221.021; 221.071; 221.111; 221.121, Subdivisions 1 and 2; 221.131; 221.151, Subdivisions 1 and 2; 221.181; 221.281; and Chapter 239, by adding a section.

The bill was read for the first time and referred to the Committee on Transportation.

Neisen, Simoneau, McCollar, Kaley and Adams introduced:

H. F. No. 621, A bill for an act relating to motor vehicles; defining terms; clarifying certain motor vehicle dealer licensing requirements; preempting local licensing and bonding requirements; amending Minnesota Statutes 1976, Section 168.27, Subdivisions 1, 4, 8, 13, 16, 22, 24 and by adding a subdivision.

The bill was read for the first time and referred to the Committee on Commerce and Economic Development.

Nelson, Tomlinson, Kaley, Welch and Arlandson introduced:

H. F. No. 622, A bill for an act relating to the juvenile court; authorizing the court to direct public agencies to offer appropriate human services under certain circumstances to members of a delinquent child's family; amending Minnesota Statutes 1976, Section 260.185, Subdivision 1.

The bill was read for the first time and referred to the Committee on Criminal Justice.

Beauchamp, Wenstrom, Langseth, Fjoslien and Jaros introduced:

H. F. No. 623, A bill for an act relating to corrections and juveniles; authorizing juvenile detention up to 48 hours if regional or county detention facilities do not exist; amending Minnesota Statutes 1976, Section 260.171, Subdivision 2.

The bill was read for the first time and referred to the Committee on Criminal Justice.

Beauchamp, Wenstrom, Clark, Langseth and Fjoslien introduced:

H. F. No. 624, A bill for an act relating to corrections and juveniles; authorizing the director of the west central detention center at Moorhead to allow two children to be housed in a double unit.

The bill was read for the first time and referred to the Committee on Criminal Justice.

Jaros, Berglin, Berkelman, McEachern and Mangan introduced:

H. F. No. 625, A bill for an act relating to education; nutrition programs; requiring nutrition programs in each school district under a state nutrition coordinator.

The bill was read for the first time and referred to the Committee on Education.

Patton and Niehaus introduced:

H. F. No. 626, A bill for an act relating to education; school taxes; expanding the definition of the maximum effort debt service levy required of certain school districts; amending Minnesota Statutes 1976, Section 124.38, Subdivision 7.

The bill was read for the first time and referred to the Committee on Education.

Arlandson, Petrafeso, Novak, Metzen and Knickerbocker introduced:

H. F. No. 627, A bill for an act relating to education; school aids; changing computation of pupil units in districts with declining enrollments; amending Minnesota Statutes 1976, Section 124.17, Subdivision 1.

The bill was read for the first time and referred to the Committee on Education.

Arlandson, Petrafeso, Novak, Williamson and Kostohryz introduced:

H. F. No. 628, A bill for an act relating to education; school aids; providing aid to certain school districts based on levels of training of teachers employed by the district; appropriating money.

The bill was read for the first time and referred to the Committee on Education.

Arlandson, Petrafeso, Metzen, Knickerbocker and Kostohryz introduced:

H. F. No. 629, A bill for an act relating to education; school districts; authorizing excess tax levies in certain districts; amending Minnesota Statutes 1976, Section 275.125, Subdivision 6.

The bill was read for the first time and referred to the Committee on Education.

Patton and Niehaus introduced:

H. F. No. 630, A bill for an act relating to education; teachers; providing certain grounds for discharge of a continuing contract teacher; amending Minnesota Statutes 1976, Section 125.12, Subdivision 8.

The bill was read for the first time and referred to the Committee on Education.

Sherwood, Reding, Wenstrom, Zubay and Cummiskey introduced:

H. F. No. 631, A bill for an act relating to the environmental quality board; removing appointed officials from its membership; providing for citizen members; abolishing the citizens advisory committee; amending Minnesota Statutes 1976, Sections 116C.03, Subdivisions 2, 2a and 3; and 116C.04, Subdivision 1; repealing Minnesota Statutes 1976, Sections 116C.04, Subdivisions 8 and 9; and 116C.05.

The bill was read for the first time and referred to the Committee on Environment and Natural Resources.

Kempe, R., introduced:

H. F. No. 632, A bill for an act relating to game and fish; providing for Minnesota sportsman licenses; amending Minnesota Statutes 1976, Section 98.46, Subdivision 2a.

The bill was read for the first time and referred to the Committee on Environment and Natural Resources.

Clawson, Heinitz, Abeln, Anderson, I., and Brinkman introduced:

H. F. No. 633, A bill for an act relating to civil actions; providing for the admission of evidence in certain negligence actions.

The bill was read for the first time and referred to the Committee on Financial Institutions and Insurance.

Clawson, Heinitz, Swanson, Berkelman and Brinkman introduced:

H. F. No. 634, A bill for an act relating to courts; authorizing periodic payment plans for damage awards in certain cases; defining terms.

The bill was read for the first time and referred to the Committee on Financial Institutions and Insurance.

Ellingson; Abeln; Kelly, R.; Wynia and Heinitz introduced:

H. F. No. 635, A bill for an act relating to insurance; increasing solicitors license fees; establishing a duty of reasonable supervision for those employing agents; authorizing issuance of cease and desist orders and injunctions; prescribing and clarifying penalties; amending Minnesota Statutes 1976, Sections 60A.17, Subdivision 4, and by adding subdivisions; and 72A.07.

The bill was read for the first time and referred to the Committee on Financial Institutions and Insurance.

Stoa, Osthoff, Knickerbocker, Lehto and Faricy introduced:

H. F. No. 636, A resolution memorializing Congress to propose to the states a federal Constitutional Amendment for the direct popular election of the President and Vice President of the United States.

The bill was read for the first time and referred to the Committee on General Legislation and Veterans Affairs.

Arlandson, Petrafeso, Knickerbocker, Williamson and Kostohryz introduced:

H. F. No. 637, A bill for an act relating to retirement; state payment of employer's contribution for school district employees who are members of the public employees retirement association; appropriating money; amending Minnesota Statutes 1976, Chapter 353, by adding a section.

The bill was read for the first time and referred to the Committee on Governmental Operations.

Kroening, Reding, Abeln, McCollar and Adams introduced:

H. F. No. 638, A bill for an act relating to retirement; purchase of military service credit in the teachers retirement fund; amending Minnesota Statutes 1976, Section 354.53, Subdivisions 1 and 3.

The bill was read for the first time and referred to the Committee on Governmental Operations.

Anderson, I.; Patton; Berglin; Moe and Pehler introduced:

H. F. No. 639, A bill for an act relating to retirement; deposit of teacher's annuity or benefit checks; amending Minnesota Statutes 1976, Section 354.10.

The bill was read for the first time and referred to the Committee on Governmental Operations.

Rice; Carlson, A.; Casserly and Fudro introduced:

H. F. No. 640, A bill for an act relating to the city of Minneapolis; benefits and administration of the municipal employees retirement fund; amending Minnesota Statutes 1976, Sections 422A.02; 422A.03, Subdivision 1; 422A.06, Subdivision 6; 422A.08, Subdivision 5; 422A.16, Subdivision 10, and by adding a subdivision; 422A.18, Subdivision 2; and 422A.23, Subdivision 7, and by adding a subdivision.

The bill was read for the first time and referred to the Committee on Governmental Operations.

Carlson, L.; Swanson; Heinitz; Anderson, I.; and Brinkman introduced:

H. F. No. 641, A bill for an act relating to civil actions; awarding costs and attorney fees in certain actions.

The bill was read for the first time and referred to the Committee on Governmental Operations.

Berkelman, Wenstrom, Vanasek, Anderson, B., and Heinitz introduced:

H. F. No. 642, A bill for an act relating to civil actions; providing for the admissibility of evidence and competency of witnesses in certain negligence actions.

The bill was read for the first time and referred to the Committee on Health and Welfare.

Berglin, Pehler, King, Clawson and Dean introduced:

H. F. No. 643, A bill for an act relating to public welfare; changing eligibility standards for medical assistance; appropriating money; amending Minnesota Statutes 1976, Section 256B.06, Subdivision 1.

The bill was read for the first time and referred to the Committee on Health and Welfare.

Casserly, Rice, Kroening, Berg and Samuelson introduced:

H. F. No. 644, A bill for an act relating to public welfare; general assistance work programs; providing authority for local agencies to contract with nonprofit organizations for work program services; amending Minnesota Statutes 1976, Section 256D.11, Subdivision 4.

The bill was read for the first time and referred to the Committee on Health and Welfare.

Berkelman, Abeln, Wenstrom, Scheid and Heinitz introduced:

H. F. No. 645, A bill for an act relating to medicine; standard of care in the medical and allied professions.

The bill was read for the first time and referred to the Committee on Health and Welfare.

Voss, Neisen, Fudro, McCarron and Clawson introduced:

H. F. No. 646, A bill for an act relating to the establishment of parks, playgrounds and scenic areas by the county of Anoka; amending Laws 1961, Chapter 209, Sections 1 and 2.

The bill was read for the first time and referred to the Committee on Local and Urban Affairs.

Friedrich, Schulz, Lemke, McDonald and White introduced:

H. F. No. 647, A bill for an act relating to statutory cities; publication and inspection of ordinances; amending Minnesota Statutes 1976, Section 412.191, Subdivision 4.

The bill was read for the first time and referred to the Committee on Local and Urban Affairs.

Faricy and Hanson introduced:

H. F. No. 648, A bill for an act relating to municipalities; providing for negotiation of contracts between municipalities and state departments and agencies for provision of fire and police protection services for state institutions, land and other property.

The bill was read for the first time and referred to the Committee on Local and Urban Affairs.

Fugina and Begich introduced :

H. F. No. 649, A bill for an act relating to St. Louis county; authorizing one off-sale intoxicating liquor license.

The bill was read for the first time and referred to the Committee on Local and Urban Affairs.

Clawson, Dean, White, Suss and Laidig introduced :

H. F. No. 650, A bill for an act relating to sheriffs; salaries, fees and budgets; providing that the salary and budget of the sheriff shall be set by the county board in each county of the state; authorizing costs and reasonable attorney fees on appeal; amending Minnesota Statutes 1976, Section 387.20, Subdivisions 2 and 7; repealing Minnesota Statutes 1976, Section 387.20, Subdivisions 1, 4, and 8.

The bill was read for the first time and referred to the Committee on Local and Urban Affairs.

Eken introduced :

H. F. No. 651, A bill for an act relating to Norman county; validating certain funds transfers.

The bill was read for the first time and referred to the Committee on Local and Urban Affairs.

Carlson, A.; Clark; Berglin; Williamson and Carlson, L., introduced :

H. F. No. 652, A bill for an act relating to Hennepin county; personnel system; filling of vacancies; amending Laws 1965, Chapter 855, Section 4, Subdivision 2.

The bill was read for the first time and referred to the Committee on Local and Urban Affairs.

Jaros, Pehler, McCollar, Stanton and Neisen introduced :

H. F. No. 653, A bill for an act relating to taxation; imposing sales taxation on carbonated beverages; amending Minnesota Statutes 1976, Section 297A.25, Subdivision 1.

The bill was read for the first time and referred to the Committee on Taxes.

Friedrich; Albrecht; Nelsen, B.; Lemke and White introduced:

H. F. No. 654, A bill for an act relating to taxation; requiring a legislative review of inheritance tax.

The bill was read for the first time and referred to the Committee on Taxes.

Dean, Kvam, Laidig, Savelkoul and Nelsen, B., introduced:

H. F. No. 655, A bill for an act relating to taxation; providing an inflation adjustment for the income tax rate schedule; amending Minnesota Statutes 1976, Section 290.06, Subdivision 2c, and by adding a subdivision.

The bill was read for the first time and referred to the Committee on Taxes.

Pleasant, Neisen, Abeln, Anderson, R., and Kaley introduced:

H. F. No. 656, A bill for an act relating to taxation; establishing progressive rates for the taxation of income of corporations; amending Minnesota Statutes 1976, Section 290.06, Subdivision 1.

The bill was read for the first time and referred to the Committee on Taxes.

Fugina, Kroening, McCollar, Neisen and Battaglia introduced:

H. F. No. 657, A bill for an act relating to taxation; exempting residential energy sources from sales tax; amending Minnesota Statutes 1976, Section 297A.25, Subdivision 1.

The bill was read for the first time and referred to the Committee on Taxes.

Pehler introduced:

H. F. No. 658, A bill for an act relating to taxation; imposing a gross earnings tax on electric utilities; amending Minnesota Statutes 1976, Section 295.01, by adding a subdivision, and Chapter 295, by adding sections; and repealing Minnesota Statutes 1976, Sections 273.36 to 273.42.

The bill was read for the first time and referred to the Committee on Taxes.

Jaros, Ewald, Kalis, Begich and Beauchamp introduced:

H. F. No. 659, A bill for an act relating to taxation; providing for delayed assessment of multifamily residential improvements and new construction; amending Minnesota Statutes 1976, Chapter 273, by adding a section.

The bill was read for the first time and referred to the Committee on Taxes.

Johnson, Lemke, Savelkoul, Kalis and Eckstein introduced:

H. F. No. 660, A bill for an act relating to motor vehicles; increasing the registration tax on certain vehicles; prescribing weight limitations on certain vehicles; providing penalties; amending Minnesota Statutes 1976, Sections 168.013, Subdivisions 1e and 12; 169.79; 169.83, Subdivisions 1, 2 and 3; 169.85; and 169.86, by adding a subdivision.

The bill was read for the first time and referred to the Committee on Transportation.

Nelsen, B.; Mann; Wigley; Lemke and Fudro introduced:

H. F. No. 661, A bill for an act relating to highway traffic regulations; exempting trucks engaged in hauling hay from certain weight restrictions during a specified period of time.

The bill was read for the first time and referred to the Committee on Transportation.

HOUSE ADVISORIES

Pursuant to rule 5.3, the following House Advisories were introduced:

Clawson, Munger, Lehto, Searle and Fugina introduced:

H. A. No. 14, A proposal to study mineral leasing policies of the Minnesota Department of Natural Resources.

The advisory was referred to the Committee on Governmental Operations.

Welch, Niehaus, Begich and Anderson, B., introduced:

H. A. No. 15, A proposal to study the constitutionality and effectiveness of the Regional Development Act of 1969.

The advisory was referred to the Committee on Local and Urban Affairs.

CONSENT CALENDAR

H. F. No. 114 was reported to the House.

Moe moved to amend H. F. No. 114 as follows:

Page 2, line 20, after "*therein*" insert "*and shall not include persons who are wholesalers or retailers as defined in clause (2) or (3) above*".

Page 2, delete lines 25 through 32 and insert:

"Sec. 3. Minnesota Statutes 1976, Section 340.601, is amended to read:

340.601 [IMPORT; TAX EVASION, MISDEMEANOR.] Any person, excluding persons of minor age and other disqualified persons as provided by sections 340.73 and 340.78, who enters the state of Minnesota from another state may have in his personal possession one quart (32 ounces) of intoxicating liquor or fermented malt beverages or who enters the state of Minnesota from a foreign country may have in his possession one gallon (128 ounces) of intoxicating liquor or ten quarts (320 ounces) of fermented malt beverages without the required payment of the Minnesota excise tax. Any person who shall import or have in his possession any such untaxed intoxicating liquor or fermented malt beverages in excess of the quantities provided for in this section is guilty of a misdemeanor. The foregoing provisions do not apply to the consignments of alcoholic beverages shipped into this state by holders of Minnesota import licenses or Minnesota manufacturers and wholesalers of such beverages when duly licensed by the commissioner or to common carriers with licenses to sell intoxicating liquor in more than one state or to a collector of commemorative bottles as defined under Minnesota Statutes, Section 340.44, Clause (6), when he enters the state with 12 or less "commemorative bottles" as defined in Minnesota Statutes, Section 340.44, Clause (7). Any peace officer, the commissioner, or his authorized agents, may seize such untaxed liquor."

Page 3, delete lines 1 and 2.

Further amend the title as follows:

Page 1, line 5, delete "340.50" and insert "340.601".

The motion prevailed and the amendment was adopted.

H. F. No. 114, A bill for an act relating to intoxicating liquor; regulation and taxation of liquor sold in commemorative bottles; amending Minnesota Statutes 1976, Sections 340.11, Subdivision 15; 340.44; and 340.601.

The bill was read for the third time, as amended, and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 122 yeas and 3 nays as follows:

Those who voted in the affirmative were:

Abeln	Clark	Jude	Murphy	Sieben, M.
Adams	Clawson	Kahn	Neisen	Simoneau
Albrecht	Cohen	Kaley	Nelsen, B.	Skoglund
Anderson, B.	Corbid	Kalis	Nelsen, M.	Smogard
Anderson, D.	Dahl	Kelly, R.	Nelson	Spanish
Anderson, G.	Eckstein	Kelly, W.	Niehaus	Stanton
Anderson, I.	Eken	Kempe, A.	Norton	Stoa
Anderson, R.	Ellingson	Kempe, R.	Novak	Suss
Arlandson	Enebo	King	Osthoff	Swanson
Battaglia	Evans	Knickerbocker	Patton	Tomlinson
Beauchamp	Ewald	Kostohryz	Pehler	Voss
Begich	Faricy	Kroening	Peterson	Waldorf
Berg	Fjoslien	Kvam	Petrafeso	Welch
Berglin	Forsythe	Laidig	Pleasant	Wenstrom
Berkelman	Friedrich	Lehto	Prahl	Wenzel
Biersdorf	Fudro	Lemke	Reding	White
Birnstihl	Fugina	Mangan	Rice	Wieser
Brandl	George	Mann	Rose	Wigley
Braun	Gunter	McCarron	Samuelson	Williamson
Brinkman	Hanson	McCollar	Sarna	Wynia
Byrne	Haugerud	McDonald	Savelkoul	Zubay
Carlson, A.	Hokanson	McEachern	Scheid	Speaker Sabo
Carlson, D.	Jacobs	Metzen	Schulz	
Carlson, L.	Jaros	Moe	Searle	
Casscry	Jensen	Munger	Sieben, H.	

Those who voted in the negative were:

Cummiskey Dean Erickson

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

H. F. No. 511, A bill for an act relating to the state transportation system; correcting conditions of a bond authorization; amending Laws 1976, Chapter 339, Section 3.

The bill was read for the third time and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 128 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Abeln	Clawson	Jaros	Munger	Sieben, H.
Adams	Cohen	Jensen	Murphy	Sieben, M.
Albrecht	Corbid	Jude	Neisen	Simoneau
Anderson, B.	Cummiskey	Kahn	Nelsen, B.	Skoglund
Anderson, D.	Dahl	Kaley	Nelsen, M.	Smogard
Anderson, G.	Dean	Kalis	Nelson	Spanish
Anderson, I.	Eckstein	Kelly, R.	Niehaus	Stanton
Anderson, R.	Eken	Kelly, W.	Norton	Stoa
Arlandson	Ellingson	Kempe, A.	Novak	Suss
Battaglia	Enebo	Kempe, R.	Osthoff	Swanson
Beauchamp	Erickson	King	Patton	Tomlinson
Begich	Esau	Knickerbocker	Pehler	Vanasek
Berg	Evans	Kostohryz	Peterson	Voss
Berglin	Ewald	Kroening	Petrafeso	Waldorf
Berkelman	Faricy	Laidig	Pleasant	Welch
Biersdorf	Fjoslien	Langseth	Prahl	Wenstrom
Birnstihl	Forsythe	Lehto	Reding	Wenzel
Brandl	Friedrich	Lemke	Rice	White
Braun	Fudro	Mangan	Rose	Wieser
Brinkman	Fugina	Mann	Samuelson	Wigley
Byrne	George	McCarron	Sarna	Williamson
Carlson, A.	Gunter	McCollar	Savelkoul	Wynia
Carlson, D.	Hanson	McDonald	Scheid	Zubay
Carlson, L.	Haugerud	McEachern	Schulz	Speaker Sabo
Casserly	Hokanson	Metzen	Searle	
Clark	Jacobs	Moe	Sherwood	

The bill was passed and its title agreed to.

CALENDAR

H. F. No. 437, A bill for an act relating to taxation; altering the definition of gross income for income tax purposes for individuals, trusts and estates; placing restrictions on certain deductions and allowing certain tax free distributions; extending time for certain sales or exchanges of residential property; making certain changes in treatment of small business corporations; amending Minnesota Statutes 1976, Sections 290.01, Subdivision 20; 290.09, Subdivisions 2 and 29; 290.13, Subdivision 9; 290.23, by adding a subdivision; 290.26, by adding a subdivision; 290.971, Subdivisions 1 and 3, and by adding subdivisions; 290.972, Subdivision 5; and 290A.03, Subdivision 3.

The bill was read for the third time and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 95 yeas and 33 nays as follows:

Those who voted in the affirmative were:

Abeln	Adams	Albrecht	Anderson, D.	Anderson, G.
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Anderson, I.	Cummiskey	Kahn	Nelsen, M.	Simoneau
Arlandson	Dahl	Kaley	Nelson	Skoglund
Beauchamp	Dean	Kelly, W.	Niehaus	Smogard
Begich	Eken	Kempe, A.	Norton	Spanish
Berg	Ellingson	Kempe, R.	Novak	Stoa
Berkelman	Erickson	King	Patton	Suss
Birnstihl	Esau	Kroening	Pehler	Swanson
Brandl	Evans	Laidig	Peterson	Tomlinson
Braun	Ewald	Langseth	Petraleso	Vanasek
Brinkman	Forsythe	Lehto	Rice	Voss
Byrne	Friedrich	Mangan	St. Onge	Welch
Carlson, A.	Fugina	Mann	Samuelson	Wenstrom
Carlson, D.	George	McCollar	Savelkoul	Wenzel
Carlson, L.	Haugerud	McEachern	Schulz	White
Casserly	Hokanson	Moe	Searle	Wieser
Clark	Jacobs	Munger	Sherwood	Williamson
Clawson	Jaros	Murphy	Sieben, H.	Wynia
Corbid	Jude	Nelsen, B.	Sieben, M.	Speaker Sabo

Those who voted in the negative were :

Anderson, B.	Faricy	Knickerbocker	Neisen	Scheid
Anderson, R.	Fjoslien	Kostohryz	Osthoff	Stanton
Battaglia	Fudro	Kvam	Pleasant	Waldorf
Biersdorf	Gunter	Lemke	Prahl	Wigley
Cohen	Hanson	McCarron	Reding	Zubay
Eckstein	Kalis	McDonald	Rose	
Enebo	Kelly, R.	Metzen	Sarna	

The bill was passed and its title agreed to.

Eken was excused for the remainder of today's session.

H. F. No. 38, A bill for an act relating to housing; providing statutory warranties on the sale of new housing; establishing a cause of action for breach of warranty; providing remedies; amending Minnesota Statutes 1976, Section 541.051, by adding a subdivision.

The bill was read for the third time and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 103 yeas and 25 nays as follows:

Those who voted in the affirmative were:

Abeln	Brandl	Ellingson	Jensen	Langseth
Adams	Braun	Enebo	Jude	Lehto
Anderson, B.	Byrne	Ewald	Kahn	Mangan
Anderson, G.	Carlson, A.	Faricy	Kaley	Mann
Anderson, I.	Carlson, L.	Forsythe	Kelly, R.	McCarron
Arlandson	Casserly	Fudro	Kelly, W.	McCollar
Battaglia	Clark	Fugina	Kempe, A.	McDonald
Beauchamp	Clawson	George	Kempe, R.	McEachern
Begich	Cohen	Gunter	King	Metzen
Berg	Corbid	Hanson	Knickerbocker	Moe
Berglin	Cummiskey	Hokanson	Kostohryz	Munger
Berkelman	Dahl	Jacobs	Kroening	Murphy
Biersdorf	Dean	Jaros	Laidig	Neisen

Nelsen, M.	Pleasant	Sherwood	Stoa	Wenzel
Nelson	Prahl	Sieben, H.	Suss	White
Norton	Rice	Sieben, M.	Swanson	Williamson
Novak	Rose	Simoneau	Vanasek	Wynia
Osthoff	St. Onge	Skoglund	Voss	Zubay
Pehler	Sarna	Smogard	Waldorf	Speaker Sabo
Peterson	Savelkoul	Spanish	Welch	
Petrafses	Scheid	Stanton	Wenstrom	

Those who voted in the negative were:

Albrecht	Carlson, D.	Fjoslien	Lemke	Samuelson
Anderson, D.	Eckstein	Friedrich	Nelsen, B.	Schulz
Anderson, R.	Erickson	Haugerud	Niehaus	Searle
Birnstihl	Esau	Kalis	Patton	Wieser
Brinkman	Evans	Kvam	Reding	Wigley

The bill was passed and its title agreed to.

H. F. No. 235, A bill for an act relating to agriculture; soy-bean research and promotion council; powers of the commissioner of agriculture and the council; providing for an increase in fees and specifying the uses thereof; amending Minnesota Statutes 1976, Sections 21A.01; 21A.05; 21A.06; 21A.09; 21A.12; 21A.16, Subdivision 2; 21A.19, Subdivision 1; and Chapter 21A, by adding a section; repealing Minnesota Statutes 1976, Section 21A.18.

The bill was read for the third time and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 125 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Abeln	Cassery	Hanson	Mann	Reding
Adams	Clark	Hokanson	McCarron	St. Onge
Albrecht	Clawson	Jacobs	McCollar	Samuelson
Anderson, B.	Cohen	Jaros	McDonald	Sarna
Anderson, D.	Corbid	Jensen	McEachern	Savelkoul
Anderson, G.	Cummiskey	Jude	Metzen	Scheid
Anderson, I.	Dahl	Kahn	Moe	Schulz
Anderson, R.	Dean	Kaley	Munger	Searle
Arlandson	Eckstein	Kalis	Murphy	Sherwood
Battaglia	Ellingson	Kelly, R.	Neisen	Sieben, H.
Beauchamp	Enebo	Kelly, W.	Nelsen, B.	Sieben, M.
Begich	Erickson	Kempe, A.	Nelsen, M.	Simoneau
Berg	Esau	Kempe, R.	Nelson	Skoglund
Berkelman	Evans	King	Niehaus	Smogard
Biersdorf	Ewald	Knickerbocker	Norton	Spanish
Birnstihl	Faricy	Kostohryz	Novak	Stanton
Brandl	Fjoslien	Kroening	Osthoff	Stoa
Braun	Forsythe	Kvam	Patton	Suss
Brinkman	Friedrich	Laidig	Pehler	Swanson
Byrne	Fudro	Langseth	Peterson	Tomlinson
Carlson, A.	Fugina	Lehto	Petrafses	Vanasek
Carlson, D.	George	Lemke	Pleasant	Voss
Carlson, L.	Gunter	Mangan	Prahl	Waldorf

Welch
WenstromWenzel
WhiteWieser
WigleyWilliamson
WyniaZubay
Speaker Sabo

The bill was passed and its title agreed to.

H. F. No. 16, A bill for an act relating to insurance; providing for interest on unpaid benefits; amending Minnesota Statutes 1976, Chapter 61A, by adding a section.

The bill was read for the third time and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 129 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Abeln	Clawson	Jensen	Munger	Sherwood
Adama	Cohen	Jude	Murphy	Sieben, H.
Albrecht	Corbid	Kahn	Neisen	Sieben, M.
Anderson, B.	Cummiskey	Kaley	Nelsen, B.	Simoneau
Anderson, D.	Dahl	Kalis	Nelsen, M.	Skoglund
Anderson, G.	Dean	Kelly, R.	Nelson	Smogard
Anderson, I.	Eckstein	Kelly, W.	Niehaus	Spanish
Anderson, R.	Ellingson	Kempe, A.	Norton	Stanton
Arlandson	Enebo	Kempe, R.	Novak	Stoa
Battaglia	Erickson	King	Osthoff	Suss
Beauchamp	Esau	Knickerbocker	Patton	Swanson
Begich	Evans	Kostohryz	Pehler	Tomlinson
Berg	Ewald	Kroening	Peterson	Vanasek
Berglin	Faricy	Kvam	Petrafeso	Voss
Berkelman	Fjoslien	Laidig	Pleasant	Waldorf
Biersdorf	Forsythe	Langseth	Prahl	Welch
Birnsthil	Friedrich	Lehto	Reding	Wenstrom
Brandl	Fudro	Lemke	Rice	Wenzel
Braun	Fugina	Mangan	Rose	White
Brinkman	George	Mann	St. Onge	Wieser
Byrne	Gunter	McCarron	Samuelson	Wigley
Carlson, A.	Hanson	McCollar	Sarna	Williamson
Carlson, D.	Haugerud	McDonald	Savelkoul	Wynia
Carlson, L.	Hokanson	McEachern	Scheid	Zubay
Casserly	Jacobs	Metzen	Schulz	Speaker Sabo
Clark	Jaros	Moe	Searle	

The bill was passed and its title agreed to.

GENERAL ORDERS

There being no objection, the bills on General Orders for today were continued on General Orders until Thursday, March 3, 1977.

MOTIONS AND RESOLUTIONS

Laidig moved that the name of Wynia be added as an author on H. F. No. 568. The motion prevailed.

ADJOURNMENT

Anderson, I., moved that when the House adjourns today it adjourn until 2:00 p.m., Thursday, March 3, 1977. The motion prevailed.

Anderson, I., moved that the House adjourn. The motion prevailed, and the Speaker declared the House stands adjourned until 2:00 p.m., Thursday, March 3, 1977.

EDWARD A. BURDICK, Chief Clerk, House of Representatives

STATE OF MINNESOTA

SEVENTIETH SESSION - 1977

TWENTIETH DAY

SAINT PAUL, MINNESOTA, THURSDAY, MARCH 3, 1977

The House of Representatives convened at 2:00 p.m. and was called to order by the Speaker.

Prayer was offered by the Chaplain.

The roll was called and the following members were present:

Abeln	Clawson	Jensen	Munger	Searles
Adams	Cohen	Johnson	Murphy	Sherwood
Albrecht	Corbid	Jude	Neisen	Sieben, H.
Anderson, B.	Cummiskey	Kaley	Nelsen, B.	Sieben, M.
Anderson, D.	Dahl	Kalis	Nelsen, M.	Simoneau
Anderson, G.	Dean	Kelly, R.	Nelson	Skoglund
Anderson, I.	Eckstein	Kelly, W.	Niehaus	Smogard
Anderson, R.	Eken	Kempe, A.	Norton	Spanish
Arlandson	Enebo	Kempe, R.	Novak	Stanton
Battaglia	Erickson	King	Osthoff	Stoa
Beauchamp	Esau	Kostohryz	Patton	Suss
Berg	Evans	Kroening	Pehler	Swanson
Berglin	Ewald	Kvam	Peterson	Tomlinson
Berkelman	Faricy	Laidig	Pleasant	Voss
Biersdorf	Fjoslien	Langseth	Prahl	Waldorf
Birnstihl	Friedrich	Lehto	Reding	Welch
Brandl	Fudro	Lemke	Rice	Wenstrom
Braun	George	Mangan	Rose	Wenzel
Brinkman	Gunter	Mann	St. Onge	White
Byrne	Hanson	McCarron	Samuelson	Wieser
Carlson, A.	Haugerud	McCollar	Sarna	Wigley
Carlson, D.	Heinitz	McDonald	Savelkoul	Williamson
Carlson, L.	Hokanson	McEachern	Scheid	Wynia
Casserly	Jacobs	Metzen	Schulz	Zubay
Clark	Jaros	Moe	Searle	Speaker Sabo

A quorum was present.

Begich, Ellingson, Forsythe, Fugina, Kahn, Petrafeso and Vanasek were excused. Knickerbocker was excused until 2:30 p.m.

The Chief Clerk proceeded to read the Journal of the preceding day. Esau moved that further reading of the Journal be dispensed with and that the Journal be approved as corrected by the Chief Clerk. The motion prevailed.

REPORTS OF CHIEF CLERK

Pursuant to Rules of the House, printed copies of H. F. Nos. 260, 37, 114 and 193 have been placed in the members' files.

PETITIONS AND COMMUNICATIONS

The following reports were received and filed in the Chief Clerk's Office: Peter Fugina, Chairman, House Leadership Scholarship Fund Committee, Distribution of the Leadership Scholarship Fund.

REPORTS OF STANDING COMMITTEES

Mann from the Committee on Agriculture to which was referred:

H. F. No. 383, A bill for an act relating to agriculture; potato industry promotion; providing for an increase in the assessment levied; amending Minnesota Statutes 1976, Section 30.469.

Reported the same back with the following amendments:

Page 3, line 10, reinstate stricken language.

With the recommendation that when so amended the bill pass.

The report was adopted.

Munger from the Committee on Environment and Natural Resources to which was referred:

H. F. No. 45, A bill for an act relating to environmental protection; prohibiting sale of milk in non-refillable plastic containers; prescribing penalties.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert the following:

"Section 1. [116F.21] [MILK PACKAGING; STATEMENT OF POLICY.] The legislature finds that the use of nonreturnable, nonrefillable containers for the packaging of milk and other milk products presents a solid waste management problem for the state, promotes energy waste and depletes natural resources. The legislature therefore, in furtherance of the policies stated in Minnesota Statutes, Section 116F.01, determines that the use of nonreturnable, nonrefillable containers for packaging milk and other milk products should be discouraged and that the use of returnable and reusable packaging for these products is preferred and should be encouraged.

Sec. 2. [116F.22] [PROHIBITIONS.] Subdivision 1. No person shall sell at retail or offer for sale at retail in this state any milk or fluid milk product as defined in Minnesota Statutes, Section 32.391, other than sour cream, cottage cheese and yogurt, in a nonreturnable, nonrefillable rigid or semi-rigid container at least 50 percent of which is plastic.

Subd. 2. A violation of subdivision 1 is a misdemeanor and each day of violation is a separate offense.

Sec. 3. This act is effective July 1, 1977.”.

Further, amend the title as follows:

Page 1, line 2, after “prohibiting” insert “retail”.

Page 1, line 3, after “in” insert “nonreturnable.”.

With the recommendation that when so amended the bill pass.

The report was adopted.

Munger from the Committee on Environment and Natural Resources to which was referred:

H. F. No. 352, A bill for for an act relating to game and fish; prohibiting the use of certain devices in fishing; amending Minnesota Statutes 1976, Section 101.42, by adding a subdivision.

Reported the same back with the following amendments:

Page 1, after line 15, insert a new section to read:

“Sec. 2. *This act is effective the day following its final enactment.*”.

With the recommendation that when so amended the bill pass.

The report was adopted.

Brinkman from the Committee on Financial Institutions and Insurance to which was referred:

H. F. No. 259, A bill for an act relating to insurance; requiring refund of unearned premium on cancellation of certain automobile insurance policies; amending Minnesota Statutes 1976, Section 65B.14; and Chapter 65B, by adding sections.

Reported the same back with the following amendments:

Page 3, line 14, delete "*mailed*" and insert "*sent by certified mail*".

Page 3, line 15, delete "*him*" and insert "*the insured*".

With the recommendation that when so amended the bill pass.

The report was adopted.

Brinkman from the Committee on Financial Institutions and Insurance to which was referred:

H. F. No. 296, A bill for an act relating to insurance; providing for the establishment and operation of a Minnesota life and health insurance guaranty association; providing protection for policyowners, insureds, beneficiaries, and others against the failure of an insurer doing business in Minnesota; amending Minnesota Statutes 1976, Sections 60B.17, by adding a subdivision; 60B.25; 60B.30, by adding a subdivision; and 60B.46, Subdivision 1.

Reported the same back with the following amendments:

Page 1, line 21, delete the comma.

Page 1, delete lines 22 to 24.

Page 1, line 25, delete "*64A.45*".

Page 2, line 9, after "*63*" insert "*, or a fraternal beneficiary association operating under Minnesota Statutes, Chapter 64A*".

Page 3, line 9, delete "*or 64A*".

Page 7, line 30, after "*states*" insert "*and any recovery provided for under sections 1 to 16 shall be reduced by the amount of recovery under any such coverage provided by another state or jurisdiction*".

Page 18, delete lines 17 to 20.

Page 19, line 4, delete "[*IMMUNITY.*] *There shall be no*".

Page 19, delete lines 5 to 10 and insert "[*BOARD OF DIRECTORS; INDEMNIFICATION.*] *The association shall provide insurance coverage indemnifying members of the board of directors for any personal liability arising out of any action, excluding intentional misconduct, taken by them in performance of their powers and duties under sections 1 to 16.*".

Page 25, after line 22, add a section to read:

"Sec. 21. Minnesota Statutes 1976, Section 60B.26, Subdivision 2, is amended to read:

Subd. 2. [NOTICE RESPECTING CLAIM FILING.] Notice to potential claimants under subdivision 1 shall require claimants to file with the court their claims together with proper proofs thereof under section 60B.38, on or before a date the liquidator specifies in the notice, which shall be no less than six months nor more than one year after entry of the order, except that the liquidator need not require persons claiming unearned premiums or subscription rates and persons claiming cash surrender values or other investment values in life insurance and annuities to file a claim. The liquidator may specify different dates for the filing of different kinds of claims. *Notice to potential claimants shall include notice of the existence of any guaranty association charged by statute with the guaranty of the obligations of the insurer. Where procedures have been established by the association for the filing of claims this notice shall include an explanation of those procedures."*

Re-number the following section.

Further amend the title as follows:

Page 1, line 9, after "60B.25;" insert "60B.26, Subdivision 2;".

With the recommendation that when so amended the bill pass.

The report was adopted.

Sieben, H., from the Committee on Governmental Operations to which was referred:

H. F. No. 54, A bill for an act relating to state government; purchase of products and services from sheltered workshops and work activity programs; setting standards for price determination; amending Minnesota Statutes 1976, Section 16.281, Subdivision 1.

Reported the same back with the recommendation that the bill pass and be placed on the Consent Calendar.

The report was adopted.

Sieben, H., from the Committee on Governmental Operations to which was referred:

H. F. No. 107, A bill for an act relating to state property; authorizing the conveyance of certain state property in Stearns county to the city of St. Cloud, Minnesota.

Reported the same back with the following amendments:

Page 1, line 13, delete "Stearns" and insert "Sherburne".

Page 1, line 15, delete "and water".

Further amend the title:

Page 1, line 3, delete "Stearns" and insert "Sherburne".

With the recommendation that when so amended the bill pass and be placed on the Consent Calendar.

The report was adopted.

Sieben, H., from the Committee on Governmental Operations to which was referred:

S. F. No. 48, A bill for an act relating to Becker county; ratifying sales of certain tax-forfeited lands.

Reported the same back with the recommendation that the bill pass and be placed on the Consent Calendar.

The report was adopted.

Sieben, H., from the Committee on Governmental Operations to which was referred:

S. F. No. 232, A bill for an act relating to unemployment compensation; redefining "base period"; redefining "wages" for contribution purposes; changing contribution rates; providing for charging of benefits; increasing weekly benefits; redefining "credit week"; providing for disqualification for benefits; providing a penalty; amending Minnesota Statutes 1976, Sections 268.04, Subdivisions 2, 25 and 29; 268.06, Subdivisions 5 and 8; 268.07, Subdivision 2; 268.08, Subdivision 1; 268.09; and 268.18, Subdivision 3.

Reported the same back with the following amendments:

Page 12, line 24, delete "an".

Page 12, line 25, delete "immoral act or".

Page 12, line 26, delete "\$50" and insert "\$100".

Page 12, line 26, after "more" insert "or arson or sabotage or embezzlement. However, no person shall be deemed to have been discharged for gross misconduct for purposes of chapter 268 unless (1) the person makes an admission to the conduct in writing or under oath, or (2) the person is found to have engaged in such conduct by an appeals tribunal established pursuant to section 268.10, or (3) the person has been convicted by a court of competent jurisdiction of acts constituting gross misconduct".

With the recommendation that when so amended the bill pass.

The report was adopted.

Enebo from the Committee on Labor-Management Relations to which was referred:

H. F. No. 212, A bill for an act relating to employment fees; providing period when fees must be refunded; amending Minnesota Statutes 1976, Section 184.38, by adding a subdivision.

Reported the same back with the following amendments:

Page 1, line 12, delete "weekdays" and insert "days, excluding Saturday, Sunday and legal holidays,".

Page 1, after line 16, insert a new section:

"Sec. 2. [EFFECTIVE DATE.] *This act shall become effective the day following its enactment.*"

With the recommendation that when so amended the bill pass and be placed on the Consent Calendar.

The report was adopted.

Enebo from the Committee on Labor-Management Relations to which was referred:

H. F. No. 464, A bill for an act relating to licensed occupations; providing for reciprocity in licensing for plumbers licensed in other states; amending Minnesota Statutes 1976, Chapter 326, by adding a section.

Reported the same back with the recommendation that the bill pass and be placed on the Consent Calendar.

The report was adopted.

Berg from the Committee on Local and Urban Affairs to which was referred:

H. F. No. 62, A bill for an act relating to towns; annual audit report; eliminating the requirement that a copy of the report be furnished to the state auditor; amending Minnesota Statutes 1976, Section 366.22.

Reported the same back with the recommendation that the bill pass and be placed on the Consent Calendar.

The report was adopted.

Anderson, I., from the Committee on Rules and Legislative Administration to which was referred:

House Concurrent Resolution No. 4, A house concurrent resolution providing for a joint convention of the Senate and the House of Representatives to elect members of the Board of Regents of the University of Minnesota.

Reported the same back with the recommendation that the resolution be adopted.

The report was adopted.

Fudro from the Committee on Transportation to which was referred:

H. F. No. 382, A bill for an act relating to highway traffic regulations; motorcycle equipment for operators and passengers; amending Minnesota Statutes 1976, Section 169.974, Subdivision 4.

Reported the same back with the following amendments:

Strike everything after the enacting clause and insert the following:

“Section 1. Minnesota Statutes 1976, Section 169.974, Subdivision 2, is amended to read:

Subd. 2. [LICENSE REQUIREMENTS.] No person shall operate a motorcycle on any street or highway unless he has a valid standard driver's license with a two-wheeled vehicle endorsement as provided by law. No such two-wheeled vehicle endorsement shall be issued unless the person applying therefor has in possession a valid two-wheeled vehicle instruction permit as provided herein, has passed a written examination and road test administered by the department of public safety for such

endorsement, and, in the case of applicants under 18 years of age, shall present a certificate or other evidence of having successfully completed an approved two-wheeled vehicle driver's safety course in this or another state, in accordance with such regulations as the commissioner of public safety shall promulgate. A two-wheeled vehicle instruction permit shall be issued to any person over 16 years of age, who is in possession of a valid driver's license, who is enrolled in an approved two-wheeled vehicle driver's safety course, and who has passed a written examination for such permit and has paid such fee as the commissioner of public safety shall prescribe. A two-wheeled vehicle instruction permit shall be effective for 45 days, and may be renewed under rules to be prescribed by the commissioner of public safety.

No person who is operating by virtue of a two-wheeled vehicle instruction permit shall:

(a) Carry any passengers on the streets and highways of this state on the motorcycle which he is operating;

(b) Drive the motorcycle at night time;

(c) Drive the motorcycle on a freeway;

(d) *Drive the motorcycle without wearing protective headgear of a type approved by the commissioner of public safety.*

Notwithstanding the provisions of the subdivision, the commissioner of public safety may, however, issue a special motorcycle permit, restricted or qualified in such manner as he shall deem proper, to any person demonstrating a need therefor and unable to qualify for a standard driver's license.

Sec. 2. Minnesota Statutes 1976, Section 169.974, Subdivision 4, is amended to read:

Subd. 4. [EQUIPMENT FOR OPERATORS AND PASSENGERS.] (a) When operating a motorcycle on the streets and highways of this state, the operator (AND) *and/or* passenger, (IF ANY) *if below the age of 18*, shall wear protective headgear that complies with the standards established by the commissioner of public safety; and no person shall operate a motorcycle unless he is wearing an eye-protective device (OF A TYPE APPROVED BY THE COMMISSIONER,) except when the motorcycle is equipped with a wind screen.

(b) The provisions of this subdivision shall not apply to persons during their participation in a parade for which parade a permit or other official authorization has been granted by a local governing body or other governmental authority or to persons riding within an enclosed cab.

Sec. 3. [EFFECTIVE DATE.] *This act is effective upon final enactment.*"

Further amend the title as follows:

Page 1, line 5, delete "Subdivision" and insert "Subdivisions 2 and".

With the recommendation that when so amended the bill pass.

The report was adopted.

SECOND READING OF HOUSE BILLS

H. F. Nos. 383, 45, 352, 259, 296, 54, 107, 212, 464, 62 and 382 were read for the second time.

SECOND READING OF SENATE BILLS

S. F. Nos. 48 and 232 were read for the second time.

INTRODUCTION AND FIRST READING OF HOUSE BILLS

The following House Files were introduced:

Patton; Anderson, D.; Eckstein; Wenstrom and Brinkman introduced:

H. F. No. 662, A bill for an act relating to the environmental quality board; restrictions upon rules designating power line avoidance areas; amending Minnesota Statutes 1976, Section 116C.66.

The bill was read for the first time and referred to the Committee on Environment and Natural Resources.

Patton; Anderson, D.; Eckstein; Wenstrom and Brinkman introduced:

H. F. No. 663, A bill for an act relating to the environmental quality board; guidelines for approval of sites and corridors for large electric generating plants and high voltage transmission lines; amending Minnesota Statutes 1976, Section 116C.57, Subdivision 4.

The bill was read for the first time and referred to the Committee on Environment and Natural Resources.

Wenstrom; Anderson, D.; Eckstein; Patton and Brinkman introduced:

H. F. No. 664, A bill for an act relating to public utilities; routing for high voltage electric transmission lines; amending Minnesota Statutes 1976, Section 116C.57, Subdivision 2.

The bill was read for the first time and referred to the Committee on Environment and Natural Resources.

Clawson, Jude, Wenstrom, Pehler and Carlson, D., introduced:

H. F. No. 665, A bill for an act relating to high voltage transmission lines; authorizing the landowner to elect to have a different amount of land condemned if his property is crossed by more than one line; amending Minnesota Statutes 1976, Section 116C.63.

The bill was read for the first time and referred to the Committee on Environment and Natural Resources.

Sieben, H.; Savelkoul; Reding; Munger and Hokanson introduced:

H. F. No. 666, A bill for an act relating to game and fish; requiring a migratory waterfowl stamp; providing for the disposition of proceeds; appropriating funds; amending Minnesota Statutes 1976, Chapter 97, by adding sections; Sections 98.46, Subdivision 2a; and 98.50, Subdivision 5.

The bill was read for the first time and referred to the Committee on Environment and Natural Resources.

Brinkman introduced:

H. F. No. 667, A bill for an act appropriating money to the department of natural resources for the installation of a box culvert under a highway in Stearns county, providing a waterway connection between certain lakes to enable water craft to cross from one lake to the other.

The bill was read for the first time and referred to the Committee on Environment and Natural Resources.

Metzen, Munger, Kalis, Kahn and Osthoff introduced:

H. F. No. 668, A bill for an act relating to the environment; solid waste pollution; prohibiting sale of disposable razors; providing a penalty.

The bill was read for the first time and referred to the Committee on Environment and Natural Resources.

Clawson; Anderson, G.; Welch; Schulz and Friedrich introduced:

H. F. No. 669, A bill for an act relating to trespass; prohibiting trespass on lands of another for purposes of fishing; prohibiting discharge of a firearm within the limits of the right of way of any public highway adjoining certain lands; prescribing penalties; amending Minnesota Statutes 1976, Sections 84.90, Subdivision 7; 100.273, Subdivision 4; and 100.29, Subdivision 21.

The bill was read for the first time and referred to the Committee on Environment and Natural Resources.

Cummiskey, Fugina, Jaros, Voss and Norton introduced:

H. F. No. 670, A bill for an act relating to education; re-organizing school districts; providing for the election of new school boards; requiring transitional planning; providing a penalty; appropriating money; amending Minnesota Statutes 1976, Sections 120.02, Subdivision 14; 122.02; 122.03, by adding a subdivision; 123.32, Subdivisions 1, 9, 10, 12, 15 and 25; 123.33, Subdivision 1; 123.34, Subdivision 1; repealing Minnesota Statutes 1976, Sections 122.22; 122.23; 122.25; 122.32; 122.34; 122.355; 122.41; 122.43; 122.44; 122.45; 122.46; 122.47; 122.48; 122.51; 122.52; 122.53; 123.11; 123.12; 123.13; 123.14; 123.15; 123.16; 123.17; 123.18; 123.19; 123.20; 123.21; 123.32, Subdivision 23; 123.51; 123.68; 128.01; 128.02; 128.03; 128.04; 128.05; 128.06; and 128.069.

The bill was read for the first time and referred to the Committee on Education.

Fugina, Begich and Prahl introduced:

H. F. No. 671, A bill for an act relating to education; state aids; providing aid to school districts on account of decreased assessed valuation.

The bill was read for the first time and referred to the Committee on Education.

Abeln, Schulz, McCollar, Kelly, R., and Suss introduced:

H. F. No. 672, A bill for an act relating to insurance; providing for higher limits of liability coverage and uninsured motorist coverage; amending Minnesota Statutes 1976, Sections 65B.06, Subdivision 2; and 65B.49, Subdivision 6.

The bill was read for the first time and referred to the Committee on Financial Institutions and Insurance.

Brinkman, Heinitz, McCollar, Abeln and Norton introduced:

H. F. No. 673, A bill for an act relating to insurance; authorizing certain insurers to reinsure certain kinds of risks through pooling arrangements or otherwise; amending Minnesota Statutes 1976, Section 60A.06, by adding a subdivision.

The bill was read for the first time and referred to the Committee on Financial Institutions and Insurance.

Wenzel, Brinkman and Ewald introduced:

H. F. No. 674, A bill for an act relating to industrial loan and thrift companies; permitting loans on real estate; providing restrictions on loans on real estate; permitting certain charges on loans on real estate; amending Minnesota Statutes 1976, Section 53.04, Subdivision 3.

The bill was read for the first time and referred to the Committee on Financial Institutions and Insurance.

Wenzel; Brinkman; Anderson, I.; Abeln and Kelly, W., introduced:

H. F. No. 675, A bill for an act relating to insurance; changing the filing date for annual statements of township mutual companies; changing limitations on property insurable by township mutual companies; changing limitations on investments by township mutual companies; amending Minnesota Statutes 1976, Sections 67A.11, Subdivision 3; 67A.14, Subdivisions 1 and 5; and 67A.23.

The bill was read for the first time and referred to the Committee on Financial Institutions and Insurance.

Abeln; Casserly; Anderson, G.; Friedrich and Fudro introduced:

H. F. No. 676, A bill for an act relating to intoxicating liquor; civil liability for illegal sale, barter or gift thereof; amending Minnesota Statutes 1976, Sections 340.95 and 340.951.

The bill was read for the first time and referred to the Committee on Financial Institutions and Insurance.

Pehler, Voss, Adams, Scheid and Hanson introduced:

H. F. No. 677, A bill for an act relating to bingo; exempting certain organizations from certain provisions of law regulating bingo; authorizing local governments to grant exemptions from certain provisions of law regulating bingo; providing penalties; amending Minnesota Statutes 1976, Section 349.22; and Chapter 349, by adding a section; repealing Minnesota Statutes 1976, Section 349.19.

The bill was read for the first time and referred to the Committee on General Legislation and Veterans Affairs.

Wigley, Osthoff, Kvam, Voss and McCarron introduced:

H. F. No. 678, A bill for an act relating to cemeteries; prohibiting trespassing on public or private cemeteries; providing penalties; amending Minnesota Statutes 1976, Section 307.08, Subdivision 1.

The bill was read for the first time and referred to the Committee on General Legislation and Veterans Affairs.

Casserly, Osthoff, Norton, Anderson, D., and Anderson, I., introduced:

H. F. No. 679, A bill for an act relating to employment services; authorizing the summer employment of young persons for state and local service; appropriating money.

The bill was read for the first time and referred to the Committee on Governmental Operations.

Novak, Pehler, Tomlinson, Jaros and Pleasant introduced:

H. F. No. 680, A bill for an act relating to taxation; exempting the department of revenue from administrative procedure act requirements; authorizing the commissioner of revenue to enter into administrative agreements with the secretary of the treasury; changing requirements for orders of the commissioner; allowing commissioner to dismiss certain confiscation procedures; providing penalties for cigarette tax violations; amending Minnesota Statutes 1976, Sections 15.0411, Subdivision 2; 270.06; 270.10, Subdivision 1; 297.08, Subdivision 4; 297.12, Subdivision 1, and by adding a subdivision.

The bill was read for the first time and referred to the Committee on Governmental Operations.

Casserly, Suss, Norton, Stanton and Anderson, G., introduced:

H. F. No. 681, A bill for an act relating to commerce; providing for state procurement from small business; providing a bonding mechanism for small business; amending Minnesota Statutes 1976, Sections 16.082, by adding a subdivision; and 16.083, Subdivision 2.

The bill was read for the first time and referred to the Committee on Governmental Operations.

Pehler, Voss, Adams, Anderson, G., and Hanson introduced:

H. F. No. 682, A bill for an act relating to unemployment insurance; providing for ineligibility of certain persons to receive benefits; amending Minnesota Statutes 1976, Section 268.08, Subdivision 3.

The bill was read for the first time and referred to the Committee on Governmental Operations.

Stanton introduced:

H. F. No. 683, A bill for an act relating to retirement; definition of dependent spouse for purposes of the public employees retirement law; amending Minnesota Statutes 1976, Section 353.01, Subdivision 20.

The bill was read for the first time and referred to the Committee on Governmental Operations.

Pehler, Wenzel, Cummiskey, Lemke and Reding introduced:

H. F. No. 684, A bill for an act relating to the operation of state government; providing for a study on improving public access to state services and facilities; requiring a report.

The bill was read for the first time and referred to the Committee on Governmental Operations.

Spanish, Fugina, Lehto, Moe and Biersdorf introduced:

H. F. No. 685, A bill for an act relating to the city of Hibbing; authorizing an increase in the service pensions of certain retired firemen; amending Laws 1935, Chapter 192, Section 1, as amended, by adding a subdivision.

The bill was read for the first time and referred to the Committee on Governmental Operations.

Dahl and McEachern introduced:

H. F. No. 686, A bill for an act relating to retirement; judges' survivors' benefits; option to continue.

The bill was read for the first time and referred to the Committee on Governmental Operations.

Wenstrom, Smogard, Clawson, Anderson, R., and Evans introduced:

H. F. No. 687, A bill for an act relating to public records; regulating the administration of the state archives and state and local public records; providing a penalty; amending Minnesota Statutes 1976, Sections 15.17, Subdivision 1; 138.161; 138.162; 138.17, Subdivisions 1, 6, and 7; 138.18; 138.19; 138.20; and 138.21; and Chapter 138, by adding sections; repealing Minnesota Statutes 1976, Section 16.66.

The bill was read for the first time and referred to the Committee on Governmental Operations.

Beauchamp, Patton, Biersdorf, Reding and Moe introduced:

H. F. No. 688, A bill for an act relating to retirement; making judges eligible for combined service annuities; amending Minnesota Statutes 1976, Section 356.30, Subdivision 3.

The bill was read for the first time and referred to the Committee on Governmental Operations.

Sieben, H.; Sabo; Anderson, I.; Norton and Voss introduced:

H. F. No. 689, A bill for an act relating to the operation of state government; raising base salaries for certain executive branch employees, metropolitan agency officers, legislators, judges and judicial branch employees; limiting possible increases for certain executive branch employees; requiring political subdivisions of the state to report certain salaries; providing for a report by the personnel board; amending Minnesota Statutes 1976, Sections 3.099; 3.102; 15A.081, Subdivision 1, and by adding subdivisions; 15A.083; 43.067; 43.069; 473.123, Subdivision 4; 473.141, Subdivision 7; 473.605, Subdivision 2; and 487.01, Subdivision 5; repealing Minnesota Statutes 1976, Sections 3.13; 15A.081, Subdivision 4; 43.066; and 487.05.

The bill was read for the first time and referred to the Committee on Governmental Operations.

Beauchamp, Patton, Reding and Biersdorf introduced:

H. F. No. 690, A bill for an act relating to retirement; teachers retirement association; authorizing the purchase of out of state teaching service; amending Minnesota Statutes 1976, Section 354.09, by adding a subdivision.

The bill was read for the first time and referred to the Committee on Governmental Operations.

Stanton introduced:

H. F. No. 691, A bill for an act relating to state lands; directing the exchange of certain public lands bordering on public waters in Lincoln county.

The bill was read for the first time and referred to the Committee on Governmental Operations.

Stanton, Faricy and Adams introduced:

H. F. No. 692, A bill for an act relating to public welfare; specifying services to handicapped persons; defining terms; amending Minnesota Statutes 1976, Sections 256.01, Subdivision 2; and 645.44, by adding a subdivision.

The bill was read for the first time and referred to the Committee on Health and Welfare.

Heinitz; Anderson, R.; Eckstein; Nelsen, B., and Sarna introduced:

H. F. No. 693, A bill for an act relating to welfare; authorizing medical assistance for certain aged, blind and disabled persons; amending Minnesota Statutes 1976, Section 256B.06, Subdivision 1.

The bill was read for the first time and referred to the Committee on Health and Welfare.

Petrafeso; Clark; Carlson, L.; Swanson and Abeln introduced:

H. F. No. 694, A bill for an act relating to public welfare; medical assistance for the needy; limiting allowable charges for nonmedical assistance residents of nursing homes receiving medical assistance payments; amending Minnesota Statutes 1976, Section 256B.48, Subdivision 1.

The bill was read for the first time and referred to the Committee on Health and Welfare.

Enebo, St. Onge, Abeln, McEachern and Byrne introduced:

H. F. No. 695, A bill for an act relating to labor relations; providing for the continuation of certain salary schedules pending the negotiation of new contracts for public employment; amending Minnesota Statutes 1976, Section 179.70, Subdivision 1.

The bill was read for the first time and referred to the Committee on Labor-Management Relations.

Simoneau, Fudro, McCarron, Neisen and Clawson introduced:

H. F. No. 696, A bill for an act relating to Anoka county; creating a housing and redevelopment authority; applying the provisions of the municipal housing and redevelopment act to Anoka county; providing for local approval of projects.

The bill was read for the first time and referred to the Committee on Local and Urban Affairs.

Casserly; Clark; Carlson, A.; Rice and Kahn introduced:

H. F. No. 697, A bill for an act relating to the city of Minneapolis; authorizing a rehabilitation loan program for small and medium sized commercial buildings; and providing for the issuance and security of limited general obligation and revenue bonds to finance the program.

The bill was read for the first time and referred to the Committee on Local and Urban Affairs.

McDonald and Suss introduced:

H. F. No. 698, A bill for an act relating to counties; extension of compliance date for county official controls; amending Minnesota Statutes 1976, Section 394.312.

The bill was read for the first time and referred to the Committee on Local and Urban Affairs.

Fugina and Begich introduced:

H. F. No. 699, A bill for an act relating to St. Louis county; providing an election to determine whether to divide St. Louis county.

The bill was read for the first time and referred to the Committee on Local and Urban Affairs.

Sabo and Casserly introduced:

H. F. No. 700, A bill for an act relating to the city of Minneapolis; directing the charter commission to propose certain organizational changes; requiring a report to the legislature.

The bill was read for the first time and referred to the Committee on Local and Urban Affairs.

McEachern, Reding, Welch, Begich and Dahl introduced:

H. F. No. 701, A bill for an act relating to public indebtedness; investment of debt service funds; amending Minnesota Statutes 1976, Section 475.66, Subdivisions 1 and 2.

The bill was read for the first time and referred to the Committee on Local and Urban Affairs.

Savelkoul, McDonald, Rose, Searles and Evans introduced:

H. F. No. 702, A bill for an act relating to the legislature; requiring that its meetings and the meetings of its committees, subcommittees, party caucuses and commissions be open to the public; defining meeting; prescribing penalties; amending Minnesota Statutes 1976, Section 471.705.

The bill was read for the first time and referred to the Committee on Rules and Legislative Administration.

Fugina, Berglin and Faricy introduced:

H. F. No. 703, A bill for an act creating a joint legislative committee on citizen complaints and prescribing its powers and duties.

The bill was read for the first time and referred to the Committee on Rules and Legislative Administration.

Fugina and Faricy introduced:

H. F. No. 704, A bill for an act creating a joint legislative study commission on the ombudsman concept; prescribing powers and duties; appropriating money.

The bill was read for the first time and referred to the Committee on Rules and Legislative Administration.

White, Jacobs, Pehler, Schulz and Peterson introduced:

H. F. No. 705, A bill for an act relating to taxation; providing for revocation of motor carrier licenses for failure to file road tax reports; providing credit for tax paid on gasoline or fuel used in other states; amending Minnesota Statutes 1976, Section 296.17, Subdivisions 3, 11, and 12; and Chapter 296, by adding a section; repealing Minnesota Statutes 1976, Section 296.18, Subdivision 1a.

The bill was read for the first time and referred to the Committee on Taxes.

Pehler; Voss; Anderson, G.; Hanson and Wynia introduced:

H. F. No. 706, A bill for an act relating to taxation; imposing a tax when residual materials attributable to the production of certain minerals are deposited in public waters or on land; amending Minnesota Statutes 1976, Section 298.27; and Chapter 298, by adding a section.

The bill was read for the first time and referred to the Committee on Taxes.

Casserly; Cummiskey; Sieben, H.; McEachern and Jacobs introduced:

H. F. No. 707, A bill for an act relating to taxation; changing certain procedures for objecting to real estate taxes; providing for city and town attorneys to handle prosecutions; amending Minnesota Statutes 1976, Sections 278.01 and 278.05.

The bill was read for the first time and referred to the Committee on Taxes.

Kelly, R.; Tomlinson; Waldorf; Cohen and Wynia introduced:

H. F. No. 708, A bill for an act relating to the city of St. Paul; providing for temporary use of a plan of assessment which will delay increases in assessed valuation in the city of St. Paul for certain buildings.

The bill was read for the first time and referred to the Committee on Taxes.

Spanish; Berg; Kempe, A.; Sieben, M., and Petrafeso introduced:

H. F. No. 709, A bill for an act relating to taxation; exempting residential heating products from the sales and use tax; amending Minnesota Statutes 1976, Section 297A.25, Subdivision 1.

The bill was read for the first time and referred to the Committee on Taxes.

Sarna, McEachern, Jacobs, Anderson, I., and Evans introduced:

H. F. No. 710, A bill for an act relating to taxation; extending benefits of the qualified property tax credit to certain retired persons; amending Minnesota Statutes 1976, Section 273.011, Subdivisions 2 and 4.

The bill was read for the first time and referred to the Committee on Taxes.

Pehler, Tomlinson, Pleasant, Casserly and Jacobs introduced:

H. F. No. 711, A bill for an act relating to taxation; imposing a gross earnings tax on certain utility companies in lieu of ad valorem taxes; establishing an electric utilities revenue account; prescribing penalties for failure to file reports or make payments; providing exemptions from taxation; providing for distribution of taxes; appropriating money.

The bill was read for the first time and referred to the Committee on Taxes.

White, Ewald, Begich, Jaros and Hokanson introduced:

H. F. No. 712, A bill for an act relating to taxation; authorizing an income tax credit for driver education expenses; amending Minnesota Statutes 1976, Chapter 290, by adding a section.

The bill was read for the first time and referred to the Committee on Taxes.

White, by request, introduced:

H. F. No. 713, A bill for an act relating to taxation; clarifying the definition of agricultural land subject to property tax; amending Minnesota Statutes 1976, Section 273.13, Subdivision 6.

The bill was read for the first time and referred to the Committee on Taxes.

Jacobs and Kelly, W., introduced:

H. F. No. 714, A bill for an act relating to taxation; repealing obsolete references to a tax on money and credits; repealing Minnesota Statutes 1976, Chapter 285.

The bill was read for the first time and referred to the Committee on Taxes.

Esau, Niehaus and Pleasant introduced:

H. F. No. 715, A bill for an act relating to highway traffic regulations; providing for equipment requirements for motorcycle riders; amending Minnesota Statutes 1976, Section 169.974, Subdivision 4.

The bill was read for the first time and referred to the Committee on Transportation.

Stanton introduced:

H. F. No. 716, A bill for an act relating to agriculture; requiring notice and opportunity to act in weed control situations; amending Minnesota Statutes 1976, Section 18.251.

The bill was read for the first time and referred to the Committee on Agriculture.

Braun; Anderson, I.; Corbid; St. Onge and Eken introduced:

H. F. No. 717, A bill for an act appropriating money for educational television facilities in northern Minnesota.

The bill was read for the first time and referred to the Committee on Appropriations.

Heinitz; Anderson, R.; Sarna; Nelsen, B., and Eckstein introduced:

H. F. No. 718, A bill for an act relating to public welfare; providing for cost of living adjustment in supplemental aid benefits; amending Minnesota Statutes 1976, Chapter 256D, by adding a section.

The bill was read for the first time and referred to the Committee on Appropriations.

Voss, McCarron, Haugerud, Vanasek and Anderson, D., introduced:

H. F. No. 719, A bill for an act relating to the secretary of state; authorizing distribution of free legislative manuals; amending Minnesota Statutes 1976, Section 5.08, Subdivision 2.

The bill was read for the first time and referred to the Committee on Appropriations.

Murphy, Simoneau, White and Hanson introduced:

H. F. No. 720, A bill for an act relating to commerce; regulation of subdivision of lands by the commissioner of securities; extending time for filing reports of subdivided land; amending Minnesota Statutes 1976, Section 83.30, Subdivision 1.

The bill was read for the first time and referred to the Committee on Commerce and Economic Development.

Novak; Sieben, M.; Simoneau; Hanson and Adams introduced:

H. F. No. 721, A bill for an act relating to public utilities; allowing the public service commission to determine how rates should be spread among different classes of customers; amending Minnesota Statutes 1976, Chapters 216B and 237, by adding sections.

The bill was read for the first time and referred to the Committee on Commerce and Economic Development.

Pehler, Voss, Adams, Hanson and Scheid introduced:

H. F. No. 722, A bill for an act relating to commerce; regulating the sale of motor vehicle fuel; providing a penalty; amending Minnesota Statutes 1976, Chapter 325, by adding sections.

The bill was read for the first time and referred to the Committee on Commerce and Economic Development.

Berglin, Hanson, Arlandson, Norton and Anderson, D., introduced:

H. F. No. 723, A bill for an act relating to economic development; providing grants to community development corporations; setting out criteria for making such grants; appropriating funds; amending Minnesota Statutes 1976, Chapter 362, by adding a section.

The bill was read for the first time and referred to the Committee on Commerce and Economic Development.

Carlson, D.; Niehaus; McEachern; Eckstein and Dean introduced:

H. F. No. 724, A bill for an act relating to housing; providing for a study of housing needs; appropriating money.

The bill was read for the first time and referred to the Committee on Commerce and Economic Development.

Rose and Novak introduced:

H. F. No. 725, A bill for an act relating to motor vehicles; regulation of certain motor vehicle dealers; place of doing business; amending Minnesota Statutes 1976, Section 168.27, Subdivision 10.

The bill was read for the first time and referred to the Committee on Commerce and Economic Development.

McEachern, Simoneau, Adams and Lemke introduced:

H. F. No. 726, A bill for an act relating to alcoholic beverages; classification of malt liquors; amending Minnesota Statutes 1976, Sections 340.001, Subdivision 2; 340.02, Subdivisions 10, 12, and 13; 340.07, Subdivision 2; 340.401, Subdivision 2; and 340.47, Subdivision 2; repealing Minnesota Statutes 1976, Section 340.11, Subdivision 15.

The bill was read for the first time and referred to the Committee on Commerce and Economic Development.

Nelson, Berg, Moe, Arlandson and Dean introduced:

H. F. No. 727, A bill for an act relating to crime victims reparations; pertaining to the powers of the crime victims reparations board; clarifying and revising the definition of dependent; establishing the power of the board to appoint an executive director in the unclassified civil service; and clarifying the authority of the board to pay the cost of mileage for claimants or witnesses requested by the board to appear before it; amending Minnesota Statutes 1976, Sections 299B.02; and 299B.06, Subdivision 1.

The bill was read for the first time and referred to the Committee on Criminal Justice.

Clark, Moe, Nelson, Laidig and Novak introduced:

H. F. No. 728, A bill for an act relating to corrections; prescribing duties of the commissioner for parole and probation; authorizing disposition of juvenile offenders; classifying data; authorizing certain investigations; authorizing accounts of funds of inmates; clarifying procedures for withdrawal from community corrections programs; amending Minnesota Statutes 1976, Sections 242.09; 242.10; 242.15; 242.18; 242.31; 242.46, Subdivision 3; 243.23; 401.08, Subdivision 1; 401.13; and 401.16; repealing Minnesota Statutes 1976, Sections 242.01; 242.02; 242.03; 242.12; 242.13; 242.16; 242.17; 242.19, Subdivision 1; 242.25; 242.26; 242.27; 242.28; 242.29; 242.30; 242.33; 242.34; 242.35; 242.36; 242.38; and 242.46, Subdivisions 1 and 2.

The bill was read for the first time and referred to the Committee on Criminal Justice.

Wenstrom, Haugerud, Fjoslien, Fugina and Nelsen, B., introduced:

H. F. No. 729, A bill for an act relating to peace officers; vocational-technical school training in compliance with training requirements; amending Minnesota Statutes 1976, Section 626.846, by adding a subdivision.

The bill was read for the first time and referred to the Committee on Criminal Justice.

Sieben, H.; Wenzel; Moe; White and Carlson, A., introduced:

H. F. No. 730, A bill for an act relating to peace officers; providing for training and licensing; renaming the peace officer training board and giving the board additional responsibilities; amending Minnesota Statutes 1976, Sections 626.841; 626.843, Subdivisions 1 and 2; 626.845; 626.846; 626.847; 626.848; 626.85, Subdivision 1; 626.851, Subdivision 2; 626.854; Chapter 626, by adding a section; repealing Minnesota Statutes 1976, Section 626.844.

The bill was read for the first time and referred to the Committee on Criminal Justice.

Williamson, Friedrich, Schulz and Begich introduced:

H. F. No. 731, A bill for an act relating to state government; creating the Minnesota sports facilities commission; prescribing its powers and duties; authorizing the metropolitan council to issue bonds and levy taxes therefor; authorizing the commission to impose an admissions tax; imposing a wholesale liquor tax in the metropolitan area; requiring the completion of an environmental impact statement prior to construction of a new sports facility.

The bill was read for the first time and referred to the Committee on Local and Urban Affairs.

Lemke; Patton; Anderson, D.; Birnstihl and Jensen introduced:

H. F. No. 732, A bill for an act authorizing the issuance and sale of Minnesota trunk highway bonds under the provisions of Minnesota Constitution, Article XI, Sections 4 to 7; and Article XIV, Section 11, authorizing the expenditure of the proceeds thereof, and appropriating money in connection therewith.

The bill was read for the first time and referred to the Committee on Transportation.

Lemke; Patton; Anderson, D.; Jensen and Birnstihl introduced:

H. F. No. 733, A bill for an act relating to the state transportation system; authorizing the issuance of state bonds pursuant to Minnesota Statutes 1976, Section 174.51 and Article XI of the Constitution for the design, construction and reconstruction of bridges and bridge approaches; appropriating money.

The bill was read for the first time and referred to the Committee on Transportation.

MESSAGES FROM THE SENATE

The following message was received from the Senate:

Mr. Speaker:

I hereby announce the passage by the Senate of the following Senate File, herewith transmitted:

S. F. No. 339.

PATRICK E. FLAHAVEN, Secretary of the Senate

FIRST READING OF SENATE BILLS

S. F. No. 339, A bill for an act relating to taxation; repealing obsolete references to a tax on money and credits; repealing Minnesota Statutes 1976, Chapter 285.

The bill was read for the first time and referred to the Committee on Taxes.

Battaglia, Berkelman, Munger, Murphy and Spanish were excused between the hours of 2:20 p.m. and 2:45 p.m.

CONSENT CALENDAR

H. F. No. 260, A bill for an act relating to the military; abolishing the naval militia and deleting references thereto; correcting other terminology; amending Minnesota Statutes 1976, Sections 190.05, Subdivision 3; 190.06, Subdivision 2; 191.09; 192.26, Subdivision 1; 193.141, Subdivision 1; 193.142; 193.143; 193.1431; 193.145; and 193.36, Subdivision 1; repealing Minnesota Statutes 1976, Chapter 194.

The bill was read for the third time and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 121 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Abeln	Corbid	Kaley	Nelsen, M.	Simoneau
Adams	Cummiskey	Kalis	Nelson	Skoglund
Albrecht	Dahl	Kelly, R.	Niehaus	Smogard
Anderson, B.	Dean	Kelly, W.	Norton	Spanish
Anderson, D.	Eckstein	Kempe, A.	Novak	Stanton
Anderson, G.	Eken	Kempe, R.	Osthoff	Stoa
Anderson, I.	Enebo	King	Patton	Suss
Anderson, R.	Erickson	Kostohryz	Pehler	Swanson
Arlandson	Esau	Kroening	Peterson	Tomlinson
Beauchamp	Evans	Kvam	Pleasant	Voss
Berg	Ewald	Laidig	Prahl	Waldorf
Berglin	Faricy	Langseth	Reding	Welch
Biersdorf	Fjoslien	Lehto	Rice	Wenstrom
Birnstihl	Friedrich	Lemke	Rose	Wenzel
Brandl	Fudro	Mangan	St. Onge	White
Braun	George	Mann	Samuelson	Wieser
Brinkman	Hanson	McCarron	Sarna	Wigley
Byrne	Haugerud	McCollar	Savelkoul	Williamson
Carlson, A.	Heinitz	McDonald	Scheid	Wynia
Carlson, D.	Hokanson	McEachern	Schulz	Zubay
Carlson, L.	Jacobs	Metzen	Searle	Speaker Sabo
Casserly	Jaros	Moe	Searles	
Clark	Jensen	Munger	Sherwood	
Clawson	Johnson	Neisen	Sieben, H.	
Cohen	Jude	Nelsen, B.	Sieben, M.	

The bill was passed and its title agreed to.

CALENDAR

H. F. No. 21, A bill for an act relating to elections; providing that certificates of election to the legislature be sent to the legislature; amending Minnesota Statutes 1976, Section 204A.54, Subdivision 1.

The bill was read for the third time and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 119 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Abeln	Cohen	Jensen	Metzen	Searle
Adams	Corbid	Johnson	Moe	Searles
Albrecht	Cummiskey	Jude	Neisen	Sherwood
Anderson, B.	Dahl	Kaley	Nelsen, B.	Sieben, H.
Anderson, D.	Dean	Kalis	Nelsen, M.	Sieben, M.
Anderson, G.	Eckstein	Kelly, R.	Nelson	Simoneau
Anderson, I.	Eken	Kelly, W.	Niehaus	Skoglund
Anderson, R.	Enebo	Kempe, A.	Norton	Smogard
Arlandson	Erickson	Kempe, R.	Novak	Stanton
Beauchamp	Esau	King	Osthoff	Stoa
Berg	Evans	Knickerbocker	Patton	Suss
Berglin	Ewald	Kostohryz	Pehler	Swanson
Biersdorf	Faricy	Kroening	Peterson	Tomlinson
Birnstihl	Fjoslien	Kvam	Pleasant	Voss
Brandl	Friedrich	Laidig	Prahl	Waldorf
Braun	Fudro	Langseth	Reding	Welch
Brinkman	George	Lehto	Rice	Wenstrom
Byrne	Gunter	Lemke	Rose	Wenzel
Carlson, A.	Hanson	Mangan	St. Onge	Wieser
Carlson, D.	Haugerud	Mann	Samuelson	Wigley
Carlson, L.	Heinitz	McCarron	Sarna	Wynia
Casserly	Hokanson	McCollar	Savelkoul	Zubay
Clark	Jacobs	McDonald	Scheid	Speaker Sabo
Clawson	Jaros	McEachern	Schulz	

The bill was passed and its title agreed to.

GENERAL ORDERS

Pursuant to rules of the House, the House resolved itself into the Committee of the Whole, with Sabo in the Chair, for the consideration of bills pending on General Orders of the Day. After some time spent therein the Committee arose.

REPORT OF COMMITTEE OF THE WHOLE

The Speaker resumed the Chair, whereupon the following proceedings of the Committee as kept by the Chief Clerk were reported to the House:

H. F. No. 291 which it recommended to pass.

H. F. Nos. 380, 140, 299 and 37 which it recommended progress.

H. F. No. 115 which it recommended progress until Thursday, March 10, 1977.

H. F. No. 193 which it recommended re-referral to the Committee on Taxes.

On the motion of Anderson, I., the report of the Committee of the Whole was adopted.

MOTIONS AND RESOLUTIONS

Haugerud moved that the name of King be added as an author on H. F. No. 180. The motion prevailed.

Sieben, M., moved that the name of Waldorf be added as an author on H. F. No. 157. The motion prevailed.

House Concurrent Resolution No. 4 was reported to the House.

HOUSE CONCURRENT RESOLUTION NO. 4

A house concurrent resolution providing for a joint convention of the Senate and the House of Representatives to elect members of the Board of Regents of the University of Minnesota.

Be It Resolved, by the House of Representatives, the Senate concurring, that the House of Representatives and the Senate meet in joint convention on Thursday, March 31, 1977, at 4:00 p.m. in the chamber of the House of Representatives to elect members to the Board of Regents of the University of Minnesota; and

Be It Further Resolved, that the Education Committee of the Senate and the Higher Education Committee of the House of Representatives in a joint meeting are appointed to submit a slate of nominations and to report the slate at the meeting of the joint convention.

Anderson, I., moved that House Concurrent Resolution No. 4 be now adopted. The motion prevailed and the resolution was adopted.

ANNOUNCEMENT BY THE SPEAKER

The Speaker announced the following changes in House Standing Committee assignments:

Governmental Operations: strike the name of Osthoff.

Environment and Natural Resources: add the name of Osthoff.

ADJOURNMENT

Anderson, I., moved that when the House adjourns today it adjourn until 2:00 p.m., Monday, March 7, 1977. The motion prevailed.

Anderson, I., moved that the House adjourn. The motion prevailed, and the Speaker declared the House stands adjourned until 2:00 p.m., Monday, March 7, 1977.

EDWARD A. BURDICK, Chief Clerk, House of Representatives

STATE OF MINNESOTA
SEVENTIETH SESSION - 1977

TWENTY-FIRST DAY

SAINT PAUL, MINNESOTA, MONDAY, MARCH 7, 1977

The House of Representatives convened at 2:00 p.m. and was called to order by the Speaker.

Prayer was offered by the Chaplain.

The roll was called and the following members were present:

Abeln	Cohen	Jensen	Munger	Sherwood
Adams	Corbid	Johnson	Murphy	Sieben, H.
Albrecht	Cummiskey	Jude	Neisen	Sieben, M.
Anderson, B.	Dahl	Kahn	Nelsen, B.	Simoneau
Anderson, D.	Dean	Kaley	Nelsen, M.	Skoglund
Anderson, G.	Eckstein	Kalis	Nelson	Smogard
Anderson, I.	Eken	Kelly, R.	Niehaus	Spanish
Anderson, R.	Ellingson	Kelly, W.	Norton	Stanton
Arlandson	Enebo	Kempe, A.	Novak	Stoa
Battaglia	Erickson	Kempe, R.	Osthoff	Suss
Beauchamp	Esau	King	Patton	Swanson
Begich	Evans	Knickerbocker	Pehler	Tomlinson
Berg	Ewald	Kostohryz	Peterson	Vanasek
Berglin	Faricy	Kroening	Petrafaso	Waldorf
Berkelman	Fjoslien	Kvam	Pleasant	Welch
Biersdorf	Forsythe	Laidig	Prahl	Wenstrom
Birnstihl	Friedrich	Langseth	Reding	Wenzel
Brandl	Fudro	Lehto	Rice	White
Braun	Fugina	Lemke	Rose	Wieser
Brinkman	George	Mangan	St. Onge	Wigley
Byrne	Gunter	Mann	Samuelson	Williamson
Carlson, A.	Hanson	McCarron	Sarna	Wynia
Carlson, D.	Haugerud	McCollar	Savelkoul	Zubay
Carlson, L.	Heinitz	McDonald	Scheid	Speaker Sabo
Casserly	Hokanson	McEachern	Schulz	
Clark	Jacobs	Metzen	Searle	
Clawson	Jaros	Moe	Searles	

A quorum was present.

Voss was excused.

The Chief Clerk proceeded to read the Journal of the preceding day. McCollar moved that further reading of the Journal be dispensed with and that the Journal be approved as corrected by the Chief Clerk. The motion prevailed.

REPORTS OF CHIEF CLERK

Pursuant to Rules of the House, printed copies of H. F. Nos. 54, 464, 62, 259, 107, 382, 383, 45, 352, 212 and 296 and S. F. No. 339 have been placed in the members' files.

REPORTS OF STANDING COMMITTEES

Hanson from the Committee on Commerce and Economic Development to which was referred:

H. F. No. 282, A bill for an act relating to franchises; amending Minnesota Statutes 1976, Sections 80C.01, Subdivision 4; 80C.08, Subdivision 1; and 80C.09, Subdivision 1.

Reported the same back with the recommendation that the bill pass.

The report was adopted.

Swanson from the Committee on Health and Welfare to which was referred:

H. F. No. 1, A bill for an act relating to public welfare; establishing a formula for allocating state funds to counties for social service programs; prescribing county duties; providing for social service tax levies; prescribing duties of the commissioner of public welfare; appropriating money; amending Minnesota Statutes 1976, Sections 144.065; 145.55, Subdivision 1; 245.62; 245.68; 245.70; 252.22; 252.23; 252.26; 252.27, Subdivision 1; 253A.02, by adding a subdivision; 253A.07, Subdivisions 1 and 7; 253A.09, Subdivision 1; 253A.10, Subdivision 4; 253A.14, Subdivision 1; 253A.15, Subdivisions 6, 11, 12 and 13; 254A.05, Subdivision 1; 254A.07, Subdivisions 1 and 2; 254A.08, Subdivision 1; 256.12, Subdivision 9; 256.871, Subdivision 5; 256.95; 260.251, Subdivision 1a; 275.50, Subdivision 5; 393.07, Subdivisions 2 and 3; 477A.01, Subdivision 2; 626.556, Subdivision 2; repealing Minnesota Statutes 1976, Sections 144.13; 145.01; 145.03; 145.05; 145.06; 145.07; 145.08, Subdivisions 2, 3 and 4; 145.12; 145.123; 145.125, Subdivisions 1 and 2; 145.47; 145.48; 145.49; 145.50; 145.51; 145.52; 145.53; 145.54; 145.921; 245.61; 245.63; 245.64; 245.66; 245.67; 245.69; 245.691; 245.72; 245.83; 245.84; 245.85; 245.86; 245.87; 252.21; 252.24; 252.25; 254A.02, Subdivision 12; 254A.07, Subdivision 3; 254A.08, Subdivision 3; 254A.14; 254A.15; 254A.16; 254A.17; 256.977; 393.01; 393.02; 393.03; 393.04; 393.06; 393.07, Subdivision 8; 393.08; 393.09; 393.11.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"ARTICLE I

Section 1. [STATE FUNDS FOR SOCIAL SERVICES.]
Subdivision 1. [FORMULA.] *The commissioner of finance shall distribute social service aids to each county board in an amount certified by the commissioner of public welfare for county planning and provision of social services. The commissioner of public welfare shall determine the amount according to the following formula.*

a. *In calendar year 1978:*

(1) *An amount equal to \$80 times the average number of persons who receive AFDC or general assistance per month in calendar year 1977 as reported in the average monthly caseload reports required under sections 256D.04 and 256.01, subdivision 4, and certified by the commissioner of public welfare;*

(2) *Plus an amount equal to \$8 times the number of persons residing in the county in calendar year 1975 as determined by the state demographer;*

(3) *Plus an amount equal to \$50 times the number of persons residing in the county who is 60 years old or older in calendar year 1975 as determined by the state demographer;*

(4) *Less an amount equal to two mills times the adjusted assessed value of the county for calendar year 1976, as determined by the equalization aid review committee pursuant to section 124.212, subdivision 10.*

b. *In calendar year 1979:*

(1) *An amount equal to \$90 times the average number of persons who receive AFDC or general assistance per month in calendar year 1978 as reported in the average monthly caseload reports required under sections 256D.04 and 256.01, subdivision 4, and certified by the commissioner of public welfare;*

(2) *Plus an amount equal to \$9 times the number of persons residing in the county in calendar year 1975 as determined by the state demographer;*

(3) *Plus an amount equal to \$55 times the number of persons residing in the county who is 60 years old or older in calendar year 1975 as determined by the state demographer;*

(4) *Less an amount equal to two mills times the adjusted assessed value of the county for calendar year 1976, as determined by the equalization aid review committee pursuant to section 124.212, subdivision 10.*

Subd. 2. [MINIMUM FUNDING LEVEL.] No county shall receive less for social services under subdivision 1, in calendar years 1978 and 1979 than it received in state funds in calendar year 1977 as authorized by Laws 1975, Chapter 434, Laws 1976, Chapter 9, Chapter 125, Section 11, and the 1977 legislature for the following services: community based residential services for the mentally ill, the chemically dependent and the mentally retarded; community mental health centers; daytime activity centers for the mentally retarded; cost of care for the mentally retarded, the epileptic and the emotionally disturbed; day care services development and funding, except funds appropriated for migrant labor day care; foster care for children under state guardianship; foster group care; and community health services.

For purposes of this subdivision, 50 percent of the county administrative cost reimbursement and 50 percent of the equalization aid authorized by Laws 1975, Chapter 434 which were received in calendar year 1977 are considered social service funds. The term state funds does not include any federal funds received by the state or counties for financing these services.

Subd. 3. [HUMAN SERVICES BOARD INCREMENT.] In addition to the funds granted in subdivision 1, a county which alone or in cooperation with other counties establishes a human services board pursuant to chapter 402 or two or more contiguous counties having an aggregate population of 30,000 or more persons or three or more contiguous counties situated within the boundaries of the same region designated pursuant to sections 462.381 to 462.396 or chapter 473B which have combined to provide social services shall be granted an amount equal to ten percent of the sum of the factors in subdivision 1, clauses (1), (2) and (3) for the appropriate year.

Subd. 4. [SOCIAL SERVICE LEVY.] Beginning in calendar year 1977 for taxes payable 1978 and the following years, a county board shall levy upon all taxable property in the county a tax of two mills on the current adjusted assessed value as certified by the equalization aid review committee pursuant to section 124.212, subdivision 10, for social service programs. Levies authorized in subdivisions 4 and 5 shall replace any social service levies authorized pursuant to sections 275.50. All funds available to counties pursuant to article I may be used by counties to match federal funds.

Subd. 5. [OPTIONAL EXCESS LEVY.] In addition to the levy required by subdivision 4, a county may levy one mill on the current adjusted assessed value as certified by the equalization aid review committee pursuant to Minnesota Statutes, Section 124.212, Subdivision 10, for social service programs funded pursuant to article I. If the sum of state aid and local levies for social services authorized in any year is less than the sum of state aids and county levies received by a county for social services in calendar year 1977, that county may levy the addi-

tional amount required to equal the social service funds it received in 1977 from state aids and county levies. The term county levies for social services means levies for social services made pursuant to Minnesota Statutes 275.50, including levies which were made to match federal funds received pursuant to Title XX of the federal social security act.

Sec. 2. [PAYMENTS TO COUNTIES.] *The commissioner of finance shall make payments for social services to each county, as calculated and certified by the commissioner of public welfare, in 12 equal installments payable on or before the 15th day of each month. The commissioner of welfare may certify the payments for the first three months of a calendar year based on estimates of the number of persons receiving AFDC or general assistance for the prior year. The following nine payments shall be adjusted to reflect the actual number of persons who received AFDC or general assistance as required by section 1, subdivision 1.*

Sec. 3. [PENALTIES.] *Subdivision 1. [FAILURE TO SPEND.] A county which has not spent the aids granted under sections 1 and 2 for social services within two years of receiving those aids shall receive a reduction in aid calculated pursuant to section 1, subdivision 1. This reduction shall be made in the calendar year which begins no more than 24 months after the underspending has occurred and shall be equal to one-half the amount of aids which were not spent.*

Subd. 2. [FAILURE TO LEVY; PENALTY.] A county which levies less than the levy required in section 1, subdivision 4 shall receive a reduction in the aid calculated pursuant to section 1, subdivision 1. The commissioner shall calculate the reduced aid as follows:

(a) Divide the amount levied by the amount required to be levied in section 1, subdivision 4.

(b) Multiply the ratio derived in clause (a) times the aid calculated under section 1, subdivision 1.

Sec. 4. Minnesota Statutes 1976, Section 477A.01, Subdivision 2, is amended to read:

Subd. 2. Every county government except that of a county containing a city of the first class shall receive a distribution equal to the distribution it was entitled to receive in 1975 pursuant to Minnesota Statutes 1974, Section 477A.01. Beginning in calendar year 1979 the distribution shall be reduced by an amount equal to the social services aids allocated pursuant to sections 1 and 2 in the immediately preceding year which have been spent for purposes unauthorized by articles I to III.

Sec. 5. [TACONITE ADJUSTMENT.] *Social service aids provided pursuant to section 1 shall be reduced by an amount equal to ten percent to the taconite aids received in the preceding year which were distributed to the county under the provisions of sections 294.26, 298.26, 298.28, subdivisions 1 and 1a, 298.281, subdivision 1, 298.32 and 298.244.*

Any county receiving taconite aid under the provisions of 294.26; 298.26; 298.28, subdivisions 1 and 1a; 298.281, subdivision 1; 298.32 and 298.244 shall be required to spend 10 percent of these aids for social service purposes pursuant to this act. Taconite aids which are required to be spent for social service purposes pursuant to this section shall not be used to reduce a county's levy limit base under the provisions of Minnesota Statutes, Section 275.51.

Sec. 6. [TITLE XX ALLOCATION.] *Funds for social services which are received from the federal government to reimburse counties for social service expenditures pursuant to Title XX of the Social Security Act shall be allocated to each county according to the formula established in section 1, as follows:*

(a) *The commissioner shall derive an index for each county by adding the amounts calculated in section 1, subdivision 1, clauses (1), (2), and (3).*

(b) *The index for each county shall be divided by the sum of the indices for all counties in the state.*

(c) *The total county share of title XX funds shall be multiplied by the ratio derived in clause (b) for each county. At least 94 percent of the funds received from the federal government for social services pursuant to title XX of the social security act shall be allocated to the counties pursuant to this section.*

(d) *In calendar year 1978 and subsequent years, no county shall receive a reimbursement of an amount less than 90 percent of the federal title XX funds it received in the immediately preceding calendar year. If the amount allocated to any county pursuant to paragraphs (a), (b) and (c) is less than 90 percent of its preceding year's allocation, its allocation shall be raised to 90 percent of the preceding year's allocation and the allocations to other counties shall be reduced proportionately as necessary to supply the difference. If in any year the amount of federal title XX funds to the state is reduced, the 90 percent guarantee provided in this paragraph shall be reduced by a percentage reduction equal to the percentage reduction in title XX funds to the state as a whole. The commissioner of public welfare shall quarterly review the use of title XX funds by each county and reallocate unused funds among the other counties according to the formula in section 1 so that all available federal funds are used within the federal fiscal year.*

Sec. 7. Minnesota Statutes 1976, Section 275.50, Subdivision 5, is amended to read:

Subd. 5. Notwithstanding any other law to the contrary for taxes levied in 1975 payable in 1976 and thereafter, "special levies" means those portions of ad valorem taxes levied by governmental subdivisions to:

(a) satisfy judgments rendered against the governmental subdivision by a court of competent jurisdiction in any action other than an action on an express contract or default on an express contract, or to pay the costs of settlements out of court against the governmental subdivision in any action other than an action on an express contract when substantiated by a stipulation for the dismissal of the action filed with the court of competent jurisdiction and signed by both the plaintiff and the legal representative of the governmental subdivision, but only to the extent of the increase in levy for such judgments and out of court settlements over levy year 1970, taxes payable in 1971;

(b) pay the costs of complying with any written lawful order issued by the state of Minnesota, or the United States, or any agency or subdivision thereof, which is authorized by law, statute, special act or ordinance and is enforceable in a court of competent jurisdiction, or any stipulation agreement or permit for treatment works or disposal system for pollution abatement in lieu of a lawful order signed by the governmental subdivision and the state of Minnesota, or the United States, or any agency or subdivision thereof which is enforceable in a court of competent jurisdiction. The commissioner of revenue shall in consultation with other state departments and agencies, develop a suggested form for use by the state of Minnesota, its agencies and subdivisions in issuing orders pursuant to this subdivision;

(c) pay the costs of complying with any law enacted by the 1975 legislature or a subsequent year's legislature *except this act* which specifically and directly requires a new or altered activity after levy year 1974, taxes payable in 1975, but only to the extent of the increased cost for such activity after levy year 1974, taxes payable in 1975;

(d) pay the costs of an expanded county court system to the extent of the increase in costs over the amount levied in support of a county court or a probate court in levy year 1974, taxes payable in 1975;

(e) pay amounts required by any public pension plan to the extent that operation of the laws of the state of Minnesota or the United States governing such fund directly causes the level of governmental financial support to exceed the level of such support prior to July 1, 1971, provided that such increases are not the result of amendment by any means to the benefit plan

after July 1, 1971 which required the approval of the governing body of the governmental subdivision;

(f) pay amounts required to be levied in support of a volunteer firemen's relief association if resulting from the operation of sections 69.772 and 69.773;

(g) pay the costs to a governmental subdivision for their share of any program otherwise authorized by law, including the administrative costs (OF SOCIAL SERVICES AND) of county (WELFARE SYSTEMS) *public assistance programs*, for which matching funds have been appropriated by the state of Minnesota or the United States, but only to the extent that the costs to the governmental subdivision for the program exceed those expended in calendar year 1970, subject to rules promulgated by the commissioner of revenue pursuant to the administrative procedures act. *Funds distributed pursuant to section 1 and section 6 shall not be considered matching funds for purposes of this levy*;

(h) pay expenses reasonably and necessarily incurred in preventing, preparing for or repairing the effects of natural disaster. "Natural disaster" as used herein means the occurrence or threat of widespread or severe damage, injury or loss of life or property resulting from natural causes, including and limited to fire, flood, earthquake, wind storm, wave action, oil spill, or other water contamination requiring action to avert danger or damage, volcanic activity, drought or air contamination. The emergency services division of the state department of public safety shall formulate standards by which an occurrence of any of the aforementioned natural phenomena would be deemed a natural disaster by reason of the level of damage, injury or loss of life or property that has occurred or would occur if preventative action was not taken;

(i) pay the costs not reimbursed by the state or federal government, of payments made to or on behalf of recipients of aid under any public assistance program authorized by law;

(j) pay the costs of principal and interest on bonded indebtedness, or, effective for taxes levied in 1973 and years thereafter, to reimburse for the amount of liquor store revenues used to pay the principal and interest due in the year preceding the year for which the levy limit is calculated on municipal liquor store bonds;

(k) pay the costs of principal and interest on certificates of indebtedness, except tax anticipation or aid anticipation certificates of indebtedness, issued for any corporate purpose except current expenses or funding an insufficiency in receipts from taxes or other sources or funding extraordinary expenditures resulting from a public emergency;

(l) fund the payments made to the Minnesota state armory building commission pursuant to section 193.145, subdivision 2, to retire the principal and interest on armory construction bonds;

(m) provide for the bonded indebtedness portion of payments made to another political subdivision of the state of Minnesota;

(n) pay the amounts required to compensate for a decrease in revenues from public service enterprises, municipal liquor stores, licenses, permits, fines and forfeits and no other, to the extent that the aggregate of revenues from these sources in the calendar year preceding the year of levy are less than the aggregate of revenues from these sources in calendar year 1971. "Revenues" from a public service enterprise or a municipal liquor store shall mean the net income or loss of such public service enterprise or municipal liquor store, determined by subtracting total expenses from total revenues, and before any contribution to or from the governmental subdivision. "Fines" for a municipal court means the net amount remaining after subtracting total municipal court expenses from total collections of municipal court fines. A governmental subdivision shall qualify for this special levy only if the decrease in aggregate revenues as computed herein and divided by the population of the governmental subdivision in the preceding levy year is equal to or greater than two percent of the per capita levy limitation for the preceding levy year;

(o) pay the amounts required to compensate for a decrease in mobile homes property tax receipts to the extent that the governmental subdivision's portion of the total levy in the current levy year, pursuant to section 273.13, subdivision 3, as amended, is less than the distribution of the mobile homes tax to the governmental subdivision pursuant to section 273.13, subdivision 3, in calendar year 1971;

(q) pay the amounts required, in accordance with section 275.075, to correct for a county auditor's error of omission in levy year 1971 or a subsequent levy year, but only to the extent that when added to the preceding year's levy it is not in excess of an applicable statutory, special law or charter limitation, or the limitation imposed on the governmental subdivision by sections 275.50 to 275.56 in the preceding levy year;

(r) pay amounts required to correct for an error of omission in the levy certified to the appropriate county auditor or auditors by the governing body of a city or town with statutory city powers in levy year 1971 or a subsequent levy year, but only to the extent that when added to the preceding year's levy it is not in excess of an applicable statutory, special law or charter limitation, or the limitation imposed on the governmental subdivision by sections 275.50 to 275.56 in the preceding levy year;

(s) pay the increased cost of municipal services as the result of an annexation or consolidation ordered by the Minnesota municipal board in levy year 1971 or a subsequent levy year, but only to the extent and for the levy years as provided by the board in its order pursuant to section 414.01, subdivision 15. Special levies authorized by the board shall not exceed 50 percent of the levy limit base of the governmental subdivision and may not be in effect for more than three years after the board's order;

(t) pay the increased costs of municipal services provided to new private industrial and nonresidential commercial development, to the extent that the extension of such services are not paid for through bonded indebtedness or special assessments, and not to exceed the amount determined as follows. The governmental subdivision may calculate the aggregate of:

(1) The increased expenditures necessary in preparation for the delivering of municipal services to new private industrial and nonresidential commercial development, but limited to one year's expenditures one time for each such development;

(2) The amount determined by dividing the overall levy limitation established pursuant to sections 275.50 to 275.56, and exclusive of special levies and special assessments, by the total taxable value of the governmental subdivision, and then multiplying this quotient times the total increase in assessed value of private industrial and nonresidential commercial development within the governmental subdivision. For the purpose of this clause, the increase in the assessed value of private industrial and nonresidential commercial development is calculated as the increase in assessed value over the assessed value of the real estate parcels subject to such private development as most recently determined before the building permit was issued. In the fourth levy year subsequent to the levy year in which the building permit was issued, the increase in assessed value of the real estate parcels subject to such private development shall no longer be included in determining the special levy.

The aggregate of the foregoing amounts, less any costs of extending municipal services to new private industrial and nonresidential commercial development which are paid by bonded indebtedness or special assessments, equals the maximum amount that may be levied as a "special levy" for the increased costs of municipal services provided to new private industrial and nonresidential commercial development;

(u) recover a loss or refunds in tax receipts incurred in non-special levy funds resulting from abatements or court action in the previous year pursuant to section 275.48.

Sec. 8. There is appropriated from the general fund to the commissioner of finance the sum of \$. . . . to be distributed as certified under this article by the commissioner of public welfare.

ARTICLE II

Section 1. [COUNTY SOCIAL SERVICE AUTHORITY.] *The county board is the designated authority for the planning and provision of social services in the county, and has the powers and duties with regard to social services as provided in article II.*

Sec. 2. [COUNTY SOCIAL SERVICE PROGRAMS.] *Subdivision 1. [DUTIES.] The county board of each county receiving social service aids under article I, section 1 shall distribute the funds for social service programs licensed or approved by the state authority within the county as it deems appropriate. These services provided by the county shall comply with rules established by the commissioner of public welfare and the state board of health. "Social services" means those services included in the state social service plan of the commissioner of public welfare, and those defined by Laws 1976, Chapter 9, Section 2.*

Subd. 2. [MANDATORY SOCIAL SERVICES.] Among the social services the county provides shall be:

(a) Adoption services, pursuant to Minnesota Statutes, Chapter 259;

(b) Child protective services, pursuant to Minnesota Statutes, Sections 393.07 and 626.556;

(c) Detoxification services, pursuant to Minnesota Statutes, Section 254A.08;

(d) Foster care services, pursuant to Minnesota Statutes, Sections 252.27, 260.251 and 261.27; provided, however, that no county shall be required to spend more than 25 percent of the aids received pursuant to article I, sections 1 and 2 for the services required in section 252.27, subdivision 1;

(e) Mental health, mental retardation and inebriacy services, pursuant to Minnesota Statutes, Chapters 252A and 253A; Section 393.07; and section 7 of this act;

(f) Disease prevention and control services as defined by Laws 1976, Chapter 9, Section 2, Subdivision 8;

(g) Community nursing and home health services as defined by Laws 1976, Chapter 9, Section 2, Subdivisions 6 and 7.

Subd. 3. [DELIVERY OF SOCIAL SERVICES.] The county board may contract with private organizations or political subdivisions, as defined in section 15.162, subdivision 5, for the planning and delivery of social services. The county board shall appoint a social services advisory committee, which shall assist

in the formulation of the plan and the operation of the program and services by the board and shall make formal recommendations to the board concerning the allocation of funds and implementation of the plan prior to final adoption by the board. Membership on the advisory committee shall not include providers of social services in the county. The advisory committee may appoint task forces to assist it in its functions.

Subd. 4. [PLANNING PROCESS.] By July 1 of each calendar year commencing in 1978, the county board shall publish a proposed county social service plan for the following year which shall include:

(a) A description of each service program proposed;

(b) Identification of the agency or person proposed to provide the service;

(c) The amount of funds proposed to be allocated to each service;

(d) Methods to be employed to encourage participation of citizens and providers in development of the plan and allocation of funds;

(e) Methods whereby existing providers of social services may be utilized on a purchase of service basis; and

(f) Any comments from the appropriate health systems agency, designated pursuant to 42 USC 300M, which may be available at least 25 days prior to the plan's publication regarding the consistency of the plan with health planning objectives.

Subd. 5. [TECHNICAL ASSISTANCE.] A county may request technical assistance from the commissioner of public welfare and the state board of health to plan, implement, or improve any social services which it is required to or may provide, or which it plans to provide.

Subd. 6. [PUBLIC NOTICE.] The county board shall make available to the public through publication or posting in public buildings the names and locations of agencies responsible for delivery of social services.

Subd. 7. [RULE PROMULGATION; AUTHORITY AND ENFORCEMENT.] (a) By resolution the county board may adopt, amend and repeal rules governing the providing of social services, applicable throughout the whole or any part of the county. Proposed rules shall be published at least once in a newspaper of general circulation throughout the county at least ten days before adoption. No county rule shall supersede or conflict with higher standards established by statute, the rules of the commis-

sioner of public welfare, the rules of the state board of health, or the provisions of the charter or ordinances of any city pertaining to the same subject matter.

(b) The county board may enforce its rules and laws governing the provision of social services. The commissioner of public welfare and the state board of health shall cooperate with each other in assisting counties to perform this function.

Subd. 8. [MAXIMUM USE OF FACILITIES.] Before the county or counties allocate state aids for capital expenditures for social service programs, the commissioner of public welfare shall certify that existing institutions or facilities could not be acquired or leased to provide the needed facilities safely and at a lower cost, including schools, public and private hospitals, and churches. The commissioner shall respond to requests for certification required by this subdivision within 60 days.

Subd. 9. By October 1 of each calendar year commencing in 1978, the county board shall submit to the state and publish a final county social service plan for the following year.

Sec. 3. [SOCIAL SERVICE FUND.] Subdivision 1. [CREATION.] In the accounts and records of each county there shall be created a social service fund. All aids provided for social services by article I and all other tax moneys, fees, grants-in-aid, gifts, or bequests designated for social service purposes, shall be identified in the record of the fund. This fund shall be used only for social service purposes as defined in article II. If county boards have joined for purposes of providing social services, the county boards may create a "joint social service fund." If human service boards have been designated, the human service board shall account for their social service funds as a part of the human services program offered under the provisions of chapter 402.

Subd. 2. [COLLECTION OF FEES.] Twenty percent of the social service funds of the county under article I may be distributed to provide social services to clients on a sliding fee plan based on the client's ability to pay. The county board shall establish by rule a schedule of fees for social services to be charged to recipients of these services.

Payment, in whole or in part, for services may be accepted from any person. When services are provided any person, including but not limited to a recipient of any type of social security aids administered by the federal or state governments, or a recipient of direct relief, payment of any charges due may be billed to and accepted either from a local, county, state or federal public assistance agency or any combination thereof, or from any individual, governmental agency, or corporation, public or private.

Subd. 3. [PROGRAM SPENDING.] No county shall be required to spend more than 60 percent of the aids distributed pursuant to article I for social services which are required in article II, section 2, subdivision 2.

Subd. 4. [FINANCIAL REPORTING BY COUNTIES.] Beginning in calendar year 1979 each county shall submit to the commissioner of public welfare a quarterly financial statement of the county social service fund. The statement shall be submitted no later than January 15 of each year, and shall include:

(a) A detailed balance sheet of the county social service fund for the preceding year;

(b) A detailed statement of income and expenses attributable to the fund in the preceding year; and

(c) A statement of the source and application of all funds used for social services by the county during the preceding year, including the number of clients served and expenditures for each service provided, as required by the commissioner of public welfare.

If county boards have joined, or designated human service boards, for purposes of providing social services, the county boards may submit a joint statement or the human service board shall submit the statement as applicable.

Sec. 4. In calendar years 1978 and 1979 the county shall not reduce the funding provided for each of the social services which were funded in calendar year 1977.

Sec. 5. [INTERCOUNTY COOPERATION.] Two or more contiguous counties which are situated within the boundaries of the same region designated pursuant to sections 462.381 to 462.396 or chapter 473B and which have not established a human services board may, by resolution of their respective county boards, agree to combine into one board for social service purposes to serve the counties that enter into the agreement. The joint board shall have the same powers, duties and functions as the individual county boards. The term of the joint board, withdrawal from the joint board, composition of the board, and contribution to the expenses of the board shall be according to the terms of the agreement. Nothing in this section shall prevent a county board from purchasing services from an agency outside the boundaries of the Minnesota economic development region in which it is situated. A joint board established pursuant to this section may encompass completely two regions.

Sec. 6. [COUNTY LIAISON TO STATE; INCOME MAINTENANCE DUTIES.] The county board shall designate the human services board, or if none is established, the county board,

to cooperate with state agencies in administering income maintenance programs in the county. The county board shall see that the purposes of chapters 145 and 393, are carried out.

Sec. 7. [MENTAL HEALTH SERVICES.] *Each county shall provide mental health services which shall include: (a) out-patient diagnostic and treatment services; (b) rehabilitative services for patients suffering from mental or emotional disorders, particularly those who have received prior treatment in an in-patient facility; (c) consultative services as requested by public and private agencies; (d) collaborative and cooperative services with other public and private agencies for programs of prevention of mental illness. Mental health services provided by the county shall comply with standards established by the commissioner of public welfare. The county may utilize existing agencies to meet this responsibility.*

Sec. 8. Minnesota Statutes 1976, Section 252.22, is amended to read:

252.22 [APPLICANTS FOR ASSISTANCE; TAX LEVY.] Any city, town, county or non-profit corporation or any combination thereof, may apply to the commissioner of public welfare for *technical* assistance in establishing and operating a daytime activity center and program for mentally retarded and cerebral palsied persons. (APPLICATION FOR SUCH ASSISTANCE SHALL BE ON FORMS SUPPLIED BY THE COMMISSIONER. EACH APPLICANT SHALL ANNUALLY SUBMIT TO THE COMMISSIONER ITS PLAN AND BUDGET FOR THE NEXT FISCAL YEAR. NO APPLICANT SHALL BE ELIGIBLE FOR A GRANT HEREUNDER UNLESS ITS PLAN AND BUDGET HAVE BEEN APPROVED BY THE COMMISSIONER.)

Any (CITY, TOWN, OR) county is authorized, at the discretion of its governing body, to make grants from (SPECIAL TAX REVENUES) *state and county social services funds* or from its general revenue fund to any nonprofit organization, governmental or corporate, within or outside its jurisdiction, that has established a daytime activity center for the mentally retarded and cerebral palsied. (IN ORDER TO PROVIDE NECESSARY FUNDS TO ESTABLISH AND OPERATE DAYTIME ACTIVITY CENTERS FOR THE MENTALLY RETARDED AND CEREBRAL PALSIED, THE GOVERNING BODY OF ANY CITY, TOWN, OR COUNTY MAY LEVY ANNUALLY UPON ALL TAXABLE PROPERTY IN SUCH CITY, TOWN, OR COUNTY, A SPECIAL TAX IN EXCESS OF ANY STATUTORY OR CHARTER LIMITATION BUT SUCH LEVY SHALL NOT EXCEED ONE SIXTH OF ONE MILL AS TO ANY CITY OR TOWN. THE GOVERNING BODY OF ANY CITY, TOWN, OR COUNTY MAY MAKE SUCH A LEVY, WHERE NECESSARY, SEPARATE FROM THE GENERAL LEVY. NOTHING CONTAINED HEREIN SHALL IN ANY

WAY PRECLUDE THE USE OF FUNDS AVAILABLE FOR THIS PURPOSE UNDER ANY EXISTING STATUTE OR CHARTER PROVISION RELATING TO CITIES, TOWNS AND COUNTIES.)

Sec. 9. Minnesota Statutes 1976, Section 252.23, is amended to read:

252.23 [ELIGIBILITY REQUIREMENTS.] (AN APPLICANT) *Each county* shall (SATISFY ALL OF THE FOLLOWING REQUIREMENTS TO BE ELIGIBLE FOR ASSISTANCE UNDER SECTIONS 252.21 TO 252.26):

(1) Provide daytime activities for any or all of the following classes of persons:

Mentally retarded and cerebral palsied children who can benefit from the program of services, including those school age children who have been excused or excluded from school;

Mentally retarded and cerebral palsied children and adults who are unable to attend school because of their chronological age and are unable to independently engage in ordinary community activities;

(2) Provide counseling services to parents or guardians of mentally retarded and cerebral palsied persons (WHO MAY REGISTER AT THE CENTER);

(3) Comply with all rules (AND REGULATIONS DULY) promulgated by the commissioner of public welfare.

Sec. 10. Minnesota Statutes 1976, Section 252.26, is amended to read:

252.26 [DUTIES OF DAY ACTIVITIES CENTERS.] Subject to (THE PROVISIONS OF SECTIONS 252.21 TO 252.26 AND) the rules (AND REGULATIONS) of the commissioner of public welfare, (EACH BOARD OF DIRECTORS OF) a daytime activity center *established pursuant to section 252.22* shall:

(1) Recruit and promote financial support for the center from sources such as business, labor, industrial and private foundations, voluntary agencies, *the county board*, and the general public;

(2) Promote and enter into working agreements with other social service and educational agencies, both public and private, which provide service to the mentally retarded and cerebral palsied;

(3) Advise the (COMMISSIONER OF PUBLIC WELFARE) *county board* on the adoption and implementation of policies to stimulate effective community relations;

(4) Review the annual budget and plan of the center and make recommendations thereon;

(5) Review and evaluate periodically the services provided by the center and report thereon to the (COMMISSIONER OF PUBLIC WELFARE) *county board*, and when indicated to the public;

(6) Provide for transportation to and from the center of all persons who fulfill the eligibility requirements of section 252.23, (CLAUSE (1)) and who attend the center, if provision for this transportation is not unreasonably burdensome to the center and if a more efficient, reasonable, alternative means of transportation does not exist.

Sec. 11. Minnesota Statutes 1976, Section 252.27, Subdivision 1, is amended to read:

252.27 [COST OF BOARDING CARE OUTSIDE OF HOME OR INSTITUTION.] Subdivision 1. Whenever any child who is mentally retarded, epileptic or emotionally handicapped is cared for outside the home and outside the several state institutions, in a facility approved by the commissioner of public welfare, the cost of such care shall be paid by the county in which such child has settlement for poor relief purposes; if the child does not have a settlement in this state, such cost shall be paid by the county in which he is found. (THE COUNTY PAYING THE COSTS OF SUCH CARE AND TREATMENT SHALL, SUBJECT TO UNIFORM REGULATIONS ESTABLISHED BY THE COMMISSIONER OF PUBLIC WELFARE, RECEIVE REIMBURSEMENT NOT EXCEEDING 70 PERCENT OF SUCH COSTS FROM FUNDS MADE AVAILABLE FOR THIS PURPOSE BY THE LEGISLATURE, PROVIDED, HOWEVER, THAT SUCH REIMBURSEMENT SHALL CEASE UPON THE MENTALLY RETARDED, EPILEPTIC OR EMOTIONALLY HANDICAPPED CHILD REACHING AGE 18. IF THE STATE APPROPRIATION FOR THIS PURPOSE IS INSUFFICIENT, REIMBURSEMENT SHALL BE PRORATED.) For the purposes of this section an "emotionally handicapped child" means any child having a psychiatric or other disorder which substantially impairs his mental health and who is in need of treatment or supervision.

Sec. 12. Minnesota Statutes 1976, Section 253A.02, is amended by adding a subdivision to read:

Subd. 23. "Designated agency" means an agency selected by the county board to provide the services under Minnesota Statutes, Chapter 253A.

Sec. 13. Minnesota Statutes 1976, Section 253A.07, Subdivision 1, is amended to read:

253A.07 [JUDICIAL COMMITMENT.] Subdivision 1. Any interested person may file in the probate court of the county of the proposed patient's settlement or presence a petition for commitment of a proposed patient, setting forth the name and address of the proposed patient, the name and address of his nearest relatives, and the reasons for the petition. Such petition shall be accompanied either by a written statement by a licensed physician stating that he has examined the proposed patient and is of the opinion that the proposed patient may be mentally ill, mentally deficient, or inebriate, and should be hospitalized, or by a written statement by the petitioner that, after reasonable effort, the petitioner has been unable to obtain an examination by a licensed physician or that an examination could not be performed. Before filing, a copy of the petition shall be delivered by the petitioner to the (COUNTY WELFARE DEPARTMENT) *designated agency*.

Sec. 14. Minnesota Statutes 1976, Section 253A.07, Subdivision 7, is amended to read:

Subd. 7. The probate court shall direct the (COUNTY WELFARE DEPARTMENT) *designated agency* to make an investigation into the financial circumstances, family relationships, residence, social history, and background of such patient and make a report thereof in writing to be filed with the court for the use and guidance of the head of the hospital to which such person may be committed. The court may require that such report be filed prior to the commitment hearing.

Sec. 15. Minnesota Statutes 1976, Section 253A.09, Subdivision 1, is amended to read:

253A.09 [TRANSPORTATION.] Subdivision 1. Whenever an individual is about to be placed in a hospital or public health facility under the terms of sections 253A.01 to 253A.21, the court may by order:

(a) Upon the request of an interested person, authorize the (COUNTY WELFARE DEPARTMENT) *designated agency* to arrange for the individual's transportation to the hospital with appropriate medical or nursing attendants, and by such means as may be suitable for the individual's condition. The person making the request shall be liable for the cost of such transportation.

(b) Authorize (COUNTY WELFARE DEPARTMENT) *the designated agency* or public health facility personnel to transport the individual to the designated facility if the head of the (WELFARE DEPARTMENT) *designated agency* or health fa-

cility has advised the court that such personnel are available for the purpose.

(c) Authorize an interested or any other responsible person to transport the individual to the designated facility.

(d) Authorize a peace officer to transport the individual to the hospital or public health facility. Unless otherwise ordered by the court, the peace officer shall not be in uniform and shall use a motor vehicle not visibly marked as a police vehicle.

Sec. 16. Minnesota Statutes 1976, Section 253A.10, Subdivision 4, is amended to read:

Subd. 4. The (COUNTY WELFARE BOARD) *designated agency* shall take such reasonable measures, including provision for medical treatment, as may be necessary to assure proper care and treatment of a person temporarily detained pursuant to this section.

Sec. 17. Minnesota Statutes 1976, Section 253A.14, Subdivision 1, is amended to read:

253A.14 [TRANSFER.] Subdivision 1. The commissioner may transfer any patient who is committed by probate court as mentally ill, mentally deficient, or inebriate from one state hospital or institution to any other hospital or other institution under his jurisdiction which is capable of providing such patient proper care and treatment, unless such patient was found by the committing court to be dangerous to the public or to have a psychopathic personality. Whenever a patient is transferred from one hospital to another written notice shall be given to the probate court if the patient was committed under sections 253A.01 to 253A.21, and to his parent or spouse or, if none be known, to an interested person, and the (COUNTY WELFARE BOARD) *designated agency*.

Sec. 18. Minnesota Statutes 1976, Section 253A.15, Subdivision 6, is amended to read:

Subd. 6. Notice of the expiration of the one year period or of the extended period shall be given by the head of the hospital to the committing court, the commissioner, and the (COUNTY WELFARE BOARD) *designated agency*.

Sec. 19. Minnesota Statutes 1976, Section 253A.15, Subdivision 11, is amended to read:

Subd. 11. (a) The head of any hospital, prior to the discharge or provisional discharge of any patient committed as mentally ill, mentally deficient, or inebriate, shall notify the patient's spouse, or if there be none, an adult child, or if there

be none, the next of kin of the patient, of the proposed discharge date. The notice shall be sent to the last known address of the patient's next of kin by registered mail with return receipt. Further, the notice shall include the following information: (1) the proposed date of discharge or provisional discharge; (2) the date, time and place of the meeting of the staff, who have been treating the patient, to discuss discharge and discharge planning; (3) that the patient will be present at the meeting; (4) that the next of kin may attend the designated staff meeting and present any information relevant to the discharge of the patient. The notice shall be sent to the next of kin at least one week prior to the date designated for the meeting.

(b) The head of any hospital, upon the provisional discharge, partial hospitalization, or release of any patient hospitalized under sections 253A.01 to 253A.21, shall notify the (WELFARE BOARD AND IN THE EVENT THE PATIENT IS A DRUG DEPENDENT PERSON THE COMMUNITY MENTAL HEALTH CENTER OF THE COUNTY OF SUCH PATIENT'S RESIDENCE) *designated agency* before the patient is to leave the hospital. Whenever possible said notice shall be given at least one week before the patient is to leave the hospital. The commissioner shall provide by (REGULATION) *rule* the procedure and methods whereby such patient shall be helped to receive all public assistance benefits provided by state or federal law to which his residence and circumstances entitle him. (SUCH REGULATIONS) *The rules* shall be uniformly applied in all counties, and all counties shall provide temporary relief whenever necessary to meet the intent of this subdivision.

Sec. 20. Minnesota Statutes 1976, Section 253A.15, Subdivision 12, is amended to read:

Subd. 12. Prior to the date of discharge, provisional discharge, partial hospitalization, or release of any patient hospitalized under sections 253A.01 to 253A.21, the (COUNTY WELFARE BOARD) *designated agency* of the county of such patient's residence, in cooperation with the head of the hospital where the patient is hospitalized, (THE DIRECTOR OF THE COMMUNITY HEALTH CENTER SERVICE OF SAID AREA,) and the patient's physician, if notified pursuant to subdivision 13, shall establish a continuing plan of after-care services for such patient including a plan for medical and psychiatric treatment, nursing care, vocational assistance, and such other aid as the patient shall need. It shall be the duty of (SUCH WELFARE BOARD) *the designated agency* to supervise and assist such patient in finding employment, suitable shelter, and adequate medical and psychiatric treatment, and to aid in his readjustment to the community.

Sec. 21. Minnesota Statutes 1976, Section 253A.15, Subdivision 13, is amended to read:

Subd. 13. In establishing such plan for after-care services the (COUNTY WELFARE BOARD) *designated agency* shall engage in (SUCH) consultation with persons or agencies, including any public health nurse and vocational rehabilitation personnel, as is necessary to insure adequate planning for after-care services.

Sec. 22. Minnesota Statutes 1976, Section 254A.07, Subdivision 1, is amended to read:

254A.07 [COMPREHENSIVE PROGRAMS; COORDINATION OF LOCAL PROGRAMS.] Subdivision 1. The (COMMISSIONER OF PUBLIC WELFARE SHALL DESIGNATE THE COMMUNITY MENTAL HEALTH BOARDS TO (A)) *county board shall* coordinate all alcohol and other drug abuse services conducted by (LOCAL) agencies *in the county*, and (TO (B)) review all proposed agreements, contracts, plans, and programs in relation to alcohol and other drug abuse prepared by (ANY SUCH LOCAL) *those agencies for funding from any local, state or federal governmental sources.*

Sec. 23. Minnesota Statutes 1976, Section 254A.08, Subdivision 1, is amended to read:

254A.08 [DETOXIFICATION CENTERS.] Subdivision 1. Every (COMMUNITY MENTAL HEALTH) *county board shall* provide a detoxification program for drug dependent persons (WITHIN ITS AREA;). The *county board may utilize existing treatment programs and other agencies to meet this responsibility.*

Sec. 24. Minnesota Statutes 1976, Section 256.12, Subdivision 9, is amended to read:

Subd. 9. [COUNTY AGENCY.] As used in sections 256.72 to 256.87, "county agency" means the (COUNTY BOARD OF PUBLIC WELFARE AS ESTABLISHED BY LAW) *agency designated by the county board.*

Sec. 25. Minnesota Statutes 1976, Section 256.871, Subdivision 5, is amended to read:

Subd. 5. [COUNTY AUTHORITY.] The county (WELFARE) board shall designate (A) *an agency, person or persons who shall be authorized to immediately grant emergency assistance pursuant to this section.*

Sec. 26. Minnesota Statutes 1976, Section 256.95, is amended to read:

256.95 [EXPENSE OF ATTENDANCE AT CONFERENCE.] The necessary expenses of all probate judges and of

one (MEMBER OF THE) *person representing county child welfare (BOARD) programs and appointed by the county board* in each county invited to attend such conference shall be paid out of the funds of their respective counties.

Sec. 27. Minnesota Statutes 1976, Section 260.251, Subdivision 1a, is amended to read:

Subd. 1a. [COST OF GROUP FOSTER CARE.] Whenever a child is placed in a group foster care facility *licensed by the commissioner of public welfare* as provided in section 260.185, subdivision 1, clause (b) or clause (c), item (5), *or clause (f)*, the cost of providing the care shall, upon certification by the juvenile court, be paid (FROM THE WELFARE FUND OF) *by the county in which the proceedings were held. (TO REIMBURSE THE COUNTIES FOR THE COSTS OF PROVIDING GROUP FOSTER CARE FOR DELINQUENT CHILDREN AND TO PROMOTE THE ESTABLISHMENT OF SUITABLE GROUP FOSTER HOMES, THE STATE SHALL QUARTERLY, FROM FUNDS APPROPRIATED FOR THAT PURPOSE, REIMBURSE COUNTIES 50 PERCENT OF THE COSTS NOT PAID BY FEDERAL AND OTHER AVAILABLE STATE AIDS AND GRANTS. REIMBURSEMENT SHALL BE PRORATED IF THE APPROPRIATION IS INSUFFICIENT.)*

(THE COMMISSIONER OF CORRECTIONS SHALL ESTABLISH PROCEDURES FOR REIMBURSEMENT AND CERTIFY TO THE COMMISSIONER OF FINANCE EACH COUNTY ENTITLED TO RECEIVE STATE AID UNDER THE PROVISIONS OF THIS SUBDIVISION. UPON RECEIPT OF A CERTIFICATE THE COMMISSIONER OF FINANCE SHALL ISSUE A STATE WARRANT TO THE COUNTY TREASURER FOR THE AMOUNT DUE, TOGETHER WITH A COPY OF THE CERTIFICATE PREPARED BY THE COMMISSIONER OF CORRECTIONS.)

Sec. 28. Minnesota Statutes 1976, Section 393.07, Subdivision 2, is amended to read:

Subd. 2. [ADMINISTRATION OF PUBLIC WELFARE.] The county (WELFARE) board, subject to the supervision of the commissioner of public welfare, shall administer all forms of public welfare, both for children and adults, responsibility for which now or hereafter may be imposed on the commissioner of public welfare by law, including general assistance, aid to dependent children, county supplementation, if any, or state aid to recipients of supplemental security income for aged, blind and disabled, child welfare services, mental health services, and other public assistance or public welfare services (, PROVIDED THAT THE COUNTY WELFARE BOARD SHALL NOT EMPLOY PUBLIC HEALTH NURSING OR HOME HEALTH SERVICE PERSONNEL OTHER THAN HOMEMAKER

HOME HELP AIDES, BUT SHALL CONTRACT FOR OR PURCHASE THE NECESSARY SERVICES FROM EXISTING COMMUNITY AGENCIES). The duties of the county (WELFARE) board shall be performed in accordance with the (STANDARDS,) rules (AND REGULATIONS WHICH MAY BE) promulgated by the commissioner of public welfare to achieve the purposes intended by law and in order to comply with the requirements of the federal social security act in respect to public assistance and child welfare services, so that the state may qualify for grants-in-aid available under that act. The county (WELFARE) board shall supervise wards of the commissioner and, when so designated, act as agent of the commissioner of public welfare in the placement of his wards in adoptive homes or in other foster care facilities.

Sec. 29. Minnesota Statutes 1976, Section 393.07, Subdivision 3, is amended to read:

Subd. 3. [FEDERAL SOCIAL SECURITY.] The county welfare board shall (BE CHARGED WITH THE DUTIES OF ADMINISTRATION OF) *administer* all forms of public assistance and public child welfare or other programs within the purview of the federal social security act, (OTHER THAN PUBLIC HEALTH NURSING AND HOME HEALTH SERVICES,) and which now are, or hereafter may be, imposed on the commissioner of public welfare by law, of both children and adults. The duties of (SUCH) *the* county welfare board shall be performed in accordance with (THE STANDARDS,) rules (AND REGULATIONS WHICH MAY BE) promulgated by the commissioner of public welfare in order to achieve the purposes of the law and to comply with the requirements of the federal social security act needed to qualify the state to obtain grants-in-aid available under that act. (NOTWITHSTANDING THE PROVISIONS OF ANY OTHER LAW TO THE CONTRARY,) The welfare board may delegate to the director the authority to determine eligibility and disburse funds without first securing board action, provided that the director shall present to the board, at the next scheduled meeting, any such action taken by him for ratification by the board.

Sec. 30. Minnesota Statutes 1976, Section 626.556, Subdivision 2, is amended to read:

Subd. 2. [DEFINITIONS.] As used in this section, the following terms have the meanings given them unless the specific content indicates otherwise:

(a) "Sexual abuse" means the subjection by the child's parents, guardian, or person responsible for the child's care, to any act which constitutes a violation of sections 609.291, 609.292, 609.293, 609.295, or 609.296.

(b) "Neglected child" shall have the meanings defined in section 260.015, subdivision 10. Nothing in this section shall be construed to mean that a child is neglected solely because the child's parent, guardian or other person responsible for his care in good faith selects and depends upon spiritual means or prayer for treatment or care of disease or remedial care of the child.

(c) "Physical abuse" means:

(i) Any physical injury inflicted by a parent, guardian or other person responsible for the child's care on a child other than by accidental means; or

(ii) Any physical injury that cannot reasonably be explained by the history of injuries provided by the parent, guardian or other person responsible for the child's care.

(d) "Report" means any report received by the local welfare agency pursuant to this section.

(e) "*Local welfare agency*" means the agency designated by the county board to provide the services required under Minnesota Statutes, Section 626.556.

ARTICLE III

Section 1. [STATE RESPONSIBILITY FOR COUNTY SOCIAL SERVICE PROGRAMS.] *Subdivision 1. [TECHNICAL ASSISTANCE.] The commissioner of public welfare is the state authority responsible for providing technical assistance to counties and for assisting the planning and providing of social services as requested by the county. The state board of health shall collaborate with the commissioner of public welfare in providing technical assistance to counties in matters pertaining to the public health.*

Subd. 2. [CERTIFICATION OF FUNDS.] The commissioner of public welfare shall certify to the commissioner of finance the amounts due to each county according to the formula established in article 1.

Subd. 3. [PROGRAM PLANNING.] The commissioner of public welfare and the state board of health shall provide consultative staff service to counties to assist in ascertaining local needs and in planning and establishing county social service programs. The commissioner of public welfare, in collaboration with the state board of health, and with representation from county boards, shall develop guidelines to assist counties in the development of social service plans and the administration and provision of services to clients. Compliance with these guidelines shall not be a prerequisite for receipt of aids allocated pursuant to article 1, sections 1 and 2. Each county shall enumerate the num-

bers and types of recipients of each service and shall establish measurable program objectives and performance criteria for each social service program. The commissioner of public welfare shall establish a comprehensive program evaluation system which shall encompass all major social service programs. The commissioner of public welfare shall conduct studies of the relative cost and effectiveness of programs and shall submit these evaluations to the respective counties and to the appropriate standing committees of the legislature for review. The commissioner shall consult with the state health planning and development agency, designated pursuant to 42 USC 300M, regarding the consistency of county social service plans with the state health plan developed pursuant to 42 USC 3001-1.

Subd. 4. [REVIEW OF FINANCIAL REPORTS.] *The commissioner of public welfare shall review the financial statement of the county social service fund of each county within 60 days of receipt. The commissioner shall then certify to the commissioner of finance any reduction in subsequent allocations pursuant to the provisions of article I if applicable.*

Subd. 5. [APPEAL.] *Prior to certifying to the commissioner of finance any reduction in aids, the commissioner of public welfare shall notify the county or counties of his intention to certify a reduction. He shall notify the county or counties of the right to a contested case hearing pursuant to chapter 15. Within 30 days of notification being given, the county or counties shall notify the commissioner of public welfare of intention to contest the reduction in aid. The commissioner shall not certify any reduction in aids until the hearing is concluded.*

Subd. 6. [GRANTS FOR EXPERIMENTAL PROGRAMS.] *To encourage innovation and increase the efficiency of delivery of social services, the commissioner of public welfare may make grants to counties for experimental social service programs which are not included in the state social service plan defined in Laws 1976, Chapter 9, Section 2. No experimental program shall receive a grant under this section for more than three years. The experimental program shall be certified pursuant to rules of the commissioner before a grant is made. The commissioner may request assistance from the state board of health in evaluating programs.*

Subd. 7. [PLANNING GRANTS.] *The commissioner of public welfare may make grants to a human services board or to the county board of any county or group of counties, for planning social service programs. Planning grants shall be limited to one year.*

Subd. 8. [RULES.] *The commissioner of public welfare or the state board of health shall promulgate rules prescribing standards for all services eligible for funds under this act, and shall be responsible for monitoring the maintenance of these*

standards in the services delivered through use of funds made available by this act.

Sec. 2. Minnesota Statutes 1976, Section 144.065, is amended to read:

144.065 [VENEREAL DISEASE TREATMENT CENTERS.] The state board of health shall assist (LOCAL) *county boards and health agencies and organizations throughout the state with the development and maintenance of services for the detection and treatment of venereal diseases. These services shall provide for diagnosis, treatment, case finding, investigation, and the dissemination of appropriate educational information. The state board of health shall promulgate (REGULATIONS RELATIVE TO THE COMPOSITION OF SUCH) rules for providing the services (AND SHALL ESTABLISH A METHOD OF PROVIDING FUNDS TO LOCAL HEALTH AGENCIES AND ORGANIZATIONS WHICH OFFER SUCH SERVICES).* The state board of health shall provide technical assistance to (SUCH) agencies and organizations in accordance with the needs of the (LOCAL AREA) *county.*

Sec. 3. Minnesota Statutes 1976, Section 145.55, Subdivision 1, is amended to read:

145.55 [AGREEMENT TO PERFORM FUNCTIONS OF STATE BOARD.] Subdivision 1. The state board of health (HEREAFTER CALLED THE STATE AGENCY) may enter into an agreement with (ANY) *the county (WHICH HAS ESTABLISHED A HEALTH DEPARTMENT, HEREAFTER CALLED THE COUNTY AGENCY, UNDER THE PROVISIONS OF LAWS 1969, CHAPTER 235, OR MINNESOTA STATUTES, SECTIONS 145.47 TO 145.54), under which agreement (SUCH) the county (AGENCY) may agree to perform all or part of the licensing, inspection and enforcement duties authorized under the provisions of Minnesota Statutes, Sections 144.075 and 144.12 and Chapter 157. Such agreement may set out requirements that the county (AGENCY) comply with rules and regulations promulgated by the state agency for the performance of duties under the provisions of Minnesota Statutes, Sections 144.075 and 144.12 and Chapter 157. It may also set forth criteria under which the state agency will determine that the performance by the county (AGENCY) complies with state standards and shall be deemed sufficient to replace licensing by the state board of health.*

The agreement may further specify minimum staff requirements and qualifications and may provide for procedures for termination if the state agency finds that the county (AGENCY) fails to comply with the terms and requirements of the agreement.

Sec. 4. Minnesota Statutes 1976, Section 245.70, is amended to read:

245.70 [MENTALLY ILL AND MENTALLY RETARDED; FEDERAL AID.] The commissioner of public welfare (IS HEREBY DESIGNATED THE STATE AGENCY TO) *shall* establish and administer a state-wide plan for the construction, equipment, maintenance, and operation of any facilities for the care, treatment, diagnosis, or rehabilitation, of the mentally retarded or mentally ill which are or may be required as a condition for eligibility for benefits under any federal law and in particular under the Federal Mental Retardation Facilities and Community Mental Health Centers Construction Act of 1963 (P.L. 88-164). The commissioner of public welfare (IS AUTHORIZED AND DIRECTED TO) *shall* receive, administer, and expend any funds that may be available under any federal law (OR FROM ANY OTHER SOURCE, PUBLIC OR PRIVATE,) for such purposes.

Sec. 5. Minnesota Statutes 1976, Section 254A.05, Subdivision 1, is amended to read:

254A.05 [DUTIES OF ADVISORY COUNCIL.] Subdivision 1. (a) The council shall assist in the formulation of policies and guidelines for the implementation of the commissioner's responsibilities in the area of alcohol and drug abuse.

(b) The council shall advise the commissioner and director on policies, goals, and the operation of the comprehensive state plan for alcohol and drug abuse program services in the state and other matters as directed by the commissioner and director, and shall encourage public understanding and support of the alcohol and drug abuse programs.

(c) The council shall make recommendations to the commissioner regarding grants (TO COMMUNITY MENTAL HEALTH BOARDS UNDER SECTION 254A.07).

Sec. 6. Minnesota Statutes 1976, Section 254A.07, Subdivision 2, is amended to read:

Subd. 2. The (DEPARTMENT OF PUBLIC WELFARE) *county board* may make grants (TO COMMUNITY MENTAL HEALTH BOARDS) for comprehensive programs for prevention, care, and treatment of alcohol and other drug abuse as developed and defined by the state authority. (GRANTS MADE FOR PROGRAMS SERVING THE NATIVE AMERICAN COMMUNITY SHALL TAKE INTO ACCOUNT THE GUIDELINES ESTABLISHED IN SECTION 254A.03, SUBDIVISION 1, CLAUSE (J). GRANTS MAY BE MADE FOR THE COST OF THESE COMPREHENSIVE PROGRAMS AND SERVICES WHETHER PROVIDED DIRECTLY BY COMMU-

NITY MENTAL HEALTH BOARDS OR BY OTHER PUBLIC AND PRIVATE AGENCIES AND ORGANIZATIONS, BOTH PROFIT AND NONPROFIT, AND INDIVIDUALS, PURSUANT TO CONTRACT. NOTHING HEREIN SHALL PREVENT THE STATE AUTHORITY FROM ENTERING INTO CONTRACTS WITH AND MAKING GRANTS TO OTHER STATE AGENCIES FOR THE PURPOSE OF PROVIDING SPECIFIC SERVICES AND PROGRAMS.)

Sec. 7. *There is appropriated from the general fund to the commissioner of public welfare the sum of \$ for the purposes of article III, section 1, subdivisions 5 and 6.*

Sec. 8. *In the next and all subsequent editions of Minnesota Statutes, the revisor shall substitute the words "county board" for the words "county welfare board" wherever they occur.*

Sec. 9. [REPEALER.] *Minnesota Statutes 1976, Sections 145.08, Subdivision 2; 145.11; 145.12; 145.123; 145.125, Subdivisions 1 and 2; 145.47; 145.48; 145.49; 145.50; 145.51; 145.52; 145.53; 145.54; 145.911; 145.912; 145.913; 145.914; 145.915; 145.916; 145.917; 145.918; 145.919; 145.92; 145.921; 145.922; 245.61; 245.62; 245.63; 245.64; 245.65; 245.66; 245.67; 245.68; 245.69; 245.691; 245.72; 245.83; 245.84; 245.85; 245.86; 245.87; 252.21; 252.24; 252.25; 254A.02, Subdivision 12; 254A.07, Subdivision 3; 254A.08, Subdivision 3; 254A.12; 254A.14; 254A.15; 254A.16; 254A.17; 393.01; 393.02; 393.03; 393.04; 393.06; 393.07, Subdivision 8; 393.08; 393.09; 393.11, are repealed."*

Further delete the title and insert:

"A bill for an act relating to public welfare; establishing a formula for allocating state funds to counties for social service programs; prescribing county duties; providing for social service tax levies; prescribing duties of the commissioner of public welfare; appropriating money; amending Minnesota Statutes 1976, Sections 144.065; 145.55, Subdivision 1; 245.70; 252.22; 252.23; 252.26; 252.27, Subdivision 1; 253A.02, by adding a subdivision; 253A.07, Subdivisions 1 and 7; 253A.09, Subdivision 1; 253A.10, Subdivision 4; 253A.14, Subdivision 1; 253A.15, Subdivisions 6, 11, 12 and 13; 254A.05, Subdivision 1; 254A.07, Subdivisions 1 and 2; 254A.08, Subdivision 1; 256.12, Subdivision 9; 256.871, Subdivision 5; 256.95; 260.251, Subdivision 1a; 275.50, Subdivision 5; 393.07, Subdivisions 2 and 3; 477A.01, Subdivision 2; 626.556, Subdivision 2; repealing Minnesota Statutes 1976, Sections 145.08, Subdivision 2; 145.11; 145.12; 145.123; 145.125, Subdivisions 1 and 2; 145.47; 145.48; 145.49; 145.50; 145.51; 145.52; 145.53; 145.54; 145.911; 145.912; 145.913; 145.914; 145.915; 145.916; 145.917; 145.918; 145.919; 145.92; 145.921; 145.922; 245.61; 245.62; 245.63; 245.64; 245.65; 245.66; 245.67; 245.68; 245.69; 245.691; 245.72; 245.83; 245.84; 245.85; 245.86; 245.87; 252.21; 252.24; 252.25; 254A.02, Subdivision 12;

254A.07, Subdivision 3; 254A.08, Subdivision 3; 254A.12; 254A.14; 254A.15; 254A.16; 254A.17; 393.01; 393.02; 393.03; 393.04; 393.06; 393.07, Subdivision 8; 393.08; 393.09; 393.11."

With the recommendation that when so amended the bill pass and be re-referred to the Committee on Governmental Operations.

The report was adopted.

Swanson from the Committee on Health and Welfare to which was referred:

H. F. No. 57, A bill for an act relating to health and safety; licensing and certification of ambulance services; amending Minnesota Statutes 1976, Chapter 144, by adding a section; Sections 144.801; 144.802; 144.803; 144.804; and 144.805.

Reported the same back with the following amendments:

Page 1, line 14, after "section 6" delete "of".

Page 1, line 15, delete "this act".

Page 1, line 18, after "intended" delete "or" and insert "for and".

Page 2, line 1, after "intended" delete "or" and insert "for and".

Page 2, line 17, after "means" insert "transportation and treatment which is rendered or offered to be rendered preliminary to or during transportation for wounded, injured, sick, invalid, or incapacitated persons, or expectant mothers, provided by".

Page 2, line 17, delete "person, firm, partnership, corporation,".

Page 2, delete lines 18 to 23 and insert "operator.".

Page 2, line 24, after "means" insert "transportation to or from a health care facility for examination, diagnosis, treatment, therapy, or consultation for wounded, injured, sick, invalid, or incapacitated persons, or expectant mothers, provided by".

Page 2, delete lines 25 to 30.

Page 2, line 31, delete "persons, or expectant mothers, which" and insert "operator. This service is".

Page 2, line 31, after "*transportation*" insert "*which*".

Page 2, line 32, delete "*by any person*".

Page 3, delete lines 1 to 3 and insert "*but which does not regularly necessitate treatment of the person while being transported. Nonemergency ambulance service does not include the provision of transportation services to persons for whom the need for oxygen, resuscitation or aspiration is not reasonably foreseeable during transportation.*".

Page 3, delete lines 9 and 10.

Page 3, line 13, strike "*municipality*" and insert "*political subdivision*".

Page 3, line 18, delete "*municipality*" and insert "*political subdivision*".

Page 3, delete lines 22 and 23.

Page 3, line 24, delete "*municipality, or other organization*" and insert "*an emergency ambulance service or nonemergency ambulance service*".

Page 3, line 25, delete "*with certification*".

Page 3, line 27, delete "*the proposed*" and insert "*a*".

Page 4, line 4, delete "*municipality in which the service is based*" and insert "*location of the base of operations and the type or types of ambulance service for which the operator is licensed*".

Page 4, line 5, delete "*separate*" and insert "*new*".

Page 4, line 5, delete "*from the state board of*".

Page 4, line 6, delete "*health*".

Page 4, line 6, delete "*he*" and insert "*it*".

Page 4, line 6, delete "*in*".

Page 4, line 7, delete "*another municipality*" and insert "*or provide a new type or types of service*".

Page 4, line 12, delete "*of this act*".

Page 4, line 19, strike "*licenses*" and insert "*a license*".

Page 4, line 20, after "service" insert "*, a new type or types of ambulance service*".

Page 4, line 32, reinstate the stricken language, delete the underscored language and after "144.806" insert "*or section 6*".

Page 5, line 12, after "by" insert "*rules adopted by*".

Page 5, line 13, delete "*the administrative procedure act*" and insert "*chapter 15*".

Page 5, line 15, strike "July" and insert "*August*".

Page 5, line 16, delete "1977" and insert "1979".

Page 5, line 19, after "Surgeons" insert "*or the equivalent as determined by standards adopted by the state board of health pursuant to chapter 15*".

Page 5, line 19, delete "*After July*".

Page 5, delete lines 20 to 22.

Page 5, line 23, after "All" insert "*land*".

Page 5, line 26, after "and" insert "*an*".

Page 5, line 26, after "attendant" insert "*, physician or registered nurse*".

Page 5, line 26, delete "*In cases of patient*".

Page 5, delete lines 27 to 30.

Page 5, line 31, delete "*personnel in lieu of an attendant*".

Page 6, line 5, after "ambulances" delete "*offering*".

Page 6, line 6, delete "*nonemergency service*".

Page 6, line 7, strike "an" and insert "*a land emergency*".

Page 6, line 19, delete "*such*" and insert "*the*".

Page 6, line 20, after "by" insert "*rules adopted by*".

Page 6, line 21, delete "*the administrative*".

Page 6, line 22, delete "*procedures act*" and insert "*chapter 15*".

Page 7, line 16, after "*adopts*" insert "*as*".

Page 7, delete line 18.

With the recommendation that when so amended the bill pass.

The report was adopted.

Swanson from the Committee on Health and Welfare to which was referred:

H. F. No. 166, A bill for an act relating to health; licensing certain facilities; amending Minnesota Statutes 1976, Section 144.50.

Reported the same back with the following amendments:

Page 2, line 1, delete "*one of the following purposes*".

Page 2, line 4, after "*services*" insert "*offered 24 hours a day, seven days a week*".

Page 2, after line 22, insert a new section to read:

"Sec. 2. [EXISTING RULES.] *Rules previously promulgated by the state board of health relating to the licensure of any institution, place, building or agency, in which any accommodation is maintained, furnished or offered for elective outpatient surgery for preexamined, prediagnosed low risk patients shall apply until repealed, modified or superseded by a rule promulgated in accordance with chapter 15.*"

Renumber the remaining section.

Further amend the title:

Page 1, line 2, after "*facilities;*" insert "*allowing for the reinstatement of previously adopted rules;*".

With the recommendation that when so amended the bill pass.

The report was adopted.

Kelly, W., from the Committee on Taxes to which was referred:

H. F. No. 68, A bill for an act relating to the tax court; establishing the tax court as a full time court; creating a small claims division; providing penalties; appropriating money; amending Minnesota Statutes 1976, Sections 15A.083, Subdivision 4;

124.212, Subdivision 11; 271.01, Subdivisions 1 and 4a, and by adding a subdivision; 271.02; 271.04; 271.06, Subdivisions 1, 2, 3, 4, 6, and by adding a subdivision; 271.07; 271.08; 271.09, Subdivisions 1, 2, and 3; 271.10, Subdivisions 1 and 2; 271.12; 271.13; 271.15; 271.17; 271.18; 271.20; and 490.121, Subdivision 2; and Chapter 271, by adding sections; repealing Minnesota Statutes 1976, Sections 271.001; 271.01, Subdivisions 2, and 2a; 271.06, Subdivision 5; 271.11; 271.14; and 271.16.

Reported the same back with the following amendments:

Page 2, line 8, after "years" insert "*commencing at the expiration of the preceding term*".

Page 2, line 8, after the period insert "*Any vacancy shall be filled by the governor for the unexpired term, subject to confirmation by the senate. The terms of the judges shall end on the first Monday in January. The terms of the judges shall continue to be staggered. Judges may serve until their successors are appointed and qualify.*".

Page 2, line 9, restore the stricken language and delete the new language.

Page 2, line 10, delete the new language.

Page 3, line 19, delete "*Subject to appeal to the supreme court*" and insert "*Except for an appeal to the supreme court or any other appeal allowed under this subdivision*".

Page 3, line 22, after "state" insert "*, as defined in this subdivision,*".

Page 3, delete line 23.

Page 3, line 24, delete "*rule, subject to approval by the supreme court*" and insert "*cases that have been appealed to the tax court and in any case that has been transferred by the district court to the tax court*".

Page 3, line 29, after "The" and before "tax" insert "*small claims division of the*".

Page 4, line 1, before the period insert "*, except for those taxpayers whose original assessments are determined by the commissioner of revenue*".

Page 4, line 9, after "laws" insert "*of this state*".

Page 4, line 10, after "This" insert "*subdivision*".

Page 5, line 21, delete "*the taxpayer*" and insert "*a party to a case*".

Page 6, line 14, after the period insert "*Notwithstanding subdivision 2 of this section, when an appeal is taken to the tax court in any case dealing with property valuation, assessment, or taxation for property tax purposes, the provisions of section 274.19, subdivisions 4 and 5, section 277.011, and chapter 278 shall apply as if the appeal had been taken to the district court.*".

Page 6, line 21, delete "*or of the county board of equalization,*".

Page 9, line 29, after "*court*" and before the period insert "*, where practicable*".

Page 9, line 30, after "*require*" insert "*, provided that before any additional rule is adopted, the tax court first holds a public hearing thereon, affording all affected interests an opportunity to participate, and gives notice of its intention to hold such a hearing at least 30 days prior to the date set for the hearing by United States mail, to representatives of associations or other interested groups or persons who have registered their names with the secretary of state for that purpose and in the state register. The notice in the state register shall include the full text of the rule proposed for adoption. The tax court shall make available at least one free copy of the proposed rule to any person requesting it. At the public hearing the tax court shall make an affirmative presentation of facts establishing the need for and reasonableness of the rule proposed for adoption and fulfilling any relevant substantive or procedural requirements imposed on the tax court by law. After the hearing ends, 20 days shall be allowed for written material to be submitted and recorded in the hearing record. If the tax court approves the rule, the tax court shall promptly file it in the office of the secretary of state. A rule shall become effective 20 days after its publication in the state register unless a later date is specified in the rule. Any rule adopted after July 1, 1977, which is not published in the state register, shall be of no effect*".

Page 11, line 17, after "*act*" insert "*, unless an appeal is taken to the district court*".

Page 13, line 10, strike "*complaint*" and insert "*taxpayer*".

Page 13, line 10, after "*becomes due*" delete the comma.

Page 13, line 11, strike old language and delete new language.

Page 13, strike lines 12 to 17.

Page 13, line 21, strike the comma.

Page 13, line 22, after the period insert "*The provisions of section 274.19, subdivision 5, section 277.011, subdivision 3, and section 278.03 shall govern the filing with the tax court of an appeal*".

dealing with property valuation, assessment, or taxation for property tax purposes, as if the appeal had been taken to the district court."

Page 14, delete lines 8 to 19.

Page 14, lines 22 and 23, restore the stricken language.

Page 14, line 24, restore the stricken language and after the comma insert "*or the making and filing of an order on a petition for rehearing,*".

Page 14, lines 25 to 32, restore the stricken language and delete the new language.

Page 15, lines 1 to 15, restore the stricken language and delete the new language.

Page 20, line 10, after "*valuation*" insert "*, assessment,*".

Page 21, line 3, after "*the*" insert "*small claims division of the*".

Page 21, line 3, after "*court*" insert "*, except for those taxpayers whose original assessments are determined by the commissioner of revenue*".

Page 22, line 7, after the period insert "*No judgment shall be rendered in a case dealing with property valuation or assessment for property tax purposes until after the state board of equalization has issued its order, if any, for that area or property.*".

Page 22, delete lines 10 to 13.

Page 23, line 2, delete "*members*" and insert "*judges*".

Page 23, line 5, delete "*members*" and insert "*judges*".

Page 23, line 8, after "*act*" insert "*by the judges of the tax court who heard the case, and they shall be paid the salary specified before the effective date of this act, unless they are appointed to the tax court created by this act*".

Page 24, line 1, after "*except*" insert "*that the sales ratio studies shall be admissible as a public record without the laying of a foundation in*".

Page 24, line 4, delete "*, as a public record without the laying of a*".

Page 24, line 5, delete "*foundation*".

Page 24, line 32, delete "271.06, *Subdivision*".

Page 25, line 1, delete "5;".

Renumber the sections accordingly.

Further, amend the title as follows:

Line 11, delete "Subdivisions 1 and" and insert "Subdivision".

Line 16, delete "271.06, *Subdivision 5;*".

With the recommendation that when so amended the bill pass and be re-referred to the Committee on Governmental Operations.

The report was adopted.

SECOND READING OF HOUSE BILLS

H. F. Nos. 282, 57 and 166 were read for the second time.

INTRODUCTION AND FIRST READING OF HOUSE BILLS

The following House Files were introduced:

Kvam, Eckstein, Kahn, Anderson, G., and Kroening introduced:

H. F. No. 734, A bill for an act creating a commission to study moving the agriculture department to the university of Minnesota campus; appropriating money therefor.

The bill was read for the first time and referred to the Committee on Agriculture.

Kvam, Wigley, Kahn, Eckstein and Kelly, W., introduced:

H. F. No. 735, A bill for an act relating to energy conservation; appropriating money to the university of Minnesota for the purpose of research into developing an alcohol supplement that can be blended with gasoline.

The bill was read for the first time and referred to the Committee on Agriculture.

Savelkoul introduced:

H. F. No. 736, A resolution memorializing the Secretary of Agriculture and the Congress of the United States to expedite enactment of legislation to assist the domestic sugar industry.

The bill was read for the first time and referred to the Committee on Agriculture.

Arlandson; Casserly; Sieben, M.; Kroening and Ewald introduced:

H. F. No. 737, A bill for an act relating to commerce; regulating and licensing collection agencies and certain employees; providing civil remedies; prohibiting practices; providing investigatory powers; providing a penalty; amending Minnesota Statutes 1976, Sections 332.31, Subdivision 3, and by adding subdivisions; 332.32; 332.33; 332.37; 332.42; 332.43, Subdivision 1; 332.44; and Chapter 332, by adding sections; repealing Minnesota Statutes 1976, Sections 332.31, Subdivision 5; 332.34; 332.35; 332.40; and 332.43, Subdivisions 2 and 3.

The bill was read for the first time and referred to the Committee on Commerce and Economic Development.

Wenzel and Begich introduced:

H. F. No. 738, A bill for an act relating to crimes and corrections; sentencing and post conviction disposition of criminal offenders; providing for determinate terms for certain crimes; amending Minnesota Statutes 1976, Sections 242.19, Subdivision 1; 243.05; 243.06; 243.18; 299F.811; 299F.815; 609.02, by adding a subdivision; 609.10; 609.12, Subdivision 1; 609.135, Subdivision 1; 609.19; 609.195; 609.20; 609.205; 609.225; 609.24; 609.245; 609.25, Subdivision 2; 609.342; 609.343; 609.344; 609.561; 609.562; 609.58, Subdivision 2; repealing Minnesota Statutes 1976, Sections 609.11; and 609.346.

The bill was read for the first time and referred to the Committee on Criminal Justice.

Beauchamp, Corbid, Pehler, Dean and St. Onge introduced:

H. F. No. 739, A bill for an act relating to education; public television; altering the calculation of matching funds required by public stations; appropriating money; amending Minnesota Statutes 1976, Section 139.18, Subdivision 2.

The bill was read for the first time and referred to the Committee on Education.

Kostohryz, Birnstihl, McEachern, Mangan and Esau introduced:

H. F. No. 740, A bill for an act relating to education; handicapped pupils; providing an exception to the deduction of school aid allowances for certain handicapped children; amending Minnesota Statutes 1976, Section 124.32, Subdivision 1.

The bill was read for the first time and referred to the Committee on Education.

Kostohryz, Birnstihl, McEachern, Mangan and Esau introduced:

H. F. No. 741, A bill for an act relating to education; school aids; declining enrollment; changing the computation of pupil units in certain districts; amending Minnesota Statutes 1976, Section 124.17, Subdivision 1.

The bill was read for the first time and referred to the Committee on Education.

Johnson, Albrecht, McEachern, Tomlinson and Anderson, D., introduced:

H. F. No. 742, A bill for an act relating to education; authorizing transportation aid for adjacent school districts engaged in a joint educational program; amending Minnesota Statutes 1976, Section 124.223.

The bill was read for the first time and referred to the Committee on Education.

Johnson, Birnstihl, Esau, Tomlinson and Mann introduced:

H. F. No. 743, A bill for an act relating to education; school finance; creating a study commission; appropriating money.

The bill was read for the first time and referred to the Committee on Education.

Lemke; Fudro; Anderson, D.; Jensen and Birnstihl introduced:

H. F. No. 744, A bill for an act relating to the environment; environmental impact statements; providing an exception for certain street and highway construction or improvement projects; amending Minnesota Statutes 1976, Section 116D.04, by adding a subdivision.

The bill was read for the first time and referred to the Committee on Environment and Natural Resources.

Johnson, Mann, Kalis, Gunter and Biersdorf introduced:

H. F. No. 745, A bill for an act relating to drainage; transferring the administration of judicial ditches to county boards; raising the interest rate limitation on ditch lien statements; improving the power of county boards to repair drainage systems; increasing the repair limit per year; amending Minnesota Statutes 1976, Sections 106.015, Subdivision 5; 106.371, Subdivision 2; and 106.471, Subdivisions 1, 2, and 4.

The bill was read for the first time and referred to the Committee on Environment and Natural Resources.

Wenstrom; Gunter; Anderson, G.; Kvam and Smogard introduced:

H. F. No. 746, A bill for an act relating to liquefied petroleum gas pipelines; minimum depth in certain areas; landowners liability; amending Minnesota Statutes 1976, Chapter 299F, by adding a section.

The bill was read for the first time and referred to the Committee on Environment and Natural Resources.

Wenstrom, Patton, Fjoslien, Clawson and Brinkman introduced:

H. F. No. 747, A bill for an act relating to electric utilities; power plant and high voltage transmission line siting; amending Minnesota Statutes 1976, Sections 116C.53; 116C.55, Subdivisions 2 and 3; 116C.56; 116C.57, Subdivisions 1, 2 and 4; 116C.58; 116C.59, Subdivision 1; 116C.61, Subdivisions 2 and 3; 116C.64; and 116C.66.

The bill was read for the first time and referred to the Committee on Environment and Natural Resources.

Corbid, Berg, McCollar, Osthoff and Carlson, D., introduced:

H. F. No. 748, A bill for an act relating to elections; establishing a uniform municipal election day for election of county, city and school district officers, county and municipal judges and officers of all other political subdivisions except towns; requiring uniform and coordinated election precincts and polling places for municipalities and school districts; integrating municipal and school district election laws with laws applicable to other elections; providing state reimbursement to towns and cities for election costs; appropriating money; amending Minnesota Statutes 1976, Chapters 204A by adding a section; and 205 by adding sections; and Sections 40.05, Subdivisions 1, 3 and 4; 40.06, Subdivision 1; 123.12, Subdivisions 1 and 5; 123.33,

Subdivision 1; 123.34, Subdivision 1; 123.351, Subdivisions 1 and 3; 200.02, Subdivisions 1, 8, and 24 and by adding subdivisions; 202A.52; 203A.17; 203A.32, Subdivision 3; 204A.06, Subdivision 1; 204A.11, Subdivision 3, and by adding a subdivision; 204A.40, Subdivision 2; 204A.45, Subdivision 1; 204A.47, Subdivision 2 and by adding a subdivision; 204A.48; 205.01; 205.021; 205.13; 205.14; 205.16, Subdivision 2; 207.02; 207.151; 209.02, Subdivisions 1 and 3; 398.04; and 410.21; repealing Minnesota Statutes 1976, Sections 123.015; 123.11, Subdivisions 2, 3, 4, 5 and 6; 123.32; 128.01; 128.02; 201.33; 205.02; 205.03; 205.07; 205.11; 205.18; 205.19; and 205.20.

The bill was read for the first time and referred to the Committee on General Legislation and Veterans Affairs.

McEachern introduced:

H. F. No. 749, A bill for an act adopting the whitetailed deer as the official state animal; amending Minnesota Statutes 1976, Chapter 1, by adding a section.

The bill was read for the first time and referred to the Committee on General Legislation and Veterans Affairs.

Simoneau, Heinitz and Neisen introduced:

H. F. No. 750, A bill for an act relating to the exclusion of certain positions and classes of positions in the classified and unclassified civil service of the executive branch from bargaining units; amending Minnesota Statutes 1976, Sections 179.66, Subdivision 4 and by adding a subdivision; 179.74, Subdivision 4.

The bill was read for the first time and referred to the Committee on Governmental Operations.

Simoneau, Heinitz and Neisen introduced:

H. F. No. 751, A bill for an act relating to labor relations; providing for the exclusion of certain positions and classes of positions in the classified and unclassified civil service of the executive branch from bargaining units; amending Minnesota Statutes 1976, Section 179.74, Subdivision 4.

The bill was read for the first time and referred to the Committee on Governmental Operations.

Hanson, Patton, Biersdorf, Beauchamp and Moe introduced:

H. F. No. 752, A bill for an act relating to retirement; membership and duties of the Minnesota state retirement system board; amending Minnesota Statutes 1976, Section 352.03, Subdivisions 1, 2, and by adding a subdivision.

The bill was read for the first time and referred to the Committee on Governmental Operations.

Jensen, Suss, Birnstihl, White and Sieben, H., introduced:

H. F. No. 753, A bill for an act relating to architects, engineers, surveyors and landscape architects; work performed by persons exempted from licensure requirements; amending Minnesota Statutes 1976, Section 326.03, Subdivision 2.

The bill was read for the first time and referred to the Committee on Governmental Operations.

Kostohryz, Birnstihl, McEachern, Mangan and Esau introduced:

H. F. No. 754, A bill for an act relating to the public employees retirement association; providing for the payment of school district employers' contributions by the state; appropriating money therefor.

The bill was read for the first time and referred to the Committee on Governmental Operations.

Beauchamp, Pehler, Stoa, St. Onge and Wenstrom introduced:

H. F. No. 755, A bill for an act relating to retirement; teachers retirement association; extension of employment beyond the mandatory retirement age upon a finding of designated exceptional teaching abilities.

The bill was read for the first time and referred to the Committee on Governmental Operations.

Kroening, Jacobs, Sabo, Anderson, I., and Begich introduced:

H. F. No. 756, A bill for an act relating to public lands; authorizing sale of certain state owned and tax forfeited lands for use in a taconite tailings disposal facility.

The bill was read for the first time and referred to the Committee on Governmental Operations.

Byrne; Faricy; Carlson, L.; Carlson, A.; and Mangan introduced:

H. F. No. 757, A bill for an act relating to health; establishing a health program for pre-school children; providing for reimbursement to school districts; appropriating money.

The bill was read for the first time and referred to the Committee on Health and Welfare.

Abeln, Heinitz, McCollar and Scheid introduced:

H. F. No. 758, A bill for an act relating to public welfare; providing for rate setting in residential facilities for the mentally ill.

The bill was read for the first time and referred to the Committee on Health and Welfare.

Abeln, Heinitz, McCollar and Scheid introduced:

H. F. No. 759, A bill for an act relating to public welfare; providing a licensing program for supervised living facilities for the aged, providing for the establishment of rate limits for such facilities.

The bill was read for the first time and referred to the Committee on Health and Welfare.

Enebo, Clark, Pleasant, Neisen and Novak introduced:

H. F. No. 760, A bill for an act relating to the practice of chiropractic; prohibiting the state and its political subdivisions from discrimination against licensed chiropractors because of race, creed or sex or in any manner which would tend to impede their performing and receiving compensation for authorized services; amending Minnesota Statutes 1976, Sections 148.03 and 148.08, Subdivision 2.

The bill was read for the first time and referred to the Committee on Health and Welfare.

Carlson, L.; Berglin; Scheid; Wenstrom and Heinitz introduced:

H. F. No. 761, A bill for an act relating to public health; requiring nurses to take throat cultures for the detection of infection; appropriating money; amending Minnesota Statutes 1976, Section 145.085, Subdivision 1.

The bill was read for the first time and referred to the Committee on Health and Welfare.

Berglin; Carlson, L.; Samuelson; Corbid and Forsythe introduced:

H. F. No. 762, A bill for an act relating to health care; directing the state board of health to compile certain physician directories; providing for their distribution; appropriating money.

The bill was read for the first time and referred to the Committee on Health and Welfare.

Fudro, Sarna, Laidig, Nelsen, M., and Birnstihl introduced:

H. F. No. 763, A bill for an act relating to labor; prohibiting certain terms in employment contracts relating to inventions by employees.

The bill was read for the first time and referred to the Committee on Labor-Management Relations.

Kelly, R.; George; Berglin; Waldorf and Casserly introduced:

H. F. No. 764, A bill for an act relating to animals; authorizing destruction rather than research use for unclaimed animals; amending Minnesota Statutes 1976, Section 35.71, Subdivision 3.

The bill was read for the first time and referred to the Committee on Local and Urban Affairs.

Clawson, Abeln, Suss and Stanton introduced:

H. F. No. 765, A bill for an act relating to taxation; providing for a tax on certain capital gains from the sale of land; providing penalties.

The bill was read for the first time and referred to the Committee on Taxes.

Tomlinson introduced:

H. F. No. 766, A bill for an act relating to taxation; removing reference to payment of salaries of local officers based on assessed valuation of jurisdiction; repealing Minnesota Statutes 1976, Section 273.13, Subdivision 7a.

The bill was read for the first time and referred to the Committee on Taxes.

Skoglund, Scheid, Novak, Pleasant and Schulz introduced:

H. F. No. 767, A bill for an act relating to taxation; allowing certain income adjusted homestead credit claims on behalf of decedents; amending Minnesota Statutes 1976, Section 290A.03, Subdivision 13.

The bill was read for the first time and referred to the Committee on Taxes.

Tomlinson, Pehler, Novak, Kempe, A., and Pleasant introduced:

H. F. No. 768, A bill for an act relating to taxation; providing for valuation of residential property at sale price; requiring year of construction to be included on certificate of value; providing for certain increased income-adjusted homestead credit amounts; amending Minnesota Statutes 1976, Sections 273.11, Subdivision 1; 287.241, Subdivision 4; and 290A.04, Subdivision 2, and by adding a subdivision.

The bill was read for the first time and referred to the Committee on Taxes.

Cummiskey, Birnstihl, Zubay, St. Onge and Stoa introduced:

H. F. No. 769, A bill for an act relating to taxation; providing an exemption from the gasoline and special fuels tax for certain municipal transit systems; amending Minnesota Statutes 1976, Sections 296.02 and 296.025, by adding subdivisions.

The bill was read for the first time and referred to the Committee on Taxes.

McEachern introduced:

H. F. No. 770, A bill for an act relating to motor vehicles; requiring operator of motorcycle to stop upon signal from law enforcement officer; requiring owner of motorcycle to disclose identity of operator of motorcycle; providing penalties; amending Minnesota Statutes 1976, Chapter 169, by adding a section.

The bill was read for the first time and referred to the Committee on Transportation.

Patton, Sabo and Knickerbocker introduced:

H. F. No. 771, A bill for an act relating to metropolitan government; providing for sports facilities; establishing a sports commission; providing financing; providing a tax on the sales of certain intoxicating and fermented malt beverages in the metropolitan area; prohibiting certain restrictive agreements relating to the telecasting of games; increasing the levy limitation base for the city of Bloomington; regulating facilities location; repealing Minnesota Statutes 1976, Section 340.11, Subdivision 11a.

The bill was read for the first time and referred to the Committee on Local and Urban Affairs.

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Mr. Speaker:

I hereby announce the adoption by the Senate of the following House Concurrent Resolution, herewith returned, as amended by the Senate, in which amendment the concurrence of the House is respectfully requested:

House Concurrent Resolution No. 4, A Concurrent Resolution providing for a joint convention of the Senate and the House of Representatives to elect members of the Board of Regents of the University of Minnesota.

PATRICK E. FLAHAVEN, Secretary of the Senate

Anderson, I., moved that the House concur in the Senate amendments to House Concurrent Resolution No. 4 and that the resolution be adopted as amended by the Senate. The motion prevailed and House Concurrent Resolution No. 4 as amended by the Senate was adopted.

Mr. Speaker:

I hereby announce the passage by the Senate of the following Senate Files, herewith transmitted:

S. F. Nos. 10, 69, 99 and 104.

PATRICK E. FLAHAVEN, Secretary of the Senate

FIRST READING OF SENATE BILLS

S. F. No. 10, A bill for an act relating to cities; providing for the establishment of tourist information centers; authorizing payments of expenses of governing officers in certain cases; amending Minnesota Statutes 1976, Sections 465.53 and 465.54.

The bill was read for the first time and referred to the Committee on Local and Urban Affairs.

S. F. No. 69, A bill for an act relating to adoption; increasing the exceptions in execution of consents to adoptions; requiring consents to be in writing, before witnesses; amending Minnesota Statutes 1976, Section 259.24, Subdivision 5.

The bill was read for the first time and referred to the Committee on Health and Welfare.

S. F. No. 99, A bill for an act relating to Wabasha county; authorizing the sale of Buena Vista sanitarium after rejection of bids.

The bill was read for the first time and referred to the Committee on Local and Urban Affairs.

S. F. No. 104, A bill for an act relating to Cook county; authorizing construction of a building for the county highway department and the issuance of general obligation bonds to finance the cost thereof.

The bill was read for the first time and referred to the Committee on Local and Urban Affairs.

CONSENT CALENDAR

H. F. No. 54, A bill for an act relating to state government; purchase of products and services from sheltered workshops and work activity programs; setting standards for price determination; amending Minnesota Statutes 1976, Section 16.281, Subdivision 1.

The bill was read for the third time and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 126 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Abeln	Cohen	Johnson	Munger	Sieben, H.
Adams	Corbid	Jude	Murphy	Sieben, M.
Albrecht	Dahl	Kahn	Neisen	Simoneau
Anderson, B.	Dean	Kaley	Nelsen, B.	Skoglund
Anderson, D.	Eckstein	Kalis	Nelsen, M.	Smogard
Anderson, G.	Eken	Kelly, R.	Nelson	Spanish
Anderson, I.	Ellingson	Kelly, W.	Niehaus	Stoa
Anderson, R.	Enebo	Kempe, A.	Norton	Suss
Arlandson	Erickson	Kempe, R.	Novak	Swanson
Battaglia	Esau	King	Osthoff	Tomlinson
Beauchamp	Evans	Knickerbocker	Patton	Vanasek
Begich	Ewald	Kostohryz	Pehler	Waldorf
Berg	Farcy	Kroening	Peterson	Welch
Berkelman	Fjoslien	Kvam	Petraleso	Wenstrom
Biersdorf	Forsythe	Laidig	Prahl	Wenzel
Birnstihl	Friedrich	Langseth	Reding	White
Brandl	Fudro	Lehto	Rose	Wieser
Braun	Fugina	Lemke	St. Onge	Wigley
Brinkman	George	Mangan	Samuelson	Williamson
Byrne	Gunter	Mann	Sarna	Wynia
Carlson, A.	Hanson	McCarron	Savelkoul	Zubay
Carlson, D.	Heinitz	McCollar	Scheid	Speaker Sabo
Carlson, L.	Hokanson	McDonald	Schulz	
Casserly	Jacobs	McEachern	Searle	
Clark	Jaros	Metzen	Searles	
Clawson	Jensen	Moe	Sherwood	

The bill was passed and its title agreed to.

H. F. No. 107, A bill for an act relating to state property; authorizing the conveyance of certain state property in Sherburne county to the city of St. Cloud, Minnesota.

The bill was read for the third time and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 127 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Abeln	Brinkman	Ewald	Kalis	McEachern
Adams	Byrne	Farcy	Kelly, R.	Metzen
Albrecht	Carlson, A.	Fjoslien	Kelly, W.	Moe
Anderson, B.	Carlson, D.	Forsythe	Kempe, A.	Munger
Anderson, D.	Carlson, L.	Friedrich	Kempe, R.	Murphy
Anderson, G.	Casserly	Fudro	King	Neisen
Anderson, I.	Clark	Fugina	Knickerbocker	Nelsen, B.
Anderson, R.	Clawson	George	Kostohryz	Nelsen, M.
Arlandson	Cohen	Gunter	Kroening	Nelson
Battaglia	Corbid	Hanson	Kvam	Niehaus
Beauchamp	Dahl	Heinitz	Laidig	Norton
Begich	Dean	Hokanson	Langseth	Novak
Berg	Eckstein	Jacobs	Lehto	Patton
Berglin	Eken	Jaros	Lemke	Pehler
Berkelman	Ellingson	Jensen	Mangan	Peterson
Biersdorf	Enebo	Johnson	Mann	Petraleso
Birnstihl	Erickson	Jude	McCarron	Prahl
Brandl	Esau	Kahn	McCollar	Reding
Braun	Evans	Kaley	McDonald	Rice

Rose	Searle	Smogard	Vanasek	Williamson
St. Onge	Searles	Spanish	Welch	Wynia
Samuelson	Sherwood	Stanton	Wenstrom	Zubay
Sarna	Sieben, H.	Stoa	Wenzel	Speaker Sabo
Savelkoul	Sieben, M.	Suss	White	
Scheid	Simoneau	Swanson	Wieser	
Schulz	Skoglund	Tomlinson	Wigley	

The bill was passed and its title agreed to.

H. F. No. 212, A bill for an act relating to employment fees; providing period when fees must be refunded; amending Minnesota Statutes 1976, Section 184.38, by adding a subdivision.

The bill was read for the third time and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 128 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Abeln	Clawson	Jaros	Metzen	Searles
Adams	Cohen	Jensen	Moe	Sherwood
Albrecht	Corbid	Johnson	Munger	Sieben, H.
Anderson, B.	Dahl	Jude	Murphy	Sieben, M.
Anderson, D.	Dean	Kahn	Neisen	Simoneau
Anderson, G.	Eckstein	Kaley	Nelsen, B.	Skoglund
Anderson, I.	Eken	Kalis	Nelsen, M.	Smogard
Anderson, R.	Ellingson	Kelly, R.	Nelson	Spanish
Arlandson	Enebo	Kelly, W.	Niehaus	Stanton
Battaglia	Erickson	Kempe, A.	Norton	Stoa
Beauchamp	Esau	Kempe, R.	Novak	Suss
Begich	Evans	King	Osthoff	Swanson
Berg	Ewald	Knickerbocker	Patton	Tomlinson
Berglin	Faricy	Kostohryz	Pehler	Vanasek
Berkelman	Fjoslien	Kroening	Peterson	Waldorf
Biersdorf	Forsythe	Kvam	Petrafeso	Welch
Birnstihl	Friedrich	Laidig	Prahl	Wenstrom
Brandl	Fudro	Langseth	Reding	Wenzel
Braun	Fugina	Lehto	Rose	White
Brinkman	George	Lemke	St. Onge	Wieser
Byrne	Gunter	Mangan	Samuelson	Wigley
Carlson, A.	Hanson	Mann	Sarna	Williamson
Carlson, D.	Haugerud	McCarron	Savelkoul	Zubay
Carlson, L.	Heinitz	McCollar	Scheid	Speaker Sabo
Casserly	Hokanson	McDonald	Schulz	
Clark	Jacobs	McEachern	Searle	

The bill was passed and its title agreed to.

H. F. No. 464, A bill for an act relating to licensed occupations; providing for reciprocity in licensing for plumbers licensed in other states; amending Minnesota Statutes 1976, Chapter 326, by adding a section.

The bill was read for the third time and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 130 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Abeln	Clawson	Jaros	Metzen	Searle
Adams	Cohen	Jensen	Moe	Searles
Albrecht	Corbid	Johnson	Munger	Sherwood
Anderson, B.	Dahl	Jude	Murphy	Sieben, H.
Anderson, D.	Dean	Kahn	Neisen	Sieben, M.
Anderson, G.	Eckstein	Kaley	Nelsen, B.	Simoneau
Anderson, I.	Eken	Kalis	Nelsen, M.	Skoglund
Anderson, R.	Ellingson	Kelly, R.	Nelson	Smogard
Arlandson	Enebo	Kelly, W.	Niehaus	Spanish
Battaglia	Erickson	Kempe, A.	Norton	Stanton
Beauchamp	Esau	Kempe, R.	Novak	Stoa
Begich	Evans	King	Osthoff	Suss
Berg	Ewald	Knickerbocker	Patton	Swanson
Berglin	Faricy	Kostohryz	Pehler	Tomlinson
Berkelman	Fjoslien	Kroening	Peterson	Vanasek
Biersdorf	Forsythe	Kvam	Petrafeso	Waldorf
Birnstihl	Friedrich	Laidig	Prahl	Welch
Brandl	Fudro	Langsath	Reding	Wenstrom
Braun	Fugina	Lehto	Rice	Wenzel
Brinkman	George	Lemke	Rose	White
Byrne	Gunter	Mangan	St. Onge	Wieser
Carlson, A.	Hanson	Mann	Samuelson	Wigley
Carlson, D.	Haugerud	McCarron	Sarna	Williamson
Carlson, L.	Heinitz	McCollar	Savelkoul	Wynia
Casserly	Hokanson	McDonald	Scheid	Zubay
Clark	Jacobs	McEachern	Schulz	Speaker Sabo

The bill was passed and its title agreed to.

H. F. No. 62, A bill for an act relating to towns; annual audit report; eliminating the requirement that a copy of the report be furnished to the state auditor; amending Minnesota Statutes 1976, Section 366.22.

The bill was read for the third time and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 128 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Abeln	Berkelman	Cohen	Fjoslien	Jensen
Adams	Biersdorf	Corbid	Forsythe	Johnson
Albrecht	Birnstihl	Dahl	Friedrich	Jude
Anderson, B.	Brandl	Dean	Fudro	Kahn
Anderson, D.	Braun	Eckstein	Fugina	Kaley
Anderson, G.	Brinkman	Eken	George	Kalis
Anderson, I.	Byrne	Ellingson	Gunter	Kelly, R.
Anderson, R.	Carlson, A.	Enebo	Hanson	Kelly, W.
Battaglia	Carlson, D.	Erickson	Haugerud	Kempe, A.
Beauchamp	Carlson, L.	Esau	Heinitz	Kempe, R.
Begich	Casserly	Evans	Hokanson	King
Berg	Clark	Ewald	Jacobs	Knickerbocker
Berglin	Clawson	Faricy	Jaros	Kroening

Kvam	Munger	Pleasant	Sherwood	Waldorf
Laidig	Murphy	Prahl	Sieben, H.	Welch
Langseth	Neisen	Reding	Sieben, M.	Wenstrom
Lehto	Nelsen, B.	Rice	Simoneau	Wenzel
Lemke	Nelsen, M.	Rose	Skoglund	White
Mangan	Nelson	St. Onge	Smogard	Wieser
Mann	Niehaus	Samuelson	Spanish	Wigley
McCarron	Norton	Sarna	Stanton	Williamson
McCollar	Novak	Savelkoul	Stoa	Wynia
McDonald	Patton	Scheid	Suss	Zubay
McEachern	Pehler	Schulz	Swanson	Speaker Sabo
Metzen	Peterson	Searle	Tomlinson	
Moe	Petrafeso	Searles	Vanasek	

The bill was passed and its title agreed to.

S. F. No. 48, A bill for an act relating to Becker county; ratifying sales of certain tax-forfeited lands.

The bill was read for the third time and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 120 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Abeln	Clark	Hokanson	Metzen	Schulz
Adams	Clawson	Jacobs	Moe	Searle
Albrecht	Cohen	Jaros	Munger	Searles
Anderson, B.	Corbid	Jensen	Murphy	Sherwood
Anderson, D.	Dahl	Johnson	Neisen	Sieben, H.
Anderson, G.	Dean	Jude	Nelsen, B.	Sieben, M.
Anderson, I.	Eckstein	Kahn	Nelsen, M.	Simoneau
Anderson, R.	Eken	Kaley	Nelson	Skoglund
Arlandson	Ellingson	Kalis	Niehaus	Smogard
Battaglia	Enebo	Kelly, R.	Norton	Spanish
Beauchamp	Erickson	Kelly, W.	Novak	Stanton
Begich	Esau	Kempe, A.	Osthoff	Stoa
Berg	Evans	Kempe, R.	Patton	Suss
Berglin	Ewald	King	Pehler	Swanson
Berkelman	Faricy	Knickerbocker	Peterson	Tomlinson
Biersdorf	Fjoslien	Kroening	Petrafeso	Vanasek
Birnstihl	Forsythe	Kvam	Pleasant	Waldorf
Braun	Friedrich	Laidig	Prahl	Wenstrom
Brinkman	Fudro	Langseth	Rice	White
Byrne	Fugina	Lehto	St. Onge	Wigley
Carlson, A.	George	Lemke	Samuelson	Williamson
Carlson, D.	Hanson	Mann	Sarna	Wynia
Carlson, L.	Haugerud	McCollar	Savelkoul	Zubay
Cassery	Heinitz	McDonald	Scheid	Speaker Sabo

The bill was passed and its title agreed to.

CALENDAR

H. F. No. 291, A bill for an act relating to education; school districts; joint powers; authorizing joint boards to acquire certain property for data processing; amending Minnesota Statutes 1976, Section 123.73.

The bill was read for the third time and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 127 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Abeln	Clawson	Jaros	Munger	Sherwood
Adams	Cohen	Jensen	Murphy	Sieben, H.
Albrecht	Corbid	Johnson	Neisen	Sieben, M.
Anderson, B.	Dahl	Jude	Nelsen, B.	Simoneau
Anderson, D.	Dean	Kahn	Nelsen, M.	Skoglund
Anderson, G.	Eckstein	Kaley	Nelson	Smogard
Anderson, I.	Eken	Kalis	Niehaus	Spanish
Anderson, R.	Ellingson	Kelly, R.	Norton	Stanton
Arlandson	Enebo	Kelly, W.	Novak	Stoa
Battaglia	Erickson	Kempe, A.	Osthoff	Suss
Beauchamp	Esau	Kempe, R.	Pehler	Swanson
Begich	Evans	King	Peterson	Tomlinson
Berg	Ewald	Knickerbocker	Petrafeso	Vanasek
Berglin	Faricy	Kroening	Pleasant	Waldorf
Berkelman	Fjoslien	Kvam	Prahl	Welch
Biersdorf	Forsythe	Laidig	Reding	Wenstrom
Birnstihl	Friedrich	Langseth	Rice	Wenzel
Brandl	Fudro	Lehto	Rose	White
Braun	Fugina	Lemke	St. Onge	Wieser
Brinkman	George	Mangan	Samuelson	Wigley
Byrne	Gunter	Mann	Sarna	Williamson
Carlson, A.	Hanson	McCarron	Savelkoul	Wynia
Carlson, D.	Haugerud	McCollar	Scheid	Zubay
Carlson, L.	Heinitz	McEachern	Schulz	
Casserly	Hokanson	Metzen	Searle	
Clark	Jacobs	Moe	Searles	

The bill was passed and its title agreed to.

GENERAL ORDERS

Pursuant to rules of the House, the House resolved itself into the Committee of the Whole, with Sabo in the Chair, for the consideration of bills pending on General Orders of the Day. After some time spent therein the Committee arose.

REPORT OF COMMITTEE OF THE WHOLE

The Speaker resumed the Chair, whereupon the following proceedings of the Committee as kept by the Chief Clerk were reported to the House:

H. F. Nos. 380, 299, 383, 352 and 259 which it recommended to pass.

H. F. No. 45 which it recommended progress.

H. F. No. 140 which it recommended to pass with the following amendment offered by Battaglia:

Page 2, line 8, after "*Silver Bay*" delete the rest of the line.

Page 2, line 9, delete "*of taconite tailings into the lake*" and insert "*upon the discretion of the commissioner*".

H. F. No. 37 which it recommended to pass with the following amendment offered by Jacobs:

Page 1, line 8, after "electronic" insert "or magnetic".

Page 1, line 14, delete "presented" and insert "electronically or magnetically scanned".

Page 2, line 1, delete "Consumer commodities" and insert "Retail merchandise".

Page 2, line 1, delete "are" and insert "is".

Page 2, line 2, delete "weigh" and insert "weighs".

Page 2, line 2, delete "are" and insert "is".

Page 2, line 4, delete "Consumer commodities" and insert "Retail merchandise".

Page 2, line 6, delete "commodities are" and insert "merchandise is".

Page 2, line 9, delete "commodities" and insert "merchandise".

Page 2, line 13, delete "consumer commodity" and insert "retail merchandise".

Page 2, line 15, after "electronic" insert "or magnetic".

H. F. No. 296 which it recommended to pass with the following amendment offered by Casserly:

Page 15, line 31, delete "*information*" and insert "*insurance*".

On the motion of Anderson, I., the report of the Committee of the Whole was adopted.

ROLL CALLS IN COMMITTEE OF THE WHOLE

Pursuant to rule 1.6, the following roll calls were taken in the Committee of the Whole:

Carlson, D., moved to amend H. F. No. 352 as follows:

Line 10, after "22." strike everything through the period on line 13 and insert the following: "*The Department of Natural Resources shall review and recommend to the legislature whether taking fish by angling with the aid of devices that reveal the location of fish by any method of sensing and display should be allowed.*".

The question was taken on the adoption of the amendment and the roll was called. There were 39 yeas and 88 nays as follows:

Those who voted in the affirmative were:

Abeln	Carlson, A.	Forsythe	McDonald	Sarna
Adams	Carlson, D.	Friedrich	McEachern	Savelkoul
Albrecht	Cohen	Fudro	Metzen	Searles
Anderson, D.	Eckstein	Heinitz	Moe	Tomlinson
Anderson, R.	Erickson	Hokanson	Nelsen, B.	Wenzel
Arlandson	Evans	Kaley	Niehaus	Wigley
Brandl	Ewald	Knickerbocker	Peterson	Williamson
Brinkman	Fjoslien	Kvam	Pleasant	

Those who voted in the negative were:

Anderson, B.	Dean	Kelly, R.	Nelson	Simoneau
Anderson, G.	Eken	Kelly, W.	Norton	Skoglund
Battaglia	Ellingson	Kempe, A.	Novak	Smogard
Beauchamp	Enebo	Kempe, R.	Osthoff	Stanton
Begich	Esau	King	Patton	Stoa
Berg	Faricy	Kostohryz	Pehler	Suss
Berglin	Fugina	Kroening	Petraleso	Swanson
Berkelman	George	Laidig	Reding	Vanasek
Biersdorf	Gunter	Langseth	Rice	Waldorf
Birnstihl	Hanson	Lehto	Rose	Welch
Braun	Haugerud	Lemke	St. Onge	Wenstrom
Byrne	Jacobs	Mangan	Samuelson	White
Carlson, L.	Jaros	Mann	Scheid	Wieser
Casserly	Jensen	McCarron	Schulz	Wynia
Clark	Johnson	McCollar	Searle	Zubay
Clawson	Jude	Munger	Sherwood	Speaker Sabo
Corbid	Kahn	Murphy	Sieben, H.	
Cummiskey	Kalis	Nelsen, M.	Sieben, M.	

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

The question was taken on the motion to recommend passage of H. F. No. 352 and the roll was called. There were 85 yeas and 44 nays as follows:

Those who voted in the affirmative were:

Anderson, B.	Berg	Carlson, L.	Dean	Fugina
Anderson, D.	Berglin	Casserly	Eken	George
Anderson, G.	Berkelman	Clark	Ellingson	Hanson
Anderson, I.	Biersdorf	Clawson	Enebo	Haugerud
Battaglia	Birnstihl	Cohen	Erickson	Jacobs
Beauchamp	Braun	Corbid	Esau	Jaros
Begich	Byrne	Cummiskey	Faricy	Johnson

Kahn	Lehto	Nelson	St. Onge	Stoa
Kelly, R.	Mangan	Norton	Scheid	Suss
Kelly, W.	Mann	Novak	Schulz	Vanasek
Kempe, A.	McCarron	Osthoff	Searle	Waldorf
Kempe, R.	McCollar	Patton	Sherwood	Welch
King	McDonald	Pehler	Simoneau	Wenstrom
Kostohryz	Moe	Petrafeso	Skoglund	White
Kroening	Munger	Reding	Smogard	Wieser
Laidig	Murphy	Rice	Spanish	Wynia
Langseth	Nelsen, M.	Rose	Stanton	Speaker Sabo

Those who voted in the negative were:

Abeln	Eckstein	Hokanson	Metzen	Searles
Adams	Evans	Jensen	Nelsen, B.	Sieben, H.
Albrecht	Ewald	Jude	Niehaus	Swanson
Anderson, R.	Fjoslien	Kaley	Peterson	Tomlinson
Arlandson	Forsythe	Kalis	Pleasant	Wenzel
Brandl	Friedrich	Knickerbocker	Prahl	Wigley
Brinkman	Fudro	Kvam	Samuelson	Williamson
Carlson, A.	Gunter	Lemke	Sarna	Zubay
Carlson, D.	Heinitz	McEachern	Savelkoul	

The motion prevailed.

MOTIONS AND RESOLUTIONS

Clawson moved that H. F. No. 633 and H. F. No. 634 be recalled from the Committee on Financial Institutions and be re-referred to the Committee on Health and Welfare. The motion prevailed.

Casserly moved that H. F. No. 681 be recalled from the Committee on Governmental Operations and be re-referred to the Committee on Commerce and Economic Development. The motion prevailed.

Carlson, L., moved that H. F. No. 641 be recalled from the Committee on Governmental Operations and be re-referred to the Committee on Health and Welfare. The motion prevailed.

Faricy moved that the names of Osthoff, McDonald and Zubay be added as authors on H. F. No. 54. The motion prevailed.

Wenzel moved that the name of Knickerbocker be added as an author on H. F. No. 738. The motion prevailed.

Begich moved that the name of Kelly, R., be added as an author on H. F. No. 517. The motion prevailed.

Sabo moved that the name of Skoglund be added as an author on H. F. No. 700. The motion prevailed.

ADJOURNMENT

Anderson, I., moved that when the House adjourns today it adjourn until 2:00 p.m., Thursday, March 10, 1977. The motion prevailed.

Anderson, I., moved that the House adjourn. The motion prevailed, and the Speaker declared the House stands adjourned until 2:00 p.m., Thursday, March 10, 1977.

EDWARD A. BURDICK, Chief Clerk, House of Representatives

STATE OF MINNESOTA
SEVENTIETH SESSION - 1977

TWENTY-SECOND DAY

SAINT PAUL, MINNESOTA, THURSDAY, MARCH 10, 1977

The House of Representatives convened at 2:00 p.m. and was called to order by the Speaker.

Prayer was offered by the Chaplain.

The roll was called and the following members were present:

Abeln	Cohen	Jensen	Munger	Sherwood
Adams	Corbid	Johnson	Murphy	Sieben, H.
Albrecht	Cummiskey	Jude	Neisen	Sieben, M.
Anderson, B.	Dahl	Kahn	Nelsen, B.	Simoneau
Anderson, D.	Dean	Kaley	Nelsen, M.	Skoglund
Anderson, G.	Eckstein	Kalis	Nelson	Smogard
Anderson, I.	Eken	Kelly, R.	Niehaus	Spanish
Anderson, R.	Ellingson	Kelly, W.	Norton	Stanton
Arlandson	Enebo	Kempe, A.	Novak	Stoa
Battaglia	Erickson	Kempe, R.	Osthoff	Suss
Beauchamp	Esau	King	Patton	Swanson
Begich	Evans	Knickerbocker	Pehler	Tomlinson
Berg	Ewald	Kostohryz	Peterson	Vanasek
Berglin	Faricy	Kroening	Petrafeso	Voss
Berkelman	Fjoslien	Kvam	Pleasant	Waldorf
Biersdorf	Forsythe	Laidig	Prahl	Welch
Birnstihl	Friedrich	Langseth	Reding	Wenstrom
Brandl	Fudro	Lehto	Rice	Wenzel
Braun	Fugina	Lemke	Rose	White
Brinkman	George	Mangan	St. Onge	Wieser
Byrne	Gunter	Mann	Samuelson	Wigley
Carlson, A.	Hanson	McCarron	Sarna	Williamson
Carlson, D.	Haugerud	McCollar	Savelkoul	Wynia
Carlson, L.	Heinitz	McDonald	Scheid	Zubay
Casserly	Hokanson	McEachern	Schulz	Speaker Sabo
Clark	Jacobs	Metzen	Searle	
Clawson	Jaros	Moe	Searles	

A quorum was present.

The Chief Clerk proceeded to read the Journal of the preceding day. Esau moved that further reading of the Journal be dispensed with and that the Journal be approved as corrected by the Chief Clerk. The motion prevailed.

REPORTS OF CHIEF CLERK

Pursuant to Rules of the House, printed copies of H. F. Nos. 140, 37, 296, 282, 57 and 166 and S. F. Nos. 10, 69, 99, 104 and 232 have been placed in the members' files.

PETITIONS AND COMMUNICATIONS

The following reports were received and filed in the Chief Clerk's Office: Minnesota Energy Agency, Energy Conservation in Room Air-Conditioners in Minnesota; Minnesota Wisconsin Boundary Area Commission, Biennial Report for 1975-76; Minnesota Higher Education Coordinating Board, Report to the 1977 Minnesota Legislature including the Higher Education Facilities Authority Annual Report.

REPORTS OF STANDING COMMITTEES

Mann from the Committee on Agriculture to which was referred:

H. F. No. 179, A bill for an act relating to agriculture; establishing an avian disease research center; appropriating money.

Reported the same back with the recommendation that the bill pass and be re-referred to the Committee on Appropriations.

The report was adopted.

Mann from the Committee on Agriculture to which was referred:

H. F. No. 439, A bill for an act relating to agriculture; regulating the use of the name "Minnesota Farmstead Cheese".

Reported the same back with the following amendments:

Pages 1 and 2, delete subdivision 3 and insert in lieu thereof:

"Subd. 3. [PERMIT.] The commissioner or his designate shall issue a permit authorizing the use of the name "Minnesota farmstead cheese" upon application made therefor on forms furnished by the commissioner, if the commissioner or his designate is satisfied that the cheese manufactured by the applicant meets the requirements prescribed by subdivision 1. The commissioner or his designated agents shall inspect the farm at reasonable times to insure compliance with subdivision 1. The permit may be suspended or revoked by the commissioner if he finds that the permittee is not in compliance with subdivision 1.

Sec. 2. Minnesota Statutes 1976, Section 28A.08, is amended to read:

28A.08 [LICENSE FEES; PENALTIES.] The fees for licenses and the penalties for late renewal thereof prescribed herein shall apply to the sections named except as provided under section 28A.09. Except as specified herein, bonds and assessments based on number of units operated or volume handled or processed which are provided for in said laws shall not be affected, nor shall any penalties for late payment of said assessments, nor shall inspection fees, be affected by this chapter.

Type of food handler	License Fee	Penalty
1. Retail food handler		
(a) Having gross sales of less than \$250,000 for the immediately previous license or fiscal year	\$ 15	\$ 5
(b) Having \$250,000 to \$1,000,000 gross sales for the immediately previous license or fiscal year	\$ 30	\$10
(c) Having over \$1,000,000 gross sales for the immediately previous license or fiscal year	\$ 50	\$15
2. Wholesale food handler	\$ 30	\$10
3. Food broker	\$ 15	\$ 5
4. (a) Wholesale food processor or manufacturer	\$100	\$30
(b) Wholesale food processor of meat or poultry products under supervision of the U.S. Department of Agriculture	\$ 50	\$15
(c) <i>Wholesale food manufacturer having the permission of the commissioner to use the name Minnesota farmstead cheese</i>	\$ 25	\$10".

Underline all new language in the bill.

Further amend the title as follows:

Page 1, line 3, before the period insert "; amending Minnesota Statutes 1976, Section 28A.08".

With the recommendation that when so amended the bill pass.

The report was adopted.

Moe from the Committee on Criminal Justice to which was referred:

H. F. No. 82, A bill for an act relating to crimes; raising the amount of pecuniary gain which must be received by a person incident to a violation of law before the violation is categorized as a felony; amending Minnesota Statutes 1976, Section 609.27, Subdivision 2; 609.52, Subdivision 3; 609.53, Subdivision 1; 609.551, Subdivision 1; 609.563, Subdivision 1; 609.576, Subdivision 1; 609.595, Subdivision 1; and 609.615.

Reported the same back with the following amendments:

Page 6, after line 30, add new sections to read as follows:

"Sec. 9. Minnesota Statutes 1976, Section 609.785, is amended to read:

609.785 [FRAUDULENT LONG DISTANCE TELEPHONE CALLS.] Whoever obtains long distance telephone service by intentionally requesting of the operator that the cost thereof be charged to a false or non-existent telephone or credit card number or to the telephone or credit card number of another without his authority may be sentenced to imprisonment for not more than 90 days or to payment of a fine of not more than \$300, or both, when the value of the telephone service obtained is not more than (\$100) \$300; and by imprisonment for not more than five years or to payment of a fine of not more than \$5,000, or both, if the value of the telephone service obtained in a single transaction, or in separate transactions within any six month period, is more than (\$100) \$300.

Sec. 10. [EFFECTIVE DATE.] *This act shall be effective August 1, 1977, and shall apply to all crimes committed on or after that date.*"

Further, amend the title as follows:

Page 1, line 10, delete "and" and after "609.615" insert "; and 609.785".

With the recommendation that when so amended the bill pass.

The report was adopted.

Moe from the Committee on Criminal Justice to which was referred:

H. F. No. 83, A bill for an act relating to crime victims reparations; eliminating the minimum claim amount necessary for reparations; raising the amount of reparations paid to claimants suffering economic loss; amending Minnesota Statutes 1976, Sections 299B.03, Subdivision 2; and 299B.04.

Reported the same back with the following amendments:

Strike everything after the enacting clause and insert:

“Section 1. Minnesota Statutes 1976, Section 299B.02, is amended to read:

299B.02 [DEFINITIONS.] For the purposes of sections 299B.01 to 299B.16 the following terms shall have the meanings given them:

(1) “Accomplice” means any person who would be held criminally liable for the crime of another pursuant to section 609.05.

(2) “Board” means the crime victims reparations board established by section 299B.05.

(3) “Claimant” means a person entitled to apply for reparations pursuant to sections 299B.01 to 299B.16.

(4) “Collateral source” means a source of benefits or advantages for economic loss otherwise reparable under sections 299B.01 to 299B.16 which the victim or claimant has received, or which is readily available to him, from:

(a) the offender;

(b) the government of the United States or any agency thereof, a state or any of its political subdivisions, or an instrumentality of two or more states, unless the law providing for the benefits or advantages makes them excess or secondary to benefits under sections 299B.01 to 299B.16;

(c) social security, medicare, and medicaid;

(d) state required temporary non-occupational disability insurance;

(e) worker’s compensation;

(f) wage continuation programs of any employer;

(g) proceeds of a contract of insurance payable to the victim for economic loss which he sustained because of the crime;

(h) a contract providing prepaid hospital and other health care services, or benefits for disability; or

(i) any private source as a voluntary donation or gift. The term does not include a life insurance contract.

(5) (a) "Crime" means conduct that

(i) occurs or is attempted in this state,

(ii) poses a substantial threat of personal injury or death, and

(iii) is included within the definition of "crime" in Minnesota Statutes 1971, Section 609.02, Subdivision 1, or would be included within that definition but for the fact that the person engaging in the conduct lacked capacity to commit the crime under the laws of this state.

(b) A crime occurs whether or not any person is prosecuted or convicted but the conviction of a person whose acts give rise to the claim is conclusive evidence that a crime was committed unless an application for rehearing, appeal, or petition for certiorari is pending or a new trial or rehearing has been ordered.

(c) "Crime" does not include conduct arising out of the use of a motor vehicle, as defined in section 169.01, subdivision 2, an aircraft or watercraft unless

(i) the conduct was intended to cause personal injury or death, or

(ii) the use of the motor vehicle, aircraft or watercraft in the commission of a felony was a proximate cause of the victim's injury or death.

(6) "Dependent" means (ANY PERSON WHO WAS DEPENDENT UPON A DECEASED VICTIM FOR SUPPORT AT THE TIME OF THE CRIME) *a spouse, child, stepchild, adopted child, grandchild, parent, grandparent, stepparent, brother, sister, half brother, half sister, or parent of the spouse of a victim who was wholly or partially dependent upon the victim at the time of the victim's death or injury and includes the victim's child born after the victim's death.*

(7) "Economic loss" means actual economic detriment incurred as a direct result of injury or death.

(a) In the case of injury the term is limited to:

(i) reasonable expenses incurred for necessary medical, chiropractic, hospital, rehabilitative, and dental products, services, or accommodations, including ambulance services, drugs, appliances and prosthetic devices;

(ii) reasonable expenses incurred for psychological or psychiatric products, services or accommodations where the nature of the injury or the circumstances of the crime are such that the treatment is necessary to the rehabilitation of the victim;

(iii) loss of income the victim would have earned had he not been injured; and

(iv) reasonable expenses incurred for substitute child care or household services to replace those the victim would have performed had he not been injured.

(b) In the case of death the term is limited to:

(i) reasonable expenses incurred for funeral, burial or cremation;

(ii) reasonable expenses for medical, chiropractic, hospital, rehabilitative, psychological and psychiatric services, products or accommodations which were incurred prior to the victim's death and for which the victim's survivors or estate are liable;

(iii) loss of support, including contributions of money, products or goods, but excluding services which the victim would have supplied to his dependents if he had lived; and

(iv) reasonable expenses incurred for substitute child care and household services to replace those which the victim would have performed for the benefit of his dependents if he had lived.

(8) "Injury" means actual bodily harm including pregnancy and mental or nervous shock.

(9) "Victim" means a person who suffers personal injury or death as a direct result of

(a) a crime;

(b) the good faith effort of any person to prevent a crime;
or

(c) the good faith effort of any person to apprehend a person suspected of engaging in a crime.

Sec. 2. Minnesota Statutes 1976, Section 299B.03, Subdivision 2, is amended to read:

Subd. 2. No reparations shall be awarded to a claimant otherwise eligible if

(a) the crime was not reported to the police within five days of its occurrence or, if it could not reasonably have been reported within that period, within five days of the time when a report could reasonably have been made;

(b) the victim or claimant failed or refused to cooperate fully with the police and other law enforcement officials;

((C) THE VICTIM IS THE SPOUSE OF OR A PERSON LIVING IN THE SAME HOUSEHOLD WITH THE OFFENDER OR HIS ACCOMPLICE OR THE PARENT, CHILD, BROTHER OR SISTER OF THE OFFENDER OR HIS ACCOMPLICE UNLESS THE BOARD DETERMINED THAT THE INTERESTS OF JUSTICE OTHERWISE REQUIRE IN A PARTICULAR CASE;)

((D)) (c) the claimant was the offender or an accomplice of the offender or an award to the claimant would unjustly benefit the offender or an accomplice; or

((E)) (d) no claim was filed with the board within one year of victim's injury or death but if it could not have been made within that period, then the claim can be made within one year of the time when a claim could have been made (;)

((F) THE CLAIM IS LESS THAN \$100).

Sec. 3. Minnesota Statutes 1976, Section 299B.04, is amended to read:

299B.04 [AMOUNT OF REPARATIONS.] Reparations shall equal economic loss except that:

(1) reparations shall be reduced to the extent that economic loss is recouped from a collateral source;

(2) reparations shall be reduced to the extent, if any, that the board deems reasonable because of the contributory misconduct of the claimant or of a victim through whom he claims (AND BY THE FIRST \$100 OF ECONOMIC LOSS); and

(3) reparations paid to all claimants suffering economic loss as the result of the injury or death of any one victim shall not exceed (\$10,000) \$25,000.

Sec. 4. Minnesota Statutes 1976, Section 299B.05, is amended by adding a subdivision to read:

Subd. 4. The executive director appointed by the board shall be in the unclassified state civil service, but all other board employees shall be in the classified state civil service.

Sec. 5. Minnesota Statutes 1976, Section 299B.06, Subdivision 1, is amended to read:

299B.06 [POWERS AND DUTIES OF THE BOARD.] Subdivision 1. [DUTIES.] In addition to carrying out any duties specified elsewhere in sections 299B.01 to 299B.16 or in other law, the board shall:

(a) provide all claimants with an opportunity for hearing pursuant to chapter 15;

(b) establish and maintain a principal office and other necessary offices and appoint employees, *which may include an executive director*, and agents, as necessary, and fix their duties;

(c) promulgate within 90 days following the effective date of Laws 1974, Chapter 463 rules to implement sections 299B.01 to 299B.16, including rules governing the method of practice and procedure before the board, prescribing the manner in which applications for reparations shall be made, and providing for discovery proceedings;

(d) publicize widely the availability of reparations and the method of making claims; and

(e) prepare and transmit annually to the governor and the legislature a report of its activities including (THE NAME OF EACH CLAIMANT,) a brief description of the facts in each case, the amount of reparation awarded, and a statistical summary of claims and awards made and denied. *The report shall also contain the name of each claimant, except where the claimant was a victim of incest or of any degree of criminal sexual conduct.*

Sec. 6. Minnesota Statutes 1976, Section 299B.06, Subdivision 2, is amended to read:

Subd. 2. [POWERS.] In addition to exercising any powers specified elsewhere in sections 299B.01 to 299B.16 or other law, the board upon its own motion or the motion of a claimant or the attorney general may:

(a) issue subpoenas for the appearance of witnesses and the production of books, records, and other documents;

(b) administer oaths and affirmations and cause to be taken affidavits and depositions within and without this state;

(c) take notice of judicially cognizable facts and general, technical, and scientific facts within their specialized knowledge;

(d) order a mental or physical examination of a victim or an autopsy of a deceased victim provided that notice is given to the person to be examined and that the claimant and the attorney general receive copies of any resulting report;

(e) suspend or postpone the proceedings on a claim if a criminal prosecution arising out of the incident which is the basis of the claim has been commenced or is imminent;

(f) request from prosecuting attorneys and law enforcement officers investigations and data to enable the board to perform its duties under sections 299B.01 to 299B.16;

((G) GRANT EMERGENCY REPARATIONS PENDING THE FINAL DETERMINATION OF A CLAIM IF IT IS ONE WITH RESPECT TO WHICH AN AWARD WILL PROBABLY BE MADE AND UNDUE HARDSHIP WILL RESULT TO THE CLAIMANT IF IMMEDIATE PAYMENT IS NOT MADE; AND)

((H)) (g) reconsider any decision granting or denying reparations or determining their amount; *and*

(h) *authorize mileage, at the rate established for state board members pursuant to section 43.329, for claimants or witnesses whom the board invites to attend board hearings.*

Sec. 7. Minnesota Statutes 1976, Section 299B.07, is amended by adding a subdivision to read:

Subd. 6. An individual board member may grant up to \$1,000 in emergency reparations on a claim, pending final determination, but full board approval is required for the award of any such emergency reparations exceeding that amount. Emergency reparations may be made of an award which will probably be made and where undue hardship will result to the claimant if immediate payment is not made.

Sec. 8. [EFFECTIVE DATE.] *This act is effective as to crimes committed the day after final enactment.*"

Further amend the title:

Line 6, after "Sections" insert "299B.02;".

Line 7, delete "and" and after "299B.04" insert "; 299B.05, by adding a subdivision; 299B.06, Subdivisions 1 and 2; and 299B.07, by adding a subdivision".

With the recommendation that when so amended the bill pass and be re-referred to the Committee on Appropriations.

The report was adopted.

Moe from the Committee on Criminal Justice to which was referred:

H. F. No. 117, A bill for an act relating to crimes; prohibiting devices intended to be used to avoid payment of long distance telecommunications services; prescribing penalties; amending Minnesota Statutes 1976, Section 609.785.

Reported the same back with the following amendments:

Page 2, line 9, delete "*or offers or advertises*".

Page 2, delete line 10.

Page 2, line 11, delete the first "*device*" and insert "*or advertises or offers, for a monetary consideration, plans or component parts for the purpose of making or assembling such a device, having reason to know it is intended to be used unlawfully*".

Page 2, line 14, delete "*five*" and insert "*three*".

Page 2, line 14, delete "\$5,000" and insert "\$3,000".

With the recommendation that when so amended the bill pass.

The report was adopted.

Moe from the Committee on Criminal Justice to which was referred:

H. F. No. 516, A bill for an act relating to victims of crime; directing the commissioner of corrections to establish victim crisis centers; appropriating money.

Reported the same back with the following amendments:

Page 2, line 24, delete "and" and insert a comma.

Page 2, line 25, after "centers" insert "and propose alternative means to accomplish the purposes of this act as provided by section 3 for rural and urban areas".

Page 3, after line 1, add a new section to read:

"Sec. 7. [EXPIRATION DATE.] This act shall expire July 1, 1980 unless reenacted."

With the recommendation that when so amended the bill pass and be re-referred to the Committee on Appropriations.

The report was adopted.

Brinkman from the Committee on Financial Institutions and Insurance to which was referred:

H. F. No. 531, A bill for an act relating to banks; permitting banks to take second mortgages in drought areas; amending Minnesota Statutes 1976, Section 48.19, Subdivision 1.

Reported the same back with the following amendments:

Page 2, after line 16, insert a new section to read:

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

With the recommendation that when so amended the bill pass.

The report was adopted.

Swanson from the Committee on Health and Welfare to which was referred:

H. F. No. 24, A bill for an act relating to children; enacting the uniform child custody jurisdiction act.

Reported the same back with the following amendments:

Page 2, line 32, delete "a".

With the recommendation that when so amended the bill pass.

The report was adopted.

Swanson from the Committee on Health and Welfare to which was referred:

H. F. No. 167, A bill for an act relating to public welfare; providing liability insurance to all foster boarding homes licensed by the department of public welfare; appropriating money; amending Minnesota Statutes 1976, Chapter 245, by adding a section.

Reported the same back with the following amendments:

Page 1, line 14, after "*welfare*" insert "*or established by the juvenile court and certified by the commissioner of corrections pursuant to section 260.185, subdivision 1, clause (c)(5)*".

Page 1, line 16, delete "\$80,000" and insert "\$122,000".

With the recommendation that when so amended the bill pass and be re-referred to the Committee on Appropriations.

The report was adopted.

Swanson from the Committee on Health and Welfare to which was referred:

S. F. No. 21, A bill for an act relating to health; authorizing the licensing of physicians from Canada without an examination; amending Minnesota Statutes 1976, Section 147.03.

Reported the same back with the recommendation that the bill pass.

The report was adopted.

Fugina from the Committee on Higher Education to which was referred:

H. F. No. 559, A bill for an act relating to education; higher education coordinating board; student financial aid; changing certain requirements for scholarships, aids and grants to students; increasing the bonding and loan making authority of the board; transferring the program of nursing student grants to the board; appropriating money; amending Minnesota Statutes 1976, Sections 136A.121, Subdivisions 1, 2 and 3; 136A.144; 136A.16, Subdivisions 4, 6 and 7; 136A.17, Subdivisions 3, 4, 5 and 6; 136A.171; and 136A.233, Subdivision 2.

Reported the same back with the following amendments:

Page 1, after line 14, insert a new section to read:

"Section 1. Minnesota Statutes 1976, Section 124.48, is amended to read:

124.48 [INDIAN SCHOLARSHIPS.] *Subdivision 1.* The (STATE BOARD) *higher education coordinating board* may award scholarships to any student who has one-fourth or more Indian blood and who, in the opinion of the board, has the capabilities to profit from education. (SCHOLARSHIP) *Scholarships* shall be for advanced or specialized education in ac-

credited or approved colleges or in business, technical or vocational schools. Scholarships shall be used to defray tuition, incidental fees and the cost of board and room and shall be paid directly to the college or school concerned. The amount and type of each such scholarship shall be determined through the advice and counsel of the Minnesota Indian scholarship committee.

When an Indian student satisfactorily completes the work required by a certain college or school in a school year he is eligible for additional scholarships, if additional training is necessary to reach his educational and vocational objective. Scholarships may not be given to any Indian student for more than four years of study.

Subd. 2. The higher education coordinating board shall honor any commitments to students by the state board of education which are in effect when the transfer of responsibility for the Indian scholarships becomes effective."

Page 1, line 15, delete "Section 1." and insert "Sec. 2."

Page 2, line 5, delete "Sec. 2." and insert "Sec. 3."

Page 2, line 24, delete "Sec. 3." and insert "Sec. 4."

Page 2, line 26, strike "(1)".

Page 2, line 31, strike "(2)" and insert "*Subd. 4.*"

Page 3, line 11, strike "(3)" and insert "*Subd. 5.*"

Page 3, line 19, strike "(4)" and insert "*Subd. 6.*"

Page 3, line 22, strike "first".

Page 3, line 23, strike "year".

Page 3, line 23, after "applicants" insert "*for initial awards*".

Page 3, delete line 28 and insert:

"Subd. 7. Only first year students shall be eligible to apply for and receive initial scholarship awards. Only first year and transfer students shall be eligible to apply for and receive initial grants-in-aid for the 1977-1978 school year. First year students, transfer students and"

Page 3, line 31, delete "*and shall be*".

Page 3, delete line 32.

Page 4, delete lines 1 and 2 and insert "*for the 1978-1979 school year and subsequent school years.*".

Page 4, line 3, strike "(5)" and insert "*Subd. 8.*".

Page 4, line 8, strike "(6)" and insert "*Subd. 9.*".

Page 4, line 10, after "citizenship" insert "*or status as a refugee from Vietnam, Cambodia, or Laos*".

Page 4, line 14, strike "(7)" and insert "*Subd. 10.*".

Page 4, line 16, strike "(8)" and insert "*Subd. 11.*".

Page 4, line 18, strike "(9)" and insert "*Subd. 12.*".

Page 4, line 21, strike "(10)" and insert "*Subd. 13.*".

Page 4, line 23, strike "(11)" and insert "*Subd. 14.*".

Page 4, line 29, delete "Sec. 4." and insert "Sec. 5."

Page 5, after line 29 insert a section to read:

"Sec. 6. Minnesota Statutes 1976, Section 136A.16, Subdivision 3, is amended to read:

Subd. 3. The board shall be authorized to make (OR TO GUARANTEE) loans in amounts not to exceed the maximum amount provided in the higher education act of 1965 and any amendments thereof and the board shall be authorized to establish procedures determining the loan amounts for which students are eligible."

Page 5, line 30, delete "Sec. 5." and insert "Sec. 7."

Page 6, line 5, delete "Sec. 6." and insert "Sec. 8."

Page 6, line 8, strike "guaranteed".

Page 6, line 15, delete "Sec. 7." and insert "Sec. 9."

Page 6, line 26, delete "Sec. 8." and insert "Sec. 10."

Page 6, line 31, delete "Sec. 9." and insert "Sec. 11."

Page 7, line 6, delete "Sec. 10." and insert "Sec. 12."

Page 7, line 13, delete "Sec. 11." and insert "Sec. 13."

Page 7, after line 19, insert sections to read as follows:

“Sec. 14. Minnesota Statutes 1976, Section 136A.17, Subdivision 7, is amended to read:

Subd. 7. The benefits of the loan (INSURANCE) program will not be denied any student because of his family income or lack of need if his adjusted annual family income at the time the note is executed is less than the maximum prescribed in the applicable federal regulations.

Sec. 15. Minnesota Statutes 1976, Section 136A.17, Subdivision 8, is amended to read:

Subd. 8. The repayment procedures applicable for loans made (OR GUARANTEED) by the board shall be consistent with federal regulations governing interest payments under the National Vocational Student Loan Insurance Act of 1965 and the Higher Education Act of 1965.”.

Page 7, line 20, delete “Sec. 12.” and insert “Sec. 16.”.

Page 8, line 6, delete “Sec. 13.” and insert “Sec. 17.”

Page 8, line 8, delete “Laws 1973, Chapter 605” and insert “sections 136A.14 to 136A.179”.

Page 8, line 20, delete “through December 31, 1976”.

Page 8, line 26, delete “Laws 1973, Chapter 605” and insert “sections 136A.14 to 136A.179”.

Page 9, after line 19, insert a new section to read:

“Sec. 18. Minnesota Statutes 1976, Section 136A.233, Subdivision 1, is amended to read:

136A.233 [WORK-STUDY GRANTS.] Subdivision 1. Notwithstanding the provisions of sections 136A.09 to 136A.131, the higher education coordinating board may offer work-study grants to *eligible* post-secondary institutions that apply to participate in the program. *Each institution wishing to receive a work-study grant shall submit to the board in accordance with policies and procedures established by the board an estimate of the amount of funds needed by the institution and the amount allocated to any institution shall not exceed the estimate of need submitted by the institution. Any funds which would be allocated to an institution according to full time equivalent enrollment but which exceed the estimate of need by the institution may be reallocated by the board to other institutions for which the estimate of need exceeds the amount of allocation according*

to enrollment. "Eligible post-secondary institution" means any post-secondary institution eligible for participation in the Minnesota state scholarship and grant program as specified in section 136A.101, subdivision 4."

Page 9, line 20, delete "Sec. 14." and insert "Sec. 19."

Page 10, line 10, after "student" insert "; provided, with the approval of the institution, a full time student who becomes a part-time student during an academic year may continue to be employed under the state work-study program for the remainder of the academic year".

Page 10, line 31, delete "Sec. 15." and insert "Sec. 20."

Page 11, line 3, after "part-time" insert "student".

Page 11, line 9, after "part-time" insert "student".

Page 11, line 11, delete "for" and insert "of a".

Page 11, line 30, delete "award" and insert "awards".

Page 11, line 31, delete "work-study".

Page 11, line 32, delete "grants" and insert "student grants-in-aid".

Page 12, line 5, delete "Subd. 8." and insert "Sec. 21. [APPROPRIATION.]".

Page 12, line 8, delete "aids" and insert "grants-in-aid".

Page 12, line 8, delete "this".

Page 12, line 8, after "section" insert "15 of this act".

Page 12, line 9, delete "Sec. 16." and insert "Sec. 22."

Page 13, line 1, delete "pre-requisite" and insert "prerequisite".

Page 13, line 10, delete "Sec. 17." and insert "Sec. 23."

Further amend the title as follows:

Page 1, line 9, after "Sections" insert "124.48;".

Page 1, line 11, before "4" insert "3,".

Page 1, line 12, delete the first "and" and insert a comma.

Page 1, line 12, after "6" insert ", 7 and 8".

Page 1, line 12, delete "Subdivision" and insert "Subdivisions 1 and".

With the recommendation that when so amended the bill pass and be re-referred to the Committee on Appropriations.

The report was adopted.

Enebo from the Committee on Labor-Management Relations to which was referred:

H. F. No. 26, A bill for an act relating to labor; granting public employees paid leaves of absence to engage in world athletic competition.

Reported the same back with the following amendments:

Page 1, line 18, after "world" insert ", Pan American".

Page 1, line 18, after "level" insert ", in a sport contested in either Pan American or olympic competitions,".

Page 1, line 19, after "pay" insert "or other benefits or rights".

Page 2, line 3, after "district" insert "or other political sub-division".

Page 2, line 4, delete "district" as it appears twice, and insert "employer".

With the recommendation that when so amended the bill pass and be re-referred to the Committee on Appropriations.

The report was adopted.

Kelly, W., from the Committee on Taxes to which was referred:

H. F. No. 586, A bill for an act relating to taxation; information contained in income tax returns; amending Minnesota Statutes 1976, Sections 290.081; and 290.61.

Reported the same back with the following amendments:

Page 4, line 19, strike "commission" and insert "commissioner".

Page 4, line 27, strike "and except".

Page 4, line 28, strike "as provided in section 290.361".

Page 5, line 18, after the period insert "*Upon request of a state official, the commissioner may furnish information for research purposes from returns or reports filed pursuant to this chapter, provided that he shall not disclose the name, address or social security number associated with any return or report.*".

Page 5, after line 20, insert:

"Sec. 3. Minnesota Statutes 1976, Section 290A.17, is amended to read:

290A.17 [PUBLICITY OF CLAIMS.] (IT SHALL BE UNLAWFUL FOR THE COMMISSIONER OR ANY OTHER PUBLIC OFFICIAL OR EMPLOYEE TO DIVULGE OR OTHERWISE MAKE KNOWN ANY PARTICULARS DISCLOSED IN ANY CLAIM FILED PURSUANT TO SECTIONS 290A.01 TO 290A.21.) The provisions of section 290.61 relating to the confidential nature of income tax returns shall (ALSO) be applicable to claims (THUS) filed *pursuant to the provisions of chapter 290A.*

Nothing herein shall be construed to prohibit the commissioner from (MAKING PUBLIC THE) *publishing or releasing* information concerning amounts of property tax accrued and the relief granted to taxpayers without including information which would identify individual taxpayers. The commissioner may examine income tax returns as he deems necessary and may utilize the information in legal and administrative proceedings to insure proper administration of sections 290A.01 to 290A.21, notwithstanding section 290.61."

Renumber the remaining section.

Further, amend the title:

Line 3, delete "income".

Line 4, delete "and".

Line 4, after "290.61" insert "; and 290A.17".

With the recommendation that when so amended the bill pass.

The report was adopted.

Fudro from the Committee on Transportation to which was referred:

H. F. No. 33, A bill for an act relating to motor vehicles; requiring that certain optional insurance coverage be offered motorcycle owners; defining motorized bicycles; providing for the registration of motorized bicycles and the licensing of their operators; providing operating rules; amending Minnesota Statutes 1976, Sections 65B.48, Subdivision 5; 65B.49, by adding a subdivision; 168.011, Subdivision 26, and by adding a subdivision; 168.013, by adding a subdivision; 169.01, Subdivision 4, and by adding a subdivision; 169.221, Subdivisions 1 and 4, and by adding a subdivision; 169.305, Subdivision 1; and 169.974, Subdivision 4.

Reported the same back with the following amendments:

Strike everything after the enacting clause and insert in lieu thereof:

“Section 1. Minnesota Statutes 1976, Section 168.011, Subdivision 26, is amended to read:

Subd. 26. [MOTORCYCLE.] “Motorcycle” means every motor vehicle having a seat or saddle for the use of the rider and designed to travel on not more than three wheels in contact with the ground, including motor scooters and bicycles with motor attached, *other than those vehicles defined as motorized bicycles in section 2*, but excluding a tractor (AND THOSE MOTORIZED BICYCLES WITH LESS THAN A ONE HORSE-POWER ENGINE WHICH ARE PROPELLED WITH THE ASSISTANCE OF HUMAN POWER).

Sec. 2. Minnesota Statutes 1976, Section 168.011, is amended by adding a subdivision to read:

Subd. 27. [MOTORIZED BICYCLE.] “Motorized bicycle” means a bicycle with fully operatable pedals which may be propelled by human power or a motor, or by both, with a motor of a capacity of less than 50 cubic centimeters piston displacement, and a maximum of two brake horsepower, which is capable of a maximum speed of not more than 30 miles per hour on a flat surface with not more than one percent grade in any direction when the motor is engaged.

Sec. 3. Minnesota Statutes 1976, Section 168.013, is amended by adding a subdivision to read:

Subd. 1h. [MOTORIZED BICYCLES.] *On motorized bicycles the tax is \$3, which includes the surtax provided for in subdivision 14.*

Sec. 4. Minnesota Statutes 1976, Section 168.27, Subdivision 20, is amended to read:

Subd. 20. [APPLICATION.] This section shall not apply to any person, copartnership, or corporation engaged in the business of selling vehicles designed to operate exclusively over snow, motorized bicycles, motor scooters, motorized wheel chairs, utility trailers, farm wagons, farm trailers, farm tractors or other farm implements whether self-propelled or not, even though such wagons, trailers, tractors or implements may be equipped with a trailer hitch, or to any person licensed as a real estate broker or salesman pursuant to chapter 82, who engages in the business of selling, or who offers to sell, solicits or advertises the sale of mobile homes affixed to land, unless such person, copartnership or corporation shall also be engaged in the business of selling other motor vehicles or mobile homes within the provisions of this section. As used in this subdivision the terms "motorized bicycle" and "utility trailer" shall have the following meaning:

"Motorized bicycle" (MEANS A MOTOR POWERED VEHICLE CONSISTING OF AN ARRANGEMENT OR COMBINATION OF TWO WHEELS, ONE FOLLOWING THE OTHER, SUPPORTED BY A FRAME DESIGNED TO BE PROPELLED BY THE FEET ACTING UPON PEDALS) *shall have the meaning given it in section 168.011, subdivision 27.*

"Utility trailer" means a motorless vehicle, other than a boat trailer or snowmobile trailer, equipped with one or two wheels and having a carrying capacity of 2000 pounds or less and used for carrying property on its own structure while being drawn by a motor vehicle.

Sec. 5. Minnesota Statutes 1976, Section 168A.01, Subdivision 24, is amended to read:

Subd. 24. "Vehicle" means every device in, upon, or by which any person or property is or may be transported or drawn upon a highway, excepting devices moved by human power, *including motorized bicycles as defined in section 168.011, subdivision 27,* or used exclusively upon stationary rails or tracks.

Sec. 6. Minnesota Statutes 1976, Section 169.01, Subdivision 4, is amended to read:

Subd. 4. [MOTORCYCLE.] "Motorcycle" means every motor vehicle having a seat or saddle for the use of the rider and designed to travel on not more than three wheels in contact with the ground, including motor scooters and bicycles with motor attached, *other than those vehicles defined as motorized bicycles in section 7,* but excluding a tractor.

Sec. 7. Minnesota Statutes 1976, Section 169.01, is amended by adding a subdivision to read:

Subd. 4a. [MOTORIZED BICYCLE.] "Motorized bicycle" means a bicycle with fully operatable pedals which may be propelled by human power or a motor, or by both, with a motor of a capacity of less than 50 cubic centimeters piston displacement, and a maximum of two brake horsepower, which is capable of a maximum speed of not more than 30 miles per hour on a flat surface with not more than one percent grade in any direction when the motor is engaged.

Sec. 8. Minnesota Statutes 1976, Chapter 169, is amended to adding a section to read:

(169.223) [MOTORIZED BICYCLES.] *Subdivision 1. Except as otherwise provided all provisions relating to the operation of bicycles on roadways shall be equally applicable to the operation of motorized bicycles.*

Subd. 2. Motorized bicycles shall not be operated on any bicycle way or bicycle lane, as those terms are defined in section 160.263.

Subd. 3. No person shall operate a motorized bicycle upon a sidewalk at any time, except when such operation is necessary for the most direct access to a roadway from a driveway, alley or building.

Subd. 4. Every motorized bicycle shall be subject to the same requirements as to lighting and brake equipment as apply to motorcycles, except that the provisions of section 169.974, subdivision 5, clause (i), shall not apply to motorized bicycles.

Sec. 9. Minnesota Statutes 1976, Section 169.305, Subdivision 1, is amended to read:

169.305 [CONTROLLED ACCESS REGULATIONS AND PENALTIES.] Subdivision 1. (a) No person shall drive a vehicle onto or from any controlled access highway except at such entrances and exits as are established by public authority.

(b) When special crossovers between the main roadways of a controlled access highway are provided for emergency vehicles or maintenance equipment and such crossovers are signed to prohibit "U" turns, it shall be unlawful for any vehicle, except an emergency vehicle or maintenance equipment, to use such crossover.

(c) The commissioner of transportation may by order, and any public authority may by ordinance, with respect to any con-

trolled access highway under their jurisdictions prohibit or regulate the use of any such highway by pedestrians, bicycles, or other nonmotorized traffic, or by motorized bicycles, or by any class or kind of traffic which is found to be incompatible with the normal and safe flow of traffic.

(d) The commissioner of transportation or the public authority adopting any such prohibitory regulations shall erect and maintain official signs on the controlled access highway on which such regulations are applicable and when so erected no person shall disobey the restrictions stated on such signs.

Sec. 10. Minnesota Statutes 1976, Section 171.01, Subdivision 17, is amended to read:

Subd. 17. "Motorcycle" means every motor vehicle having a seat or saddle for the use of the rider and designed to travel on not more than three wheels in contact with the ground, including motor scooters and bicycles with motor attached, but excluding (A TRACTOR) tractors and motorized bicycles.

Sec. 11. Minnesota Statutes 1976, Section 171.01, is amended by adding a subdivision to read:

Subd. 20. "Motorized bicycle" means a bicycle with fully operatable pedals which may be propelled by human power or a motor, or by both, with a motor of a capacity of less than 50 cubic centimeters piston displacement, and a maximum of two brake horsepower, which is capable of a maximum speed of not more than 30 miles per hour on a flat surface with not more than one percent grade in any direction when the motor is engaged.

Sec. 12. Minnesota Statutes 1976, Section 171.02, is amended by adding a subdivision to read:

Subd. 3. [MOTORIZED BICYCLES.] No motorized bicycle shall be operated on any public roadway by any person who does not possess a valid drivers license, unless such person has obtained a motorized bicycle operator's permit from the commissioner of public safety. Such permit may be issued to any person who has attained the age of 15 years and who has passed the examination prescribed by the commissioner. The commissioner may promulgate rules and regulations prescribing the content of such examination and the information to be contained on the permit.

Sec. 13. [EFFECTIVE DATE.] This act is effective August 1, 1977, except that motorized bicycles shall not be registered, nor shall license plates be issued to them, prior to November 15, 1977."

Further amend the title as follows:

Page 1, line 7, after "1976," insert "Chapter 169, by adding a section; and".

Page 1, delete lines 8 to 14 and insert: "168.011, Subdivision 26, and by adding a subdivision; 168.013, by adding a subdivision; 168.27, Subdivision 20; 168A.01, Subdivision 24; 169.01, Subdivision 4, and by adding a subdivision; 169.305, Subdivision 1; 171.01, Subdivision 17, and by adding a subdivision; and 171.02, by adding a subdivision."

With the recommendation that when so amended the bill pass and be placed on the Consent Calendar.

The report was adopted.

Fudro from the Committee on Transportation to which was referred:

H. F. No. 231, A bill for an act relating to transportation, particular uses of highway right of way; amending Minnesota Statutes 1976, Section 160.27, Subdivision 2.

Reported the same back with the following amendments:

Page 1, line 9, delete "AND" and insert a comma.

Page 1, line 9, after "SHELTERS" insert ", AND TRASH RECEPTACLE UNITS".

Page 1, line 10, strike "and" and insert a comma.

Page 1, line 10, after "shelters" insert ", and trash receptacle units".

Page 1, line 16, delete "and" and insert a comma.

Page 1, line 16, after "shelters" insert ", and trash receptacle units".

With the recommendation that when so amended the bill pass.

The report was adopted.

Fudro from the Committee on Transportation to which was referred:

H. F. No. 332, A bill for an act relating to highway traffic regulations; prescribing penalties for certain offenses; eliminat-

ing the requirement that court records of convictions for petty misdemeanors be forwarded to the department of public safety; and prohibiting the drivers license division from maintaining records of petty misdemeanors; amending Minnesota Statutes 1976, Sections 169.141, Subdivision 2; 169.89, Subdivision 1; 169.95; and 171.12, Subdivision 2.

Reported the same back with the recommendation that the bill pass.

The report was adopted.

Fudro from the Committee on Transportation to which was referred:

H. F. No. 334, A bill for an act relating to highway traffic regulations; lengths of certain vehicles and combinations of vehicles; amending Minnesota Statutes 1976, Section 169.81, Subdivision 3.

Reported the same back with the following amendments:

Strike everything after the enacting clause and insert in lieu thereof:

"Section 1. Minnesota Statutes 1976, Section 169.81, Subdivision 3, is amended to read:

Subd. 3. [LENGTH OF COMBINATIONS AND SEMI-TRAILERS AND TRACTORS.] (a) No combination of vehicles coupled together unladen or with load, including truck tractor and semitrailers, shall consist of more than two units unless such combination consists of (A TRUCK AND SEMI-TRAILER OR) a truck-tractor and semitrailer drawing one additional semitrailer equipped with an auxiliary dolly, and no combination of vehicles shall exceed a total length of (55) 60 feet (EXCEPT AS PROVIDED BY SECTION 169.861), provided that this limitation shall not apply to the transportation of telegraph poles, telephone poles, electric light and power poles, piling, or pole length pulpwood, and subject to the following further exceptions: Said length limitations shall not apply to vehicles when transporting pipe, or other objects by a public utility when required for emergency or repair of public service facilities or when operated under special permits as provided in this subdivision, but in respect to night transportation every such vehicle and the load thereon shall be equipped with a sufficient number of clearance lamps and marker lamps on both sides and upon the extreme ends of any projecting load to clearly mark the dimensions of such load. Mount combinations may be drawn but such combinations may not exceed (55) 60 feet in length. Said limitation on the number of units shall not apply to vehicles used for transporting milk from point of production to point of first

processing, in which case no combination of vehicles coupled together unladen or with load, including truck tractor and semi-trailers, shall consist of more than three units and no such combination of vehicles shall exceed a total length of (55) 60 feet. For the purpose of registration, trailers coupled with a truck-tractor, semi-trailer combination shall be considered the same as semi-trailers. The state, as to state trunk highways, and any city or town, as to roads or streets located therein, may issue permits authorizing the transportation of combinations of vehicles exceeding the limitations herein contained over highways, roads or streets within their boundaries. *Combinations of vehicles authorized by this subdivision may be restricted as to the use of highways by the commissioner, as to state trunk highways, and any road authority, as to highways or streets subject to its jurisdiction. Nothing in this subdivision shall be deemed to alter or change the authority vested in local authorities under the provisions of section 169.04. This subdivision shall not apply to the operation of combinations of vehicles subject to the provisions of section 169.861.*

(b) No single semitrailer or trailer shall have an overall length, exclusive of rear protective bumpers which do not increase the overall length by more than six inches and further exclusive of any accessory equipment mounted or located on the end of the semitrailer or trailer adjacent to the truck or truck-tractor, in excess of 45 feet, except for those semitrailers governed by subdivisions 3a and 7. For purposes of determining compliance with the provisions of this subdivision, the length of the semitrailer or trailer shall be determined separate from the overall length of the combination of vehicles.

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

With the recommendation that when so amended the bill pass and be placed on the Consent Calendar.

The report was adopted.

SECOND READING OF HOUSE BILLS

H. F. Nos. 439, 82, 117, 531, 24, 586, 33, 231, 332 and 334 were read for the second time.

SECOND READING OF SENATE BILLS

S. F. No. 21 was read for the second time.

INTRODUCTION AND FIRST READING OF HOUSE BILLS

The following House Files were introduced:

Casserly, Nelson, Pleasant, Anderson, G., and Norton introduced:

H. F. No. 772, A bill for an act relating to state contracts; regulating bid and performance bonds for small businesses and minority small businesses; appropriating money; amending Minnesota Statutes 1976, Chapter 574, by adding a section.

The bill was read for the first time and referred to the Committee on Commerce and Economic Development.

Berglin, Jaros, Ewald, Simoneau and Casserly introduced:

H. F. No. 773, A bill for an act relating to landlord and tenant; extending the time between service of the summons in unlawful detainer proceedings and the return day; providing for a stay of the writ of restitution in unlawful detainer proceedings in cases of substantial hardship; amending Minnesota Statutes 1976, Sections 566.05; 566.06; and 566.09.

The bill was read for the first time and referred to the Committee on Commerce and Economic Development.

Berglin, Scheid, Jaros, Arlandson and Sieben, M., introduced:

H. F. No. 774, A bill for an act relating to landlords and tenants; providing remedies for tenants whose landlords have breached provisions of agreements; defining terms; providing for adjustment of rent.

The bill was read for the first time and referred to the Committee on Commerce and Economic Development.

Kempe, R., introduced:

H. F. No. 775, A bill for an act relating to state owned buildings; requiring installation of revolving doors to conserve energy; amending Minnesota Statutes 1976, Section 116H.12, by adding a subdivision.

The bill was read for the first time and referred to the Committee on Environment and Natural Resources.

Clawson, Kalis, Lemke, Mann and Anderson, R., introduced:

H. F. No. 776, A bill for an act relating to soil and water conservation; adding the commissioner of natural resources as an ex-officio officer of the state soil and water conservation board; amending Minnesota Statutes 1976, Section 40.03, Subdivision 1.

The bill was read for the first time and referred to the Committee on Environment and Natural Resources.

Eken, Mann, Kalis, Biersdorf and Anderson, G., introduced:

H. F. No. 777, A bill for an act relating to agriculture; the family farm security program; eliminating first mortgage requirements for seller-sponsored loans; authorizing retention of land by sellers in lieu of payment of loan guarantees; authorizing sharing of excess proceeds from default sale; allowing payment adjustments for certain loans with unequal annual payments; amending Minnesota Statutes 1976, Sections 41.52, Subdivisions 5 and 8; 41.54, Subdivision 2; 41.56, Subdivisions 3 and 4; 41.57, Subdivision 2; and 41.58, Subdivision 2.

The bill was read for the first time and referred to the Committee on Agriculture.

Beauchamp, Battaglia, Munger, Stoa and Zubay introduced:

H. F. No. 778, A bill for an act relating to the state building code; extending its application to all cities and counties; clarifying state agency rulemaking regarding building code subject matter; amending Minnesota Statutes 1976, Sections 16.84; 16.851; and 16.86, Subdivision 4.

The bill was read for the first time and referred to the Committee on Environment and Natural Resources.

Kostohryz, Stanton, Norton, McEachern and Knickerbocker introduced:

H. F. No. 779, A bill for an act relating to education; vocational education; providing programs for certain handicapped and disadvantaged persons; appropriating money.

The bill was read for the first time and referred to the Committee on Education.

Birnstihl, Jensen and Biersdorf introduced:

H. F. No. 780, A bill for an act relating to education; school districts; detachment and annexation; eliminating the requirement of consent by the district in certain cases; amending Minnesota Statutes 1976, Section 122.21, Subdivision 2.

The bill was read for the first time and referred to the Committee on Education.

Langseth, Stanton, Knickerbocker, Corbid and Mangan introduced:

H. F. No. 781, A bill for an act relating to education; school districts; authorizing certain districts to enter into agreements for the joint exercise of powers upon approval of the commissioner of education; amending Minnesota Statutes 1976, Chapter 122, by adding a section.

The bill was read for the first time and referred to the Committee on Education.

Langseth, Stanton, Knickerbocker, Corbid and Mangan introduced:

H. F. No. 782, A bill for an act relating to education; school district organization; eliminating the requirement that a school district maintain certain grades; amending Minnesota Statutes 1976, Sections 122.41; 122.43, Subdivision 1; and 122.44, Subdivision 1.

The bill was read for the first time and referred to the Committee on Education.

Peterson, Albrecht, Esau, Wigley and Erickson introduced:

H. F. No. 783, A bill for an act relating to education; state aid; tax levies; providing a foundation aid formula and levy limitation for school districts; amending Minnesota Statutes 1976, Sections 124.212, Subdivision 2 and by adding subdivisions; and 275.125, Subdivision 3 and by adding a subdivision.

The bill was read for the first time and referred to the Committee on Education.

Berglin, Lehto, Nelson, Kahn and Clark introduced:

H. F. No. 784, A bill for an act relating to education; establishing pilot bilingual and native American language and culture education programs; granting certain powers and duties to the state board of education; establishing a state bilingual and native American language and culture education advisory council; appropriating money; amending Minnesota Statutes 1976, Sections 120.095, by adding a subdivision; 120.10, Subdivision 2; repealing Minnesota Statutes 1976, Section 126.07.

The bill was read for the first time and referred to the Committee on Education.

Suss, Simoneau, Norton, George and Friedrich introduced:

H. F. No. 785, A bill for an act relating to credit unions; authorizing certain contracts between credit unions; amending Minnesota Statutes 1976, Section 52.04.

The bill was read for the first time and referred to the Committee on Financial Institutions and Insurance.

Clawson, Berglin, Clark, Jaros and Pleasant introduced:

H. F. No. 786, A bill for an act relating to financial institutions; requiring annual disclosure of certain information.

The bill was read for the first time and referred to the Committee on Financial Institutions and Insurance.

Swanson, Voss, Abeln, Suss and Heinitz introduced:

H. F. No. 787, A bill for an act relating to savings banks; allowing savings banks to establish negotiable order of withdrawal accounts; amending Minnesota Statutes 1976, Chapter 50, by adding a section.

The bill was read for the first time and referred to the Committee on Financial Institutions and Insurance.

Kempe, A.; Brinkman; Tomlinson; McCollar and Kempe, R., introduced:

H. F. No. 788, A bill for an act relating to fire insurance; requiring a premium reduction or credit against premium for installation of certain smoke or fire detection devices.

The bill was read for the first time and referred to the Committee on Financial Institutions and Insurance.

Cummiskey, Simoneau, Reding and Beauchamp introduced:

H. F. No 789, A bill for an act relating to elections; establishing voter registration in all counties; changing required voter registration information; providing for reports of changes; amending Minnesota Statutes 1976, Sections 201.021; 201.061, Subdivisions 3 and 6; 201.071; 201.091, Subdivision 6, and by adding a subdivision; 201.14; 201.15; and Chapter 201, by adding a section; repealing Minnesota Statutes 1976, Section 201.061, Subdivision 2.

The bill was read for the first time and referred to the Committee on General Legislation and Veterans Affairs.

Abeln, Jensen, Mangan, Clark and Skoglund introduced:

H. F. No. 790, A bill for an act relating to elections; providing for the admission of candidates and campaign workers to multiple unit dwellings; providing penalties; amending Minnesota Statutes 1976, Section 210A.43.

The bill was read for the first time and referred to the Committee on General Legislation and Veterans Affairs.

Birnstihl; Biersdorf; Nelsen, M.; Sieben, H.; and Jensen introduced:

H. F. No. 791, A bill for an act relating to state lands; authorizing the conveyance of certain state lands in Rice county to the city of Faribault for the purpose of establishing a nature interpretative center with emphasis on natural history.

The bill was read for the first time and referred to the Committee on Governmental Operations.

Fugina, Begich and Prahl introduced:

H. F. No. 792, A bill for an act relating to retirement; membership of Range Municipalities and Civic Association in the public employees retirement association; amending Minnesota Statutes 1976, Chapter 353, by adding a section.

The bill was read for the first time and referred to the Committee on Governmental Operations.

Reding and Wenstrom introduced:

H. F. No. 793, A bill for an act relating to retirement; annuitants of the public employees retirement association holding public office; effect on annuity; amending Minnesota Statutes 1976, Section 353.37, Subdivision 1.

The bill was read for the first time and referred to the Committee on Governmental Operations.

Clawson, Kroening, Welch, Sieben, M., and Savelkoul introduced:

H. F. No. 794, A bill for an act relating to courts; expanding jurisdiction of county courts in certain matters; amending Minnesota Statutes 1976, Sections 487.15; 487.18; and 487.19, Subdivision 1.

The bill was read for the first time and referred to the Committee on Governmental Operations.

Wenstrom, Corbid, Smogard, Johnson and Anderson, R., introduced:

H. F. No. 795, A bill for an act relating to worker's compensation; excluding family corporations from coverage; amending Minnesota Statutes 1976, Section 176.041, Subdivision 1.

The bill was read for the first time and referred to the Committee on Governmental Operations.

Nelsen, B., and Fjoslien introduced:

H. F. No. 796, A bill for an act relating to natural resources; authorizing the conveyance by the state of certain lands known as Battle Point to Todd county; amending Minnesota Statutes 1976, Section 84.163.

The bill was read for the first time and referred to the Committee on Governmental Operations.

Fugina, Begich, Samuelson, Anderson, I., and Esau introduced:

H. F. No. 797, A bill for an act relating to crimes; regulating the possession and use of pistols; requiring permits to carry pistols within cities of the fourth class or larger; amending Minnesota Statutes 1976, Sections 624.712, Subdivisions 2, 4 and 5; 624.713, Subdivision 1; 624.714, Subdivisions 1, 4, 5, 6, 7, 9 and 10; and 624.717.

The bill was read for the first time and referred to the Committee on Criminal Justice.

Neisen, McEachern, Reding, Erickson and Kostohryz introduced:

H. F. No. 798, A bill for an act relating to parking privileges for the physically handicapped; prohibiting nonhandicapped persons from parking in spaces designated for the handicapped; providing penalties.

The bill was read for the first time and referred to the Committee on Criminal Justice.

Berglin and Kahn introduced:

H. F. No 799, A bill for an act relating to crimes; correcting references in the laws relating to criminal sexual conduct; amending Minnesota Statutes 1976, Sections 246.43, Subdivision 1; 609.11, Subdivision 1; 609.195; 609.293, Subdivision 5; and 609.341, Subdivision 10; repealing Minnesota Statutes 1976, Section 609.293, Subdivisions 2, 3, and 4.

The bill was read for the first time and referred to the Committee on Criminal Justice.

Berg, Faricy, Vanasek and Jaros introduced:

H. F. No. 800, A bill for an act relating to crimes; regulating the transfer of pistols; requiring a waiting period for pistol transfers; requiring police checks of pistol transferees; prohibiting transfers of pistols to certain persons; prescribing penalties; amending Minnesota Statutes 1976, Section 624.712, by adding a subdivision; and Chapter 624, by adding a section.

The bill was read for the first time and referred to the Committee on Criminal Justice.

Cohen; Sieben, H.; Hanson; Moe and Anderson, R., introduced:

H. F. No. 801, A bill for an act relating to crimes; specifying certain acts which constitute theft in relation to cable television services and systems; providing penalties; amending Minnesota Statutes 1976, Section 609.52, Subdivision 2.

The bill was read for the first time and referred to the Committee on Criminal Justice.

Peterson, Carlson, A., and Rose introduced:

H. F. No. 802, A bill for an act relating to education; early childhood and family education; providing for new early childhood and family programs to be developed by school districts and for continuation of existing programs; appropriating money.

The bill was read for the first time and referred to the Committee on Health and Welfare.

Heinitz, McDonald, Rose, Kaley and Wigley introduced:

H. F. No. 803, A bill for an act relating to public welfare; medical assistance for the needy; increasing the personal allowance for persons in care facilities; amending Minnesota Statutes 1976, Section 256B.35, Subdivision 1.

The bill was read for the first time and referred to the Committee on Health and Welfare.

Pehler, Patton and Adams introduced:

H. F. No. 804, A bill for an act relating to education; higher education coordinating board; transferring authority for approval of schools of nursing to the board; amending Minnesota Statutes 1976, Section 148.251, Subdivisions 1, 3, and by adding a subdivision.

The bill was read for the first time and referred to the Committee on Higher Education.

Byrne, Mangan, Kroening, Metzen and Jacobs introduced:

H. F. No. 805, A bill for an act relating to public employees; excluding supervisory employees from certain bargaining units; amending Minnesota Statutes 1976, Section 179.65, Subdivision 6.

The bill was read for the first time and referred to the Committee on Labor-Management Relations.

Jacobs, Voss, Corbid, Simoneau and Clawson introduced:

H. F. No. 806, A bill for an act relating to recreational activities; creating the metropolitan sports facilities commission and prescribing its powers and duties; requiring the television broadcast within the metropolitan area of certain games; authorizing the metropolitan council to issue revenue bonds; providing for the construction and operation of a multipurpose domed sports facility; authorizing a tax on certain sales of intoxicating liquor and fermented malt beverages in the metropolitan area; providing for admissions tax at certain facilities; requiring the completion of an environmental impact statement prior to construction of a sports facility; providing for a tax levy; amending Minnesota Statutes 1976, Chapter 473, by adding sections.

The bill was read for the first time and referred to the Committee on Local and Urban Affairs.

Vanasek and Suss introduced:

H. F. No. 807, A bill for an act relating to metropolitan government; removing the city of New Prague from definitions of metropolitan areas; amending Minnesota Statutes 1976, Sections 473.121, Subdivision 2; 473.123, Subdivision 3; 473.403; 473F.02, Subdivisions 2 and 8.

The bill was read for the first time and referred to the Committee on Local and Urban Affairs.

Fudro, Lemke, Metzen, Birnstihl and Anderson, D., introduced:

H. F. No. 808, A bill for an act relating to local improvements; contracts; requiring percentage payments thereunder, and requiring payment of interest on money due and not paid in accordance with the contract; amending Minnesota Statutes 1976, Section 429.041, Subdivision 6; and Chapter 429, by adding a section.

The bill was read for the first time and referred to the Committee on Local and Urban Affairs.

Smogard and Anderson, G., introduced:

H. F. No. 809, A bill for an act changing the boundary line between Lac qui Parle county and Big Stone county; amending Laws 1937, Chapter 423, Section 1.

The bill was read for the first time and referred to the Committee on Local and Urban Affairs.

Adams, Osthoff, Tomlinson, Carlson, A., and Dean introduced:

H. F. No. 810, A bill for an act relating to intoxicating liquor; authorizing issuance of additional on-sale licenses in cities of the first class to bona fide clubs and veterans' organizations; amending Minnesota Statutes 1976, Section 340.11, Subdivision 11.

The bill was read for the first time and referred to the Committee on Local and Urban Affairs.

Abeln, Hanson, Jaros, Swanson and Jacobs introduced:

H. F. No. 811, A bill for an act relating to taxation; imposing a tax on liquor sold for resale; providing for distribution of proceeds to alcohol rehabilitation programs; providing penalties; appropriating funds; amending Minnesota Statutes 1976, Chapter 297A, by adding a section.

The bill was read for the first time and referred to the Committee on Taxes.

Prahl, McCollar, Novak, Scheid and Anderson, I., introduced:

H. F. No. 812, A bill for an act relating to taxation; providing a tax credit for aged and disabled persons paying residential heating charges; amending Minnesota Statutes 1976, Section 290.06, by adding a subdivision.

The bill was read for the first time and referred to the Committee on Taxes.

Brinkman and Fjoslien introduced:

H. F. No. 813, A bill for an act relating to taxation; providing for taxation of certain camps; exempting medical rehabilitation and therapeutic camps.

The bill was read for the first time and referred to the Committee on Taxes.

Peterson, Eken, Johnson, Vanasek and McCarron introduced:

H. F. No. 814, A bill for an act relating to taxation; requiring indication on income tax return of school district in which taxpayer resides; amending Minnesota Statutes 1976, Section 290.39, Subdivision 1.

The bill was read for the first time and referred to the Committee on Taxes.

Novak, Casserly, Tomlinson, Dean and Kroening introduced:

H. F. No. 815, A bill for an act relating to taxation; exempting advertising billboards from property taxation; amending Minnesota Statutes 1976, Section 272.02, Subdivision 1.

The bill was read for the first time and referred to the Committee on Taxes.

Battaglia, Prahl, Anderson, I., and Begich introduced:

H. F. No. 816, A bill for an act relating to snowmobiles; providing for operation on certain highways; amending Minnesota Statutes 1976, Section 84.87, Subdivision 3.

The bill was read for the first time and referred to the Committee on Transportation.

Birnstihl; Lemke; Nelsen, M.; Biersdorf and Jensen introduced:

H. F. No. 817, A bill for an act relating to highway traffic regulations; weight limitations; providing that weight increases for haulers of raw and unfinished forest products shall be state-wide during certain periods; amending Minnesota Statutes 1976, Section 169.83, Subdivision 1.

The bill was read for the first time and referred to the Committee on Transportation.

Lemke; Sieben, H.; Anderson, D.; Fudro and Mann introduced:

H. F. No. 818, A bill for an act relating to highway traffic regulations; implements of husbandry; defined; restricting the speed of certain implements of husbandry on the highways; amending Minnesota Statutes 1976, Section 169.01, Subdivision 55; and Chapter 169, by adding a section.

The bill was read for the first time and referred to the Committee on Transportation.

Rose, Kempe, A., and Wigley introduced:

H. F. No. 819, A bill for an act relating to motor vehicles; registration and taxation; exempting certain disabled war veterans from the motor vehicle registration tax; amending Minnesota Statutes 1976, Section 168.031.

The bill was read for the first time and referred to the Committee on Transportation.

Patton introduced:

H. F. No. 820, A bill for an act relating to the state transportation system; authorizing the issuance of state bonds pursuant to Minnesota Statutes 1976, Section 174.51 and Article XI of the Constitution for the design, construction and reconstruction of bridges and bridge approaches; appropriating money.

The bill was read for the first time and referred to the Committee on Transportation.

Birnstihl, Lemke, Metzen, Anderson, D., and Fudro introduced:

H. F. No. 821, A bill for an act relating to highways; state-aid system; contracts for construction and improvement of county state-aid highways and municipal state-aid streets; requiring percentage payments thereunder, and requiring payment of interest on money due and not paid in accordance with the contract; amending Minnesota Statutes 1976, Sections 162.04 and 162.10.

The bill was read for the first time and referred to the Committee on Transportation.

Cohen, Fudro, Osthoff, Vanasek and Anderson, D., introduced:

H. F. No. 822, A bill for an act relating to motor vehicle common carriers; reinstating operating authority of certain irregular route common carriers.

The bill was read for the first time and referred to the Committee on Transportation.

HOUSE ADVISORIES

Pursuant to rule 5.3, the following House Advisories were introduced:

Jude, Searles, McCollar, Sieben, M., and Prahl introduced:

H. A. No. 16, A proposal for management of recreational waters.

The advisory was referred to the Committee on Environment and Natural Resources.

Cummiskey introduced:

H. A. No. 17, A proposal to investigate development of a more efficient bonding system for armories.

The advisory was referred to the Committee on General Legislation and Veterans Affairs.

Fjoslien, Mann, Munger and Kvam introduced:

H. A. No. 18, A proposal to study the economic feasibility of blending agriculturally derived ethyl alcohol with unleaded gasoline.

The advisory was referred to the Committee on Agriculture.

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Mr. Speaker:

I hereby announce the passage by the Senate of the following House File, herewith returned:

H. F. No. 12, A bill for an act relating to Independent School District No. 15 and Independent School District No. 911; providing for a transfer of property between the districts.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

I hereby announce the passage by the Senate of the following Senate Files, herewith transmitted:

S. F. Nos. 70, 76, 166, 183 and 188.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

I hereby announce the passage by the Senate of the following Senate Files, herewith transmitted:

S. F. Nos. 200, 201, 254 and 290.

PATRICK E. FLAHAVEN, Secretary of the Senate

FIRST READING OF SENATE BILLS

S. F. No. 70, A bill for an act relating to judgments; providing for enforcement of foreign judgments in courts of this state.

The bill was read for the first time and referred to the Committee on Governmental Operations.

S. F. No. 76, A bill for an act relating to commerce; extending the effective date of certain provisions of law that require tents and sleeping bags to be flame resistant; amending Laws 1975, Chapter 341, Section 6.

The bill was read for the first time.

George moved that S. F. No. 76 and H. F. No. 115, now on General Orders, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 166, A bill for an act relating to real estate; landlord and tenant; venue of actions brought to recover rent deposits; amending Minnesota Statutes 1976, Sections 487.30, by adding a subdivision; 488.04, by adding a subdivision; 488A.01, by adding a subdivision; 488A.12, Subdivision 3; 488A.18, Subdivision 4; 488A.29, Subdivision 3; and 504.20, by adding a subdivision.

The bill was read for the first time and referred to the Committee on Commerce and Economic Development.

S. F. No. 183, A bill for an act relating to franchises; amending Minnesota Statutes 1976, Sections 80C.01, Subdivision 4; 80C.08, Subdivision 1; and 80C.09, Subdivision 1.

The bill was read for the first time.

Arlandson moved that S. F. No. 183 and H. F. No. 282, now on General Orders, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 188, A bill for an act relating to crimes; correcting references in the laws relating to criminal sexual conduct; amending Minnesota Statutes 1976, Sections 246.43, Subdivision 1; 609.11, Subdivision 1; 609.195; 609.293, Subdivision 5; 609.32, Subdivisions 1, 3, and 4; 609.341, Subdivision 10; and Section 626.556, Subdivision 2; repealing Minnesota Statutes 1976, Section 609.293, Subdivisions 2, 3, and 4.

The bill was read for the first time and referred to the Committee on Criminal Justice.

S. F. No. 200, A bill for an act relating to banking; authorized investments and powers of savings banks; amending Minnesota Statutes 1976, Sections 50.14, Subdivision 5; 50.148; and 50.157.

The bill was read for the first time.

Cassery moved that S. F. No. 200 and H. F. No. 299, now on the Calendar, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 201, A bill for an act relating to crimes; prohibiting devices intended to be used to avoid payment of long distance telecommunications services; prescribing penalties; amending Minnesota Statutes 1976, Section 609.785.

The bill was read for the first time.

McCarron moved that S. F. No. 201 and H. F. No. 117, now on Technical General Orders, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 254, A bill for an act relating to trusts; clarifying county court jurisdiction over trusts; permitting a trustee or beneficiary of a trust to petition the court to release jurisdiction over certain trusts; amending Minnesota Statutes 1976, Sections 501.11; 501.12, Subdivision 3; 501.17; 501.211, Subdivision 4; 501.22, Subdivisions 2, 4, and 5; 501.23; 501.24; 501.25; 501.27; 501.33; 501.34; 501.35; 501.38; 501.42; 501.44; and Chapter 501, by adding a section.

The bill was read for the first time and referred to the Committee on Governmental Operations.

S. F. No. 290, A bill for an act relating to banks; amending the charter application appeals provisions; amending Minnesota Statutes 1976, Section 45.07.

The bill was read for the first time and referred to the Committee on Financial Institutions and Insurance.

CALENDAR

H. F. No. 380, A bill for an act relating to bicycles; registration; administration of the bicycle registration law; including unicycles within the definition of bicycle; clarifying provisions relating to bicycle registration; providing for the disposition of certain service fees charged in handling registration; extending the time for the report of the commissioner of public safety to the legislature on recommendations for mandatory registration of bicycles; amending Minnesota Statutes 1976, Sections 168C.02, Subdivision 2; 168C.03; 168C.07; 168C.10; 168C.11, Subdivisions 1 and 2; 168C.12; 168C.13, Subdivision 1; and Laws 1976, Chapter 199, Section 14, Subdivision 2.

The bill was read for the third time and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 88 yeas and 43 nays as follows:

Those who voted in the affirmative were:

Adams	Dean	Kelly, R.	Nelson	Spanish
Anderson, B.	Ellingson	Kelly, W.	Norton	Stanton
Arlandson	Enebo	Kempe, A.	Novak	Stoa
Beauchamp	Evans	Kempe, R.	Patton	Suss
Berg	Ewald	King	Pehler	Swanson
Berglin	Farcy	Knickerbocker	Petrafeso	Tomlinson
Berkelman	Forsythe	Kostohryz	Pleasant	Vanasek
Brandl	Fudro	Kroening	Reding	Voss
Byrne	George	Laidig	Rice	Waldorf
Carlson, A.	Hanson	Lehto	Rose	Welch
Carlson, L.	Haugerud	Mangan	Sarna	Wenstrom
Casserly	Heinitz	McCarron	Scheid	White
Clark	Hokanson	McDonald	Searles	Williamson
Clawson	Jacobs	Metzen	Sherwood	Wynia
Cohen	Jaros	Moe	Sieben, H.	Zubay
Corbid	Jensen	Munger	Sieben, M.	Speaker Sabo
Cummiskey	Jude	Murphy	Simoneau	
Dahl	Kahn	Neisen	Skoglund	

Those who voted in the negative were:

Abeln	Birnstihl	Friedrich	McEachern	Savelkoul
Albrecht	Braun	Gunter	Nelsen, B.	Schulz
Anderson, D.	Brinkman	Johnson	Nelsen, M.	Searle
Anderson, G.	Carlson, D.	Kaley	Niehaus	Smogard
Anderson, I.	Eckstein	Kvam	Osthoff	Wenzel
Anderson, R.	Eken	Langseth	Peterson	Wieser
Battaglia	Erickson	Lemke	Prahl	Wigley
Begich	Esau	Mann	St. Onge	
Biersdorf	Fjoslien	McCollar	Samuelson	

The bill was passed and its title agreed to.

H. F. No. 140 was reported to the House and given its third reading.

Savelkoul moved that H. F. No. 140 be returned to General Orders and be considered first in the Committee of the Whole for today. The motion prevailed.

Pursuant to rule 2.5, King and Zubay were excused from voting on H. F. No. 37.

H. F. No. 37, A bill for an act relating to commerce; requiring individually marked prices on certain retail merchandise; providing exceptions; providing penalties.

The bill was read for the third time and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 117 yeas and 10 nays as follows:

Those who voted in the affirmative were:

Abeln	Clark	Johnson	Murphy	Sherwood
Adams	Clawson	Jude	Neisen	Sieben, H.
Anderson, B.	Cohen	Kahn	Nelsen, B.	Sieben, M.
Anderson, D.	Corbid	Kaley	Nelsen, M.	Simoneau
Anderson, G.	Cummiskey	Kelly, R.	Nelson	Skoglund
Anderson, I.	Dahl	Kelly, W.	Norton	Smogard
Anderson, R.	Dean	Kempe, A.	Novak	Spanish
Arlandson	Eken	Kempe, R.	Osthoff	Stanton
Battaglia	Ellingson	Knickerbocker	Patton	Stoa
Beauchamp	Enebo	Kostohryz	Pehler	Suss
Begich	Erickson	Kroening	Peterson	Swanson
Berg	Evans	Laidig	Petrafeso	Tomlinson
Berglin	Faricy	Langseth	Pleasant	Vanasek
Berkelman	Fjoslien	Lehto	Prahl	Voss
Biersdorf	Forsythe	Lemke	Reding	Waldorf
Birnstihl	Fudro	Mangan	Rice	Wenstrom
Brandl	George	Mann	Rose	Wenzel
Braun	Gunter	McCarron	St. Onge	White
Brinkman	Hanson	McCollar	Samuelson	Williamson
Byrne	Haugerud	McDonald	Sarna	Wynia
Carlson, A.	Hokanson	McEachern	Savelkoul	Speaker Sabo
Carlson, D.	Jacobs	Metzen	Scheid	
Carlson, L.	Jaros	Moe	Searle	
Casserly	Jensen	Munger	Searles	

Those who voted in the negative were:

Albrecht	Ewald	Heinitz	Niehaus	Wieser
Eckstein	Friedrich	Kvam	Schulz	Wigley

The bill was passed and its title agreed to.

H. F. No. 383, A bill for an act relating to agriculture; potato industry promotion; providing for an increase in the assessment levied; amending Minnesota Statutes 1976, Section 30.469.

The bill was read for the third time and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 129 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Abeln	Berkelman	Cummiskey	Friedrich	Kaley
Adams	Biersdorf	Dahl	Fudro	Kalis
Albrecht	Birnstihl	Dean	George	Kelly, W.
Anderson, B.	Brandl	Eckstein	Gunter	Kempe, A.
Anderson, D.	Braun	Eken	Hanson	Kempe, R.
Anderson, G.	Brinkman	Ellingson	Haugerud	King
Anderson, I.	Byrne	Enebo	Heinitz	Knickerbocker
Anderson, R.	Carlson, A.	Erickson	Hokanson	Kostohryz
Arlandson	Carlson, D.	Esau	Jacobs	Kroening
Battaglia	Carlson, L.	Evans	Jaros	Kvam
Beauchamp	Casserly	Ewald	Jensen	Laidig
Begich	Clark	Faricy	Johnson	Langseth
Berg	Cohen	Fjoslien	Jude	Lehto
Berglin	Corbid	Forsythe	Kahn	Lemke

Mangan	Nelson	Rice	Sieben, M.	Waldorf
Mann	Niehaus	Rose	Simoneau	Welch
McCarron	Norton	St. Onge	Skoglund	Wenstrom
McCollar	Novak	Samuelson	Smogard	Wenzel
McDonald	Osthoff	Sarna	Spanish	White
McEachern	Patton	Savelkoul	Stanton	Wieser
Metzen	Pehler	Scheid	Stoa	Wigley
Munger	Peterson	Schulz	Suss	Williamson
Murphy	Petrafeso	Searle	Swanson	Wynia
Neisen	Pleasant	Searles	Tomlinson	Zubay
Nelsen, B.	Prahl	Sherwood	Vanasek	Speaker Sabo
Nelsen, M.	Reding	Sieben, H.	Voss	

The bill was passed and its title agreed to.

H. F. No. 352, A bill for an act relating to game and fish; prohibiting the use of certain devices in fishing; amending Minnesota Statutes 1976, Section 101.42, by adding a subdivision.

The bill was read for the third time and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 74 yeas and 56 nays as follows:

Those who voted in the affirmative were:

Anderson, B.	Corbid	Kelly, R.	Nelson	Simoneau
Anderson, D.	Cummiskey	Kelly, W.	Norton	Skoglund
Anderson, G.	Dean	Kempe, A.	Novak	Smogard
Anderson, I.	Eken	Kempe, R.	Osthoff	Spanish
Battaglia	Ellingson	King	Patton	Stanton
Beauchamp	Enebo	Kostohryz	Pehler	Stoa
Begich	Esau	Kroening	Petrafeso	Vanasek
Berg	Faricy	Laidig	Reding	Waldorf
Berglin	George	Langseth	Rice	Welch
Byrne	Hanson	Lehto	Rose	Wenstrom
Carlson, L.	Haugerud	Mann	St. Onge	White
Casserly	Jacobs	Moe	Scheid	Wieser
Clark	Jaros	Munger	Searle	Wynia
Clawson	Johnson	Neisen	Sherwood	Speaker Sabo
Cohen	Kahn	Nelsen, M.	Sieben, M.	

Those who voted in the negative were:

Abeln	Carlson, D.	Jensen	Murphy	Suss
Adams	Eckstein	Jude	Nelsen, B.	Swanson
Albrecht	Erickson	Kaley	Niehaus	Tomlinson
Anderson, R.	Evans	Knickerbocker	Peterson	Voss
Arlandson	Ewald	Kvam	Pleasant	Wenzel
Berkelman	Fjoslien	Lemke	Prahl	Wigley
Biersdorf	Forsythe	Mangan	Samuelson	Williamson
Birnstihl	Friedrich	McCarron	Sarna	Zubay
Brandl	Fudro	McCollar	Savelkoul	
Braun	Gunter	McDonald	Schulz	
Brinkman	Heinitz	McEachern	Searles	
Carlson, A.	Hokanson	Metzen	Sieben, H.	

The bill was passed and its title agreed to.

H. F. No. 259, A bill for an act relating to insurance; requiring refund of unearned premium on cancellation of certain automobile insurance policies; amending Minnesota Statutes 1976, Section 65B.14; and Chapter 65B, by adding sections.

The bill was read for the third time and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 130 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Abeln	Cohen	Jensen	Moe	Searles
Adams	Corbid	Johnson	Murphy	Sherwood
Albrecht	Cummiskey	Jude	Neisen	Sieben, H.
Anderson, B.	Dahl	Kahn	Nelsen, B.	Sieben, M.
Anderson, D.	Dean	Kaley	Nelsen, M.	Simoneau
Anderson, G.	Eckstein	Kalis	Nelson	Skoglund
Anderson, I.	Eken	Kelly, R.	Niehaus	Smogard
Arlandson	Ellingson	Kelly, W.	Norton	Spanish
Battaglia	Enebo	Kempe, A.	Novak	Stanton
Beauchamp	Erickson	Kempe, R.	Osthoff	Stoa
Begich	Esau	King	Patton	Suss
Berg	Evans	Knickerbocker	Pehler	Swanson
Berglin	Ewald	Kostohryz	Peterson	Tomlinson
Berkelman	Faricy	Kroening	Petrafeso	Vanasek
Biersdorf	Fjoslien	Kvam	Pleasant	Voss
Birnstihl	Forsythe	Laidig	Prahl	Waldorf
Brandl	Friedrich	Langseth	Reding	Welch
Braun	Fudro	Lehto	Rice	Wenstrom
Brinkman	George	Lemke	Rose	Wenzel
Byrne	Gunter	Mangan	St. Onge	White
Carlson, A.	Hanson	Mann	Samuelson	Wieser
Carlson, D.	Haugerud	McCarron	Sarna	Wigley
Carlson, L.	Heinitz	McCollar	Savelkoul	Williamson
Casserly	Hokanson	McDonald	Scheid	Wynia
Clark	Jacobs	McEachern	Schulz	Zubay
Clawson	Jaros	Metzen	Searle	Speaker Sabo

The bill was passed and its title agreed to.

H. F. No. 296 was reported to the House and given its third reading.

UNANIMOUS CONSENT

Casserly requested unanimous consent to offer an amendment. The request was granted.

Casserly and Kelly, W., moved to amend H. F. No. 296 as follows:

Page 18, line 26, strike "[TAX EXEMPTIONS.]" and all of Subdivision 1.

Page 18, line 30, delete "Subd. 2."

Page 18, line 30, in headnote, before "FEDERAL" insert "TAX EXEMPTIONS;".

The motion prevailed and the amendment was adopted.

H. F. No. 296, A bill for an act relating to insurance; providing for the establishment and operation of a Minnesota life and health insurance guaranty association; providing protection for policyowners, insureds, beneficiaries, and others against the failure of an insurer doing business in Minnesota; amending Minnesota Statutes 1976, Sections 60B.17, by adding a subdivision; 60B.25; 60B.26, Subdivision 2; 60B.30, by adding a subdivision; and 60B.46, Subdivision 1.

The bill was read for the third time, as amended, and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 132 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Abeln	Cohen	Johnson	Murphy	Sieben, H.
Adams	Corbid	Jude	Neisen	Sieben, M.
Albrecht	Cummiskey	Kahn	Nelsen, B.	Simoneau
Anderson, B.	Dahl	Kaley	Nelsen, M.	Skoglund
Anderson, D.	Dean	Kalis	Nelson	Smogard
Anderson, G.	Eckstein	Kelly, R.	Niehaus	Spanish
Anderson, I.	Eken	Kelly, W.	Norton	Stanton
Anderson, R.	Ellingson	Kempe, A.	Novak	Stoa
Arlandson	Enebo	Kempe, R.	Osthoff	Suss
Battaglia	Erickson	King	Patton	Swanson
Beauchamp	Esau	Knickerbocker	Pehler	Tomlinson
Begich	Evans	Kostohryz	Peterson	Vanasek
Berg	Ewald	Kroening	Petrafaso	Voss
Berglin	Faricy	Kvam	Pleasant	Waldorf
Berkelman	Fjoslien	Laidig	Prahl	Welch
Biersdorf	Forsythe	Langseth	Reding	Wenstrom
Birnstihl	Friedrich	Lehto	Rice	Wenzel
Brandl	Fudro	Lemke	Rose	White
Braun	George	Mangan	St. Onge	Wieser
Brinkman	Gunter	Mann	Samuelson	Wigley
Byrne	Hanson	McCarron	Sarna	Williamson
Carlson, A.	Haugerud	McCollar	Savelkoul	Wynia
Carlson, D.	Heinitz	McDonald	Scheid	Zubay
Carlson, L.	Hokanson	McEachern	Schulz	Speaker Sabo
Casserly	Jacobs	Metzen	Searle	
Clark	Jaros	Moe	Searles	
Clawson	Jensen	Munger	Sherwood	

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

Savelkoul and Fjoslien were excused at 3:30 p.m. Heinitz was excused at 4:00 p.m. Samuelson was excused at 4:20 p.m. George was excused at 4:30 p.m., and Johnson was excused at 5:30 p.m.

GENERAL ORDERS

Pursuant to rules of the House, the House resolved itself into the Committee of the Whole, with Sabo in the Chair, for the consideration of bills pending on General Orders of the Day. After some time spent therein the Committee arose.

REPORT OF COMMITTEE OF THE WHOLE

The Speaker resumed the Chair, whereupon the following proceedings of the Committee as kept by the Chief Clerk were reported to the House:

H. F. No. 45 which it recommended progress.

H. F. No. 140 which it recommended to pass with the following amendment offered by Savelkoul and Lehto:

Page 2, line 28, after "*icense*" delete "*shall*" and insert "*may*".

H. F. No. 382 which it recommended progress with the following amendment offered by Cummiskey:

Page 2, line 29, strike "When operating" and insert "*No person under the age of 18 shall operate or ride*".

Page 2, line 30, strike everything after "state".

Page 2, line 31, strike everything before "protective" and insert "*unless he is wearing*".

S. F. No. 232 which it recommended to pass with the following amendments offered by Enebo:

The unofficial engrossment:

Page 17, after line 7, insert a new section to read:

"Sec. 9. Minnesota Statutes 1976, Section 268.10, Subdivision 2, is amended to read:

Subd. 2. [EXAMINATION OF CLAIMS; DETERMINATION; APPEAL.] (1) An official, designated by the commissioner, shall promptly examine each claim for benefits filed to establish a benefit year pursuant to this section, and, on the basis of the facts found, shall determine whether or not such claims are valid, and if valid, the weekly benefit amount payable, the maximum benefit amount payable during the benefit year, and the date the benefit year terminates, and such determination shall be known as the determination of validity. Notice of any such determination of validity or any redetermination as pro-

vided for in clause (4) shall be promptly given the claimant and all other interested parties. If within the time specified for the filing of wage and separation information as provided in subdivision 1, clause (2), the employer makes an allegation of disqualification or raises an issue of the chargeability to his account of benefits that may be paid on such claim, if such claim is valid, the issue thereby raised shall be promptly determined by said official and a notification of such determination delivered or mailed to the claimant and the employer. If an initial determination or an appeal tribunal decision or the commissioner's decision awards benefits, such benefits shall be paid promptly regardless of the pendency of any appeal period or any appeal or other proceeding which may thereafter be taken. Except as provided in clause (6), if an appeal tribunal decision modifies or reverses an initial determination awarding benefits, or if a commissioner's decision modifies or reverses an appeal decision awarding benefits, any benefits paid under the award of such initial determination or appeal tribunal decision shall be deemed erroneous payments.

(2) If within the benefit year an official of the department or any interested party or parties raises an issue of claimant's eligibility for benefits for any week or weeks in accordance with the requirements of the provisions of sections 268.03 to 268.24 or any official of the department or any interested party or parties or benefit year employer raises an issue of disqualification in accordance with the regulations of the commissioner, a determination shall be made thereon and a written notice thereof shall be given to the claimant and such other interested party or parties or benefit year employer.

(3) A determination issued pursuant to clauses (1) and (2) may be appealed by a claimant or employer within 15 days after the mailing of the notice of the determination to his last known address or personal delivery of the notice. *Every notice of determination shall contain a prominent statement indicating in clear language the method of appealing the determination, the time within which such an appeal must be made, and the consequences of not appealing the determination.* A timely appeal from a determination of validity in which the issue is whether an employing unit is an employer within the meaning of this chapter or whether services performed for an employer constitute employment within the meaning of this chapter shall be subject to the provisions of section 268.12, subdivision 13.

(4) At any time within one year from the date of the filing of a claim for benefits by an individual, the commissioner on his own motion may reconsider a determination made thereon and make a redetermination thereof if he finds that an error in computation or identity or the crediting of wage credits has occurred in connection therewith or if such determination was made as a result of a nondisclosure or misrepresentation of a material fact.

(5) However, the commissioner may in his discretion refer any disputed claims directly to the appeal tribunal for hearing and determination in accordance with the procedure outlined in subdivision 3 and the effect and status of such determination in such a case shall be the same as though the matter had been determined upon an appeal to such tribunal from an initial determination.

(6) If an appeal tribunal decision affirms an initial determination awarding benefits or the commissioner affirms an appeal tribunal decision awarding benefits, such decision, if finally reversed, shall not result in a disqualification and benefits paid shall neither be deemed overpaid nor shall they be considered in determining any individual employer's future contribution rate under section 268.06."

Renumber the remaining sections accordingly.

Page 18, line 1, delete "and" and insert after "9" the words "and 10".

Further amend the title as follows:

Line 11, after "268.09;" insert "268.10, Subdivision 2".

The unofficial engrossment as amended:

Page 7, lines 13, 14, and 15, reinstate the stricken language.

On the motion of Anderson, I., the report of the Committee of the Whole was adopted.

ROLL CALLS IN COMMITTEE OF THE WHOLE

Pursuant to rule 1.6, the following roll calls were taken in the Committee of the Whole:

Enebo moved to amend S. F. No. 232, the unofficial engrossment, as follows:

Page 17, after line 31, insert a new section to read:

"Sec. 10. In January, 1979, the commissioner of employment services shall submit a report to the legislature which shall include the following information: (1) The number of claimants whose right to benefits was challenged based on section 8 of this act; (2) the number of claimants disqualified under section 8 of this act; (3) the specific grounds on which each claimant disqualified under section 8 of this act was so disqualified; (4) the age, sexual, income, and occupational characteristics of claimants disqualified under section 8 of this act."

Renumber the following section.

The question was taken on the adoption of the amendment and the roll was called. There were 37 yeas and 80 nays as follows:

Those who voted in the affirmative were:

Abeln	Ellingson	Kroening	Nelson	Spanish
Anderson, I.	Enebo	Lehto	Norton	Stanton
Berglin	Gunter	Mangan	Prahl	Tomlinson
Brandl	Hanson	McCarron	Rice	Voss
Byrne	Jacobs	McEachern	St. Onge	Williamson
Carlson, D.	Jaros	Moe	Samuelson	
Casserly	Kahn	Murphy	Sarna	
Clark	King	Nelsen, M.	Simoneau	

Those who voted in the negative were:

Adams	Carlson, L.	Hokanson	McDonald	Sherwood
Albrecht	Clawson	Johnson	Metzen	Sieben, H.
Anderson, B.	Cohen	Jude	Neisen	Sieben, M.
Anderson, D.	Corbid	Kaley	Nelsen, B.	Skoglund
Anderson, G.	Dahl	Kalis	Niehhaus	Smogard
Anderson, R.	Dean	Kelly, R.	Osthoff	Stoa
Arlandson	Eckstein	Kelly, W.	Patton	Vanasek
Battaglia	Eken	Kempe, A.	Pehler	Waldorf
Begich	Esau	Kempe, R.	Peterson	Welch
Berg	Evans	Knickerbocker	Petrafaso	Wenstrom
Berkelman	Forsythe	Kostohryz	Pleasant	Wenzel
Biersdorf	Friedrich	Kvam	Reding	White
Birnstihl	Fudro	Laidig	Rose	Wieser
Braun	Fugina	Langseth	Schulz	Wigley
Brinkman	George	Lemke	Searle	Zubay
Carlson, A.	Haugerud	Mann	Searles	Speaker Sabo

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

Enebo moved to amend S. F. No. 232, the unofficial engrossment, as follows:

Page 17, after line 7, insert a new section to read:

"Sec. 9. Minnesota Statutes 1976, Section 268.10, Subdivision 2, is amended to read:

Subd. 2. [EXAMINATION OF CLAIMS; DETERMINATION; APPEAL.] (1) An official, designated by the commissioner, shall promptly examine each claim for benefits filed to establish a benefit year pursuant to this section, and, on the basis of the facts found, shall determine whether or not such claims are valid, and if valid, the weekly benefit amount payable, the maximum benefit amount payable during the benefit year, and the date the benefit year terminates, and such determination shall be known as the determination of validity. Notice of any such determination of validity or any redetermination as provided for in clause (4) shall be promptly given the claimant and

all other interested parties. If within the time specified for the filing of wage and separation information as provided in subdivision 1, clause (2), the employer makes an allegation of disqualification or raises an issue of the chargeability to his account of benefits that may be paid on such claim, if such claim is valid, the issue thereby raised shall be promptly determined by said official and a notification of such determination delivered or mailed to the claimant and the employer. If an initial determination or an appeal tribunal decision or the commissioner's decision awards benefits, such benefits shall be paid promptly regardless of the pendency of any appeal period or any appeal or other proceeding which may thereafter be taken. Except as provided in clause (6), if an appeal tribunal decision modifies or reverses an initial determination awarding benefits, or if a commissioner's decision modifies or reverses an appeal decision awarding benefits, any benefits paid under the award of such initial determination or appeal tribunal decision shall be deemed erroneous payments.

(2) If within the benefit year an official of the department or any interested party or parties raises an issue of claimant's eligibility for benefits for any week or weeks in accordance with the requirements of the provisions of sections 268.03 to 268.24 or any official of the department or any interested party or parties or benefit year employer raises an issue of disqualification in accordance with the regulations of the commissioner, a determination shall be made thereon and a written notice thereof shall be given to the claimant and such other interested party or parties or benefit year employer.

(3) A determination issued pursuant to clauses (1) and (2) may be appealed by a claimant or employer within 15 days after the mailing of the notice of the determination to his last known address or personal delivery of the notice. *Every notice of determination shall contain a prominent statement indicating in clear language the method of appealing the determination, the time within which such an appeal must be made, and the consequences of not appealing the determination.* A timely appeal from a determination of validity in which the issue is whether an employing unit is an employer within the meaning of this chapter or whether services performed for an employer constitute employment within the meaning of this chapter shall be subject to the provisions of section 268.12, subdivision 13.

(4) At any time within one year from the date of the filing of a claim for benefits by an individual, the commissioner on his own motion may reconsider a determination made thereon and make a redetermination thereof if he finds that an error in computation or identity or the crediting of wage credits has occurred in connection therewith or if such determination was made as a result of a nondisclosure or misrepresentation of a material fact.

(5) However, the commissioner may in his discretion refer any disputed claims directly to the appeal tribunal for hearing and determination in accordance with the procedure outlined in subdivision 3 and the effect and status of such determination in such a case shall be the same as though the matter had been determined upon an appeal to such tribunal from an initial determination.

(6) If an appeal tribunal decision affirms an initial determination awarding benefits or the commissioner affirms an appeal tribunal decision awarding benefits, such decision, if finally reversed, shall not result in a disqualification and benefits paid shall neither be deemed overpaid nor shall they be considered in determining any individual employer's future contribution rate under section 268.06."

Renumber the following sections.

Page 18, line 1, delete "and" and insert after "9" the words "and 10".

Further amend the title as follows:

Line 11, after "268.09;" insert "268.10, Subdivision 2".

The question was taken on the adoption of the amendment and the roll was called. There were 112 yeas and 5 nays as follows:

Those who voted in the affirmative were:

Abeln	Clawson	Johnson	Metzen	Sieben, H.
Adams	Corbid	Jude	Moe	Sieben, M.
Anderson, D.	Cummiskey	Kahn	Murphy	Simoneau
Anderson, I.	Dahl	Kaley	Neisen	Skoglund
Anderson, R.	Dean	Kalis	Nelsen, B.	Smogard
Arlandson	Eckstein	Kelly, R.	Nelsen, M.	Spanish
Battaglia	Eken	Kelly, W.	Nelson	Stanton
Beauchamp	Ellingson	Kempe, A.	Norton	Stoa
Begich	Enebo	Kempe, R.	Novak	Suss
Berg	Erickson	King	Osthoff	Tomlinson
Berglin	Esau	Knickerbocker	Pehler	Vanasek
Berkelman	Evans	Kostohryz	Peterson	Voss
Biersdorf	Faricy	Kroening	Petrafaso	Waldorf
Birnstihl	Forsythe	Kvam	Pleasant	Welch
Brandl	Friedrich	Laidig	Prahl	Wenstrom
Braun	Fudro	Langseth	Reding	Wenzel
Brinkman	Fugina	Lehto	Rice	White
Byrne	George	Lemke	St. Onge	Williamson
Carlson, A.	Gunter	Mangan	Sarna	Zubay
Carlson, D.	Hanson	Mann	Schulz	Speaker Sabo
Carlson, L.	Jacobs	McCarron	Searle	
Casserly	Jaros	McDonald	Searles	
Clark	Jensen	McEachern	Sherwood	

Those who voted in the negative were:

Albrecht	Anderson, B.	Anderson, G.	Niehaus	Wieser
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The motion prevailed and the amendment was adopted.

Enebo moved to amend S. F. No. 232, the unofficial engrossment as amended, as follows:

Page 17, after line 7, insert a new section to read:

"Sec. 9. Minnesota Statutes 1976, Section 268.10, Subdivision 3, is amended to read:

Subd. 3. [APPEAL; HEARING.] Unless such appeal is withdrawn, the date for hearing before an appeal tribunal shall be set and notice of such hearing shall be mailed to the last known address of all interested parties at least ten days prior to the date set for such hearing. Such hearing shall be a trial de novo, and, upon the evidence presented, the appeal tribunal shall affirm, modify, or set aside the initial determination. The commissioner may, by regulation, provide for the taking of evidence or for the admission of sworn statements in case any interested party is unable to be present at the hearing. The parties shall be duly notified of such tribunal's decision, together with its reason therefor, which shall be deemed to be the final decision unless further appeal is initiated pursuant to subdivision 5. *If either party should fail to present evidence to the tribunal, the tribunal shall enter a decision in favor of the party presenting evidence, which decision may not be reviewed by the commissioner either on appeal or on his own motion, subdivision 5 notwithstanding. However, if the party can show extraordinary circumstances which caused the failure to present evidence, an appeal under subdivision 5 may be appropriate.*"

Renumber the following sections.

Page 18, line 1, delete "and" and insert after "9" the words "and 10".

Further amend the title as follows:

Line 11, after "268.09;" insert "268.10, Subdivision 3".

The question was taken on the adoption of the amendment and the roll was called. There were 12 yeas and 110 nays as follows:

Those who voted in the affirmative were:

Byrne	Enebo	McCarron	Moe	St. Onge
Clark	Hanson	Metzen	Prahl	Simoneau
Ellingson	Kahn			

Those who voted in the negative were:

Abeln	Adams	Albrecht	Anderson, B.	Anderson, D.
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Anderson, G.	Dean	Kalis	Neisen	Sherwood
Anderson, I.	Eckstein	Kelly, R.	Nelsen, B.	Sieben, H.
Anderson, R.	Eken	Kelly, W.	Nelsen, M.	Sieben, M.
Arlandson	Ericksen	Kempe, A.	Nelson	Skoglund
Battaglia	Esau	Kempe, R.	Niehaus	Smogard
Beauchamp	Evans	King	Norton	Stanton
Begich	Ewald	Knickerbocker	Novak	Stoa
Berg	Faricy	Kostohryz	Osthoff	Suss
Berkelman	Forsythe	Kroening	Patton	Tomlinson
Biersdorf	Friedrich	Kvam	Pehler	Voss
Birnstihl	Fudro	Laidig	Peterson	Waldorf
Brandl	Fugina	Langseth	Petrafaso	Welch
Braun	George	Lehto	Pleasant	Wenstrom
Brinkman	Gunter	Lemke	Reding	Wenzel
Carlson, A.	Haugerud	Mangan	Rice	White
Carlson, D.	Hokanson	Mann	Rose	Wieser
Carlson, L.	Jacobs	McCollar	Sarna	Wigley
Clawson	Jensen	McDonald	Scheid	Williamson
Cohen	Johnson	McEachern	Schulz	Wynia
Corbid	Jude	Munger	Searle	Zubay
Dahl	Kaley	Murphy	Searles	Speaker Sabo

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

Enebo offered an amendment to S. F. No. 232, the unofficial engrossment as amended.

Sieben, H., requested a division of the amendment.

The first portion of the Enebo amendment reads as follows:

Page 7, lines 13, 14, 15, reinstate the stricken language.

The question was taken on the adoption of the first portion of the Enebo amendment and the roll was called. There were 68 yeas and 59 nays as follows:

Those who voted in the affirmative were:

Abeln	Clawson	Kelly, W.	Nelson	Skoglund
Anderson, I.	Cohen	Kempe, A.	Norton	Spanish
Arlandson	Corbid	Kostohryz	Novak	Stanton
Begich	Cummiskey	Kroening	Pehler	Tomlinson
Berg	Ellingson	Lehto	Petrafaso	Vanasek
Berglin	Enebo	Mangan	Prahl	Voss
Berkelman	Faricy	McCarron	Reding	Waldorf
Brandl	Fugina	McCollar	Rice	Wenzel
Byrne	Hanson	McEachern	St. Onge	Wieser
Carlson, A.	Hokanson	Metzen	Sarna	Williamson
Carlson, D.	Jacobs	Moe	Scheid	Wynia
Carlson, L.	Jaros	Munger	Sieben, H.	Speaker Sabo
Casserly	Kahn	Murphy	Sieben, M.	
Clark	Kelly, R.	Nelsen, M.	Simoneau	

Those who voted in the negative were:

Adams	Anderson, D.	Beauchamp	Braun	Dean
Albrecht	Anderson, G.	Biersdorf	Brinkman	Eckstein
Anderson, B.	Anderson, R.	Birnstihl	Dahl	Eken

Erickson	Haugerud	Kvam	Osthoff	Smogard
Esau	Jensen	Laidig	Patton	Stoa
Evans	Johnson	Langseth	Peterson	Suss
Ewald	Jude	Lemke	Pleasant	Welch
Forsythe	Kaley	Mann	Rose	Wenstrom
Friedrich	Kalis	McDonald	Schulz	White
Fudro	Kempe, R.	Neisen	Searle	Wigley
George	King	Nelsen, B.	Searles	Zubay
Gunter	Knickerbocker	Niehaus	Sherwood	

The motion prevailed and the first portion of the Enebo amendment was adopted.

The second portion of the Enebo amendment reads as follows:

Page 7, line 14, strike the reinstated "\$85" and insert "\$100" in both instances.

The question was taken on the adoption of the second portion of the Enebo amendment and the roll was called. There were 37 yeas and 91 nays as follows:

Those who voted in the affirmative were:

Anderson, I.	Enebo	Kroening	Nelson	Simoneau
Berglin	Fugina	Mangan	Norton	Spanish
Berkelman	Hanson	McCarron	Novak	Voss
Byrne	Hokanson	McEachern	Prahl	Williamson
Casserly	Jacobs	Metzen	Rice	Wynia
Clark	Jaros	Moe	St. Onge	
Cummiskey	Kahn	Murphy	Sarna	
Ellingson	Kostohryz	Nelsen, M.	Scheid	

Those who voted in the negative were:

Abeln	Carlson, L.	Jensen	Munger	Smogard
Adams	Clawson	Johnson	Neisen	Stanton
Albrecht	Cohen	Jude	Nelsen, B.	Stoa
Anderson, B.	Corbid	Kaley	Niehaus	Suss
Anderson, D.	Dahl	Kalis	Osthoff	Tomlinson
Anderson, G.	Dean	Kelly, R.	Patton	Vanasek
Anderson, R.	Eckstein	Kelly, W.	Pehler	Waldorf
Arlandson	Eken	Kempe, A.	Peterson	Welch
Battaglia	Erickson	Kempe, R.	Petrafaso	Wenstrom
Beauchamp	Esau	King	Pleasant	Wenzel
Begich	Evans	Knickerbocker	Reding	White
Berg	Ewald	Kvam	Rose	Wieser
Biersdorf	Faricy	Laidig	Schulz	Wigley
Birnstihl	Forsythe	Langseth	Searle	Zubay
Brandl	Friedrich	Lehto	Searles	Speaker Sabo
Braun	Fudro	Lemke	Sherwood	
Brinkman	George	Mann	Sieben, H.	
Carlson, A.	Gunter	McCollar	Sieben, M.	
Carlson, D.	Haugerud	McDonald	Skoglund	

The motion did not prevail and the second portion of the Enebo amendment was not adopted.

Prahl moved to amend S. F. No. 232, the unofficial engrossment as amended, as follows:

Page 12, line 5, delete "serious".

The question was taken on the adoption of the amendment and the roll was called. There were 13 yeas and 101 nays as follows:

Those who voted in the affirmative were:

Begich	Jaros	Moe	Sarna	Wynia
Berglin	Kahn	Prahl	Simoneau	
Hanson	Kostohryz	Rice	Spanish	

Those who voted in the negative were:

Adams	Cummiskey	Kalis	Neisen	Skoglund
Albrecht	Dahl	Kelly, W.	Nelsen, B.	Smogard
Anderson, D.	Dean	Kempe, A.	Niehaus	Stanton
Anderson, G.	Eckstein	Kempe, R.	Norton	Stoa
Anderson, I.	Eken	King	Novak	Suss
Anderson, R.	Ellingson	Knickerbocker	Osthoff	Tomlinson
Arlandson	Enebo	Kroening	Patton	Vanasek
Battaglia	Erickson	Kvam	Pehler	Voss
Beauchamp	Esau	Laidig	Peterson	Waldorf
Berg	Evans	Langseth	Petrafaso	Welch
Biersdorf	Ewald	Lehto	Pleasant	Wenstrom
Birnstihl	Faricy	Lemke	Reding	Wenzel
Brandl	Forsythe	Mangan	Rose	White
Brinkman	Friedrich	Mann	St. Onge	Wieser
Byrne	Fudro	McCarron	Scheid	Wigley
Carlson, A.	Fugina	McCollar	Schulz	Zubay
Carlson, D.	Gunter	McDonald	Searle	Speaker Sabo
Carlson, L.	Haugerud	McEachern	Searles	
Clawson	Jacobs	Metzen	Sherwood	
Cohen	Jensen	Munger	Sieben, H.	
Corbid	Kaley	Murphy	Sieben, M.	

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

The question was taken on the motion to recommend passage of S. F. No. 232, as amended, and the roll was called. There were 89 yeas and 34 nays as follows:

Those who voted in the affirmative were:

Abeln	Braun	Esau	Kelly, R.	Mann
Adams	Carlson, A.	Evans	Kelly, W.	McCollar
Albrecht	Carlson, D.	Ewald	Kempe, R.	McDonald
Anderson, B.	Carlson, L.	Forsythe	King	McEachern
Anderson, R.	Clawson	Friedrich	Knickerbocker	Metzen
Arlandson	Cohen	Fudro	Kostohryz	Munger
Battaglia	Corbid	George	Kvam	Murphy
Beauchamp	Dahl	Gunter	Laidig	Neisen
Berkelman	Dean	Hokanson	Langseth	Nelsen, B.
Biersdorf	Eckstein	Jude	Lehto	Niehaus
Birnstihl	Eken	Kaley	Lemke	Novak
Brandl	Erickson	Kalis	Mangan	Osthoff

Patton	Schulz	Skoglund	Vanasek	Wieser
Pehler	Searle	Smogard	Waldorf	Wigley
Peterson	Searles	Stanton	Welch	Williamson
Pleasant	Sherwood	Stoa	Wenstrom	Zubay
Reding	Sieben, H.	Suss	Wenzel	Speaker Sabo
Rose	Sieben, M.	Tomlinson	White	

Those who voted in the negative were:

Anderson, D.	Casserly	Hanson	McCarron	Sarna
Anderson, G.	Clark	Haugerud	Moe	Scheid
Anderson, I.	Cummiskey	Jaros	Nelson	Simoneau
Begich	Ellingson	Jensen	Norton	Spanish
Berg	Enebo	Kahn	Petraleso	Voss
Berglin	Farcy	Kempe, A.	Prahl	Wynia
Byrne	Fugina	Kroening	Rice	

The motion prevailed.

MOTIONS AND RESOLUTIONS

Patton moved that the names of Voss and Jacobs be added as authors on H. F. No. 771. The motion prevailed.

Nelson moved that the name of Norton be added as an author on H. F. No. 13. The motion prevailed.

Wynia moved that the name of Battaglia be stricken and the name of Anderson, R., be added as an author on H. F. No. 256. The motion prevailed.

Wenzel moved that the name of Vanasek be added as an author on H. F. No. 738. The motion prevailed.

Cummiskey moved that the name of Fugina be added as an author on H. F. No. 403. The motion prevailed.

Lehto introduced:

House Resolution No. 5, A house resolution proclaiming St. Urho's Day and congratulating Minnesotans of Finnish heritage on their culture and contribution to Minnesota's development.

The resolution was referred to the Committee on Rules and Legislative Administration.

McDonald and Jude introduced:

House Resolution No. 6, A house resolution urging that the depiction of violence on television be ended.

The resolution was referred to the Committee on Rules and Legislative Administration.

ADJOURNMENT

Anderson, I., moved that when the House adjourns today it adjourn until 2:00 p.m., Monday, March 14, 1977. The motion prevailed.

Anderson, I., moved that the House adjourn. The motion prevailed, and the Speaker declared the House stands adjourned until 2:00 p.m., Monday, March 14, 1977.

EDWARD A. BURDICK, Chief Clerk, House of Representatives

STATE OF MINNESOTA

SEVENTIETH SESSION - 1977

TWENTY-THIRD DAY

SAINT PAUL, MINNESOTA, MONDAY, MARCH 14, 1977

The House of Representatives convened at 2:00 p.m. and was called to order by the Speaker.

Prayer was offered by the Chaplain.

The roll was called and the following members were present:

Abeln	Cohen	Jensen	Munger	Sherwood
Adams	Corbid	Johnson	Murphy	Sieben, H.
Albrecht	Cummiskey	Jude	Neisen	Sieben, M.
Anderson, B.	Dahl	Kahn	Nelsen, B.	Simoneau
Anderson, D.	Dean	Kaley	Nelsen, M.	Skoglund
Anderson, G.	Eckstein	Kalis	Nelson	Smogard
Anderson, I.	Eken	Kelly, R.	Niehaus	Spanish
Anderson, R.	Ellingson	Kelly, W.	Norton	Stanton
Arlandson	Enebo	Kempe, A.	Novak	Stoa
Battaglia	Erickson	Kempe, R.	Osthoff	Suss
Beauchamp	Esau	King	Patton	Swanson
Begich	Evans	Knickerbocker	Pehler	Tomlinson
Berg	Ewald	Kostohryz	Peterson	Vanasek
Berglin	Faricy	Kroening	Petrafaso	Voss
Berkelman	Fjoslien	Kvam	Pleasant	Waldorf
Biersdorf	Forsythe	Laidig	Prahl	Welch
Birnstihl	Friedrich	Langseth	Reding	Wenstrom
Brandl	Fudro	Lehto	Rice	Wenzel
Braun	Fugina	Lemke	Rose	White
Brinkman	George	Mangan	St. Onge	Wieser
Byrne	Gunter	Mann	Samuelson	Wigley
Carlson, A.	Hanson	McCarron	Sarna	Williamson
Carlson, D.	Haugerud	McCollar	Savelkoul	Wynia
Carlson, L.	Heinitz	McDonald	Scheid	Zubay
Casserly	Hokanson	McEachern	Schulz	Speaker Sabo
Clark	Jacobs	Metzen	Searle	
Clawson	Jaros	Moe	Searles	

A quorum was present.

The Chief Clerk proceeded to read the Journal of the preceding day. McCollar moved that further reading of the Journal be dispensed with and that the Journal be approved as corrected by the Chief Clerk. The motion prevailed.

REPORTS OF CHIEF CLERK

Pursuant to Rules of the House, printed copies of H. F. Nos. 332, 24, 82, 117, 140, 231, 334, 439, 531, 586, 33, 382 and 296 and S. F. Nos. 201, 166, 76, 183, 188, 70, 200, 254, 290 and 232 have been placed in the members' files.

S. F. No. 200 and H. F. No. 299, which had been referred to the Chief Clerk for comparison, were examined and found to be identical.

Casserly moved that S. F. No. 200 be substituted for H. F. No. 299 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 76 and H. F. No. 115, which had been referred to the Chief Clerk for comparison, were examined and found to be identical.

George moved that S. F. No. 76 be substituted for H. F. No. 115 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 183 and H. F. No. 282, which had been referred to the Chief Clerk for comparison, were examined and found to be identical.

Arlandson moved that S. F. No. 183 be substituted for H. F. No. 282 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 201 and H. F. No. 117, which had been referred to the Chief Clerk for comparison, were examined and found to be identical with certain exceptions.

SUSPENSION OF RULES

McCarron moved that the rules be so far suspended that S. F. No. 201 be substituted for H. F. No. 117 and that the House File be indefinitely postponed. The motion prevailed.

REPORTS OF STANDING COMMITTEES

Hanson from the Committee on Commerce and Economic Development to which was referred:

H. F. No. 562, A bill for an act relating to motor vehicles; requiring informational labels on new pickup trucks; providing penalties.

Reported the same back with the following amendments:

Page 1, line 11, delete "any" and insert "the" and after "a" insert "Minnesota".

Page 1, line 13, after "a" insert "Minnesota".

Page 1, line 14, delete "such" and insert "the".

Page 2, after line 2, insert a new section to read:

"Sec. 2. [EFFECTIVE DATE.] This act shall apply to new trucks having a gross vehicle weight of 9,000 pounds or less beginning with model year 1978 trucks."

With the recommendation that when so amended the bill pass.

The report was adopted.

Hanson from the Committee on Commerce and Economic Development to which was referred:

H. F. No. 621, A bill for an act relating to motor vehicles; defining terms; clarifying certain motor vehicle dealer licensing requirements; preempting local licensing and bonding requirements; amending Minnesota Statutes 1976, Section 168.27, Subdivisions 1, 4, 8, 13, 16, 22, 24 and by adding a subdivision.

Reported the same back with the following amendments:

Page 2, after line 24, insert:

"Sec. 3. Minnesota Statutes 1976, Section 168.27, Subdivision 5, is amended to read:

Subd. 5. [MOTOR VEHICLE BROKER.] No person shall engage in the business of brokering motor vehicles by finding, offering to find, soliciting or advertising for prospective buyers of *used* motor vehicles and charging the seller or buyer a fee for his service without first acquiring a motor vehicle broker license. A motor vehicle broker licensee shall be entitled thereunder to broker and to solicit and advertise the brokerage of used motor vehicles *only*. Brokerage sales shall include sales by consignment and referral. *Except as provided in subdivision 2, brokerage sales of new motor vehicles are prohibited.*"

Renumber the sections in sequence.

Page 7, line 12, delete "licensing" and insert "bonding".

Page 7, line 14, delete "*licensing and bond*" and insert "*bonding*".

Further amend the title as follows:

Page 1, line 4, after the semicolon, insert "prohibiting brokerage sales of new motor vehicles by motor vehicle brokers;"

Page 1, line 4, delete "licensing and".

Page 1, line 6, after "4," insert "5,"

With the recommendation that when so amended the bill pass.

The report was adopted.

Munger from the Committee on Environment and Natural Resources to which was referred:

H. F. No. 188, A bill for an act relating to game and fish; violation of laws or regulations; conviction and ineligibility for licensing; amending Minnesota Statutes 1976, Sections 97.40, by adding a subdivision; and 98.52, Subdivision 1.

Reported the same back with the following amendments:

Amend the title as follows:

Page 1, line 2, delete "violation of laws or".

Page 1, line 3, delete "regulations;" and insert "defining".

Page 1, line 3, delete "and ineligibility for".

Page 1, line 4, delete "licensing" and after the semicolon insert "increasing the penalty for a conviction related to big game;"

With the recommendation that when so amended the bill pass.

The report was adopted.

Munger from the Committee on Environment and Natural Resources to which was referred:

H. F. No. 351, A bill for an act relating to historic sites; providing for the administration and control of additional sites by the Minnesota historical society; appropriating money; amending Minnesota Statutes 1976, Section 138.025, by adding subdivi-

sions; repealing Minnesota Statutes 1976, Section 138.025, Subdivision 9.

Reported the same back with the following amendments:

Page 1, line 14, after "section" insert "*and as hereinafter provided*".

Page 1, line 22, delete "*county state-aid highway No. 12,*" and insert "*the town road*".

Page 2, line 1, delete "*540*" and insert "*1,690*".

Page 2, delete lines 2 to 7, and insert: "*thence south 79 degrees 30 minutes east 500 feet; thence south 10 degrees 30 minutes 1,600 feet to the north bank of the south branch of the Root river; thence westerly (upstream) along the north bank 150 feet, more or less to the point of beginning; containing 18.9 acres more or less.*"

The commissioner of natural resources and the Minnesota historical society shall jointly prepare and enter into an agreement which delineates the responsibilities of each party in the management of the Forestville state historic site. The agreement shall be consistent with the management plan for Forestville state park prepared in compliance with the outdoor recreation act of 1975."

Page 2, line 12, delete "*and control the historic*".

Page 2, delete lines 13 to 22 and insert: "*an interpretive program and develop an interpretive center relating to the discovery of the source of the Mississippi river, the Mississippi headwaters region and the establishment of Itasca state park.*"

With the recommendation that when so amended the bill pass and be re-referred to the Committee on Appropriations.

The report was adopted.

Rice from the Committee on General Legislation and Veterans Affairs to which was referred:

H. F. No. 261, A bill for an act relating to veterans; permitting the commissioner of veterans affairs to act as guardian for minors or incompetents without posting bond; amending Minnesota Statutes 1976, Chapter 196, by adding a section.

Reported the same back with the recommendation that the bill pass.

The report was adopted.

Rice from the Committee on General Legislation and Veterans Affairs to which was referred:

H. F. No. 262, A bill for an act relating to veterans; commissioner of veterans affairs; changing residency requirements for the commissioner and certain officers and employees of the department of veterans affairs; amending Minnesota Statutes 1976, Section 196.02, Subdivision 1.

Reported the same back with the following amendments:

Page 2, strike lines 10 and 11 and insert:

"Sec. 2. Minnesota Statutes 1976, Section 197.601, is amended to read:

197.601 [QUALIFICATIONS OF VETERANS SERVICE OFFICERS.] No person shall be appointed a veterans service officer under sections 197.60 to 197.606 unless he has the following qualifications:

(1) Residence in the state of Minnesota (FOR AT LEAST FIVE YEARS PRIOR TO HIS APPOINTMENT);

(2) Citizenship in the United States;

(3) Veteran as defined in section 197.447;

(4) Education and training for the duties of veterans service officer;

(5) Knowledge of the law and the regulations and rulings of the United States Veterans Administration applicable to cases before it and the administration thereof."

Further, amend the title as follows:

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

Page 1, line 7, before the period insert "; and 197.601".

With the recommendation that when so amended the bill pass.

The report was adopted.

Rice from the Committee on General Legislation and Veterans Affairs to which was referred:

H. F. No. 301, A bill for an act relating to veterans; redefining the word "veteran" for certain purposes; amending Minnesota Statutes 1976, Section 197.447.

Reported the same back with the following amendments:

Page 1, after line 6 insert the following:

"Section 1. Minnesota Statutes 1976, Section 43.30, is amended to read:

43.30 [VETERANS PREFERENCE.] The provisions of this section shall govern the granting of veterans' preference for the state civil service.

A veterans' preference shall be available pursuant to this section to every person who (HAS BEEN) *enters the military service of this country prior to December 31, 1976, and is separated under honorable conditions from any branch of the armed forces of the United States; (a) after having served on active duty for 181 consecutive days or (b) by reason of disability incurred while serving on active duty, and who is a citizen of the United States.* A veteran thus preferred shall not be disqualified from holding any position in the classified service on account of his age or by reason of any physical disability provided such age or physical disability does not render him incompetent to perform the duties of the position.

Recognizing that training and experience in the services of the government and loyalty and sacrifice for the government are qualifications of merit which cannot be readily discovered by examination; there shall be added to the examination rating of a disabled veteran, if he so elects, a credit of ten points if the veteran obtained a passing grade without the addition of the credit points; and if the disabled veteran is able to perform the duties of the position sought with reasonable efficiency, his name shall be placed on the list of eligibles with the names of other eligible persons. The name of a veteran with such augmented rating shall be entered ahead of a nonveteran when their ratings are the same.

There shall be added to the examination rating of a nondisabled veteran, if he so elects, a credit of five points if the veteran obtained a passing grade without the addition of the credit points. The name of a veteran with such augmented rating shall be entered ahead of a nonveteran when their ratings are the same.

A governmental agency, when notifying an applicant that he has passed an examination, shall notify the veteran of his specific score and shall also notify the applicant that he may elect to use a veteran's preference to augment his passing rating.

A veteran's preference under this section may only be used in the state civil service and political subdivisions of the state in the securing of positions to be filled by open competitive examinations and may not be used for the filling of promotional positions. An open competitive examination is an examination open to current employees and nonemployees of the state or political subdivision. A veteran's preference under this section may not be used by any veteran who is receiving or who is eligible to receive a monthly veteran's pension benefit based exclusively on length of military service.

Notwithstanding the foregoing restrictions on use, in any governmental agency giving an examination, where an applicant for a promotional position is a disabled veteran who has passed the promotional examination for his first promotion after entering that position, he may elect to have a credit of five points added to that examination rating. The decision to make such election may be made either before or after the examination. This promotional preference may only be successfully used one time and only in the securing of the first promotional position after securing public employment.

A preference given by this section is hereby extended to the surviving spouses of deceased veterans and to the spouse of a disabled veteran, who because of the disability is unable to qualify.

The fact that an applicant has claimed a veterans preference shall not be made known to the examiners. The preference credit shall be added to the examination rating, and the records shall show the examination rating and the preference credit.

A disabled veteran is one who has a compensable service connected disability as adjudicated by the United States Veterans Administration, or by the retirement boards of the several branches of the armed forces, and which disability is existing at the time preference is claimed. The commissioner may require candidates claiming preference as disabled veterans to submit documentary evidence in support of their claim and may anticipate certification by the veterans administration where necessary to avoid delays in establishing an eligible list. For purposes of the preference to be used by a disabled veteran in securing a promotional position, the term "disabled veteran" means a person who, at the time of election to use his promotional preference, is entitled to disability compensation under laws administered by the veterans administration for a permanent service connected disability rated at 50 percent or more.

In the event of the rejection by the appointing officer of the person so preferred when certified to fill a vacancy or a new position, the appointing officer shall forthwith file in writing with the commissioner the reasons for such rejection and shall furnish to the rejected veteran a copy thereof.”.

Renumber the remaining section.

Further, amend the title by deleting it in its entirety and inserting:

“A bill for an act relating to veterans; establishing a deadline for entering military service and becoming eligible for veterans preference; redefining the term “veteran” for certain other purposes; amending Minnesota Statutes 1976, Sections 43.30 and 197.447.”.

With the recommendation that when so amended the bill pass.

The report was adopted.

Rice from the Committee on General Legislation and Veterans Affairs to which was referred:

H. F. No. 490, A bill for an act relating to veterans; authorizing commissioner of veterans affairs to assist in proceedings for upgrading other than honorable discharges; amending Minnesota Statutes 1976, Section 196.05.

Reported the same back with the following amendments:

Page 3, after line 11, insert a new section:

“Sec. 2. [APPROPRIATION.] *The sum of \$147,404 is appropriated to the commissioner of veterans affairs for the purpose of implementing this act for the biennium beginning July 1, 1977.*”.

Amend the title as follows:

Page 1, line 4, after the semicolon insert “appropriating money;”.

With the recommendation that when so amended the bill pass and be re-referred to the Committee on Appropriations.

The report was adopted.

Rice from the Committee on General Legislation and Veterans Affairs to which was referred:

H. F. No. 636, A resolution memorializing Congress to propose to the states a federal Constitutional Amendment for the direct popular election of the President and Vice President of the United States.

Reported the same back with the recommendation that the bill pass.

The report was adopted.

Kelly, W., from the Committee on Taxes to which was referred :

H. F. No. 229, A bill for an act providing for withholding of pay to residents for active service as members of the armed forces; amending Minnesota Statutes 1976, Section 290.92, Subdivisions 1 and 16.

Reported the same back with the following amendments:

Page 1, line 20, strike "312(g)" and insert "3121(g)".

Page 1, line 21, strike "1972" and insert "1976".

With the recommendation that when so amended the bill pass.

The report was adopted.

SECOND READING OF HOUSE BILLS

H. F. Nos. 562, 621, 188, 261, 262, 301, 636 and 229 were read for the second time.

SECOND READING OF SENATE BILLS

S. F. Nos. 200, 76, 183 and 201 were read for the second time.

INTRODUCTION AND FIRST READING OF HOUSE BILLS

The following House Files were introduced:

Smogard; Anderson, G.; Kalis; Mann and Birnstihl introduced:

H. F. No. 823, A bill for an act relating to public health; permitting plastic well casings; amending Minnesota Statutes 1976, Chapter 156A, by adding a section.

The bill was read for the first time and referred to the Committee on Agriculture.

Biersdorf and Friedrich introduced:

H. F. No. 824, A bill for an act relating to appropriations; appropriating money to the historical society for the purpose of restoring the ruins of Wasioja Seminary in Dodge county.

The bill was read for the first time and referred to the Committee on Appropriations.

Wenstrom; Niehaus; Anderson, D.; Fjoslien and Brinkman introduced:

H. F. No. 825, A bill for an act relating to energy; appropriating funds for the dissemination of energy related information to the public.

The bill was read for the first time and referred to the Committee on Appropriations.

Adams, Fudro, McCarron, Casserly and Ewald introduced:

H. F. No. 826, A bill for an act relating to appropriations; providing funding for the continued operation of detached worker programs for assistance to young people.

The bill was read for the first time and referred to the Committee on Appropriations.

Casserly, Jaros, Scheid, Carlson, A., and Reding introduced:

H. F. No. 827, A bill for an act relating to real estate; landlord and tenant; venue of actions brought to recover rent deposits; amending Minnesota Statutes 1976, Section 504.20, Subdivision 7.

The bill was read for the first time and referred to the Committee on Commerce and Economic Development.

Adams, Neisen, Beauchamp and Jaros introduced:

H. F. No. 828, A bill for an act relating to commerce; requiring the licensing of builders; requiring bonds and insurance.

The bill was read for the first time and referred to the Committee on Commerce and Economic Development.

Reding, Beauchamp, Jaros, Kroening and Stanton introduced:

H. F. No. 829, A bill for an act relating to landlord and tenant; establishing period for which interest is payable on security deposit; providing a measure of damages for the improper withholding of security deposits; amending Minnesota Statutes 1976, Section 504.20, Subdivisions 2, 3, 4 and 7.

The bill was read for the first time and referred to the Committee on Commerce and Economic Development.

Wenstrom; Anderson, G.; Kelly, W.; Fjoslien and Kalis introduced:

H. F. No. 830, A bill for an act relating to public utilities; regulation of cooperative electric associations; amending Minnesota Statutes 1976, Sections 216B.01; 216B.02, Subdivision 4; 216B.06; 216B.36; 216B.38, Subdivision 5; 216B.45; 216B.47; repealing Minnesota Statutes 1976, Sections 216B.48, Subdivision 7; 216B.49, Subdivision 6; 216B.50, Subdivision 2; and 216B.51, Subdivision 2.

The bill was read for the first time and referred to the Committee on Commerce and Economic Development.

Jaros, Ewald, Murphy, Stanton and Casserly introduced:

H. F. No. 831, A bill for an act relating to commerce; regulating the sale of motor vehicle fuel; granting the attorney general enforcement powers; providing a penalty.

The bill was read for the first time and referred to the Committee on Commerce and Economic Development.

McEachern, Neisen and Sieben, M., introduced:

H. F. No. 832, A bill for an act relating to intoxicating liquor; restrictions upon places of sale; amending Minnesota Statutes 1976, Sections 340.07, Subdivision 13; and 340.353, Subdivision 1.

The bill was read for the first time and referred to the Committee on Commerce and Economic Development.

Anderson, D.; Wenstrom; Fjoslien; Niehaus and Brinkman introduced:

H. F. No. 833, A bill for an act relating to law enforcement; appropriating funds to reimburse local governments for certain extraordinary expenses.

The bill was read for the first time and referred to the Committee on Criminal Justice.

Kostohryz, McEachern, Metzen, Novak and Peterson introduced:

H. F. No. 834, A bill for an act relating to education; school districts; increasing aids and providing certain benefits for programs of education of the handicapped; providing funds for declining enrollments, adult education, transportation of additional pupils, mandated desegregation and certain employee contributions; appropriating money; amending Minnesota Statutes 1976, Sections 124.17, Subdivision 1; 124.223; and 124.32, Subdivisions 1, 1a and 1b.

The bill was read for the first time and referred to the Committee on Education.

Fjoslien; Wenstrom; Anderson, D.; Niehaus and Brinkman introduced:

H. F. No. 835, A bill for an act relating to eminent domain; payment of attorney's fees in certain instances; amending Minnesota Statutes 1976, Section 117.175, Subdivision 2.

The bill was read for the first time and referred to the Committee on Environment and Natural Resources.

Nelsen, M.; Patton and Kroening introduced:

H. F. No. 836, A bill for an act relating to Aitkin county; authorizing sale of certain tax forfeited lakeshore property.

The bill was read for the first time and referred to the Committee on Environment and Natural Resources.

Neihaus; Fjoslien; Anderson, D.; Wenstrom and Brinkman introduced:

H. F. No. 837, A bill for an act relating to electric utilities; appropriating funds for monitoring the operation of high voltage transmission lines.

The bill was read for the first time and referred to the Committee on Environment and Natural Resources.

Jensen; Anderson, G.; Braun; Friedrich and Sarna introduced:

H. F. No. 838, A bill for an act relating to natural resources; watershed districts; changing bonding provisions for managers; changing and clarifying administrative provisions; establishing a survey and data acquisition fund; creating fees for applications for permits and for field inspections; requiring a permit applicant to post a bond; providing penalties and enforcement provisions; amending Minnesota Statutes 1976, Sections 112.42, Subdivision 1; 112.43, Subdivision 1; 112.48, Subdivision 4; 112.49, by adding a subdivision; 112.50, Subdivision 1; 112.55; 112.61, by adding a subdivision; 112.62, by adding a subdivision; 112.69; 112.761, Subdivision 1; 112.801, Subdivision 8; 112.85, Subdivision 1; and Chapter 112, by adding sections.

The bill was read for the first time and referred to the Committee on Environment and Natural Resources.

Reding, Cummiskey, Williamson, Stanton and Jaros introduced:

H. F. No. 839, A bill for an act relating to no-fault automobile insurance; prohibiting certain rate discrimination based on age; amending Minnesota Statutes 1976, Sections 65B.70, Subdivision 5; and 70A.04, Subdivision 1.

The bill was read for the first time and referred to the Committee on Financial Institutions and Insurance.

Ellingson introduced:

H. F. No. 840, A bill for an act relating to commerce; providing a method for computing finance charges; amending Minnesota Statutes 1976, Section 48.185, Subdivision 3; and 334.16, Subdivision 1.

The bill was read for the first time and referred to the Committee on Financial Institutions and Insurance.

Simoneau, Skoglund and Brinkman introduced:

H. F. No. 841, A bill for an act relating to credit unions; authority of state chartered credit unions; amending Minnesota Statutes 1976, Section 52.04.

The bill was read for the first time and referred to the Committee on Financial Institutions and Insurance.

Kempe, A.; Faricy; McCollar; Kelly, R.; and Suss introduced:

H. F. No. 842, A bill for an act relating to financial institutions; establishing procedures for issuance of orders and removal of officers or directors in the event of violations of law or unsafe practices; providing penalties.

The bill was read for the first time and referred to the Committee on Financial Institutions and Insurance.

Lehto, Stoa, McDonald, Rice and Osthoff introduced:

H. F. No. 843, A bill for an act relating to elections; providing for training of all election officials; prescribing certain duties for the secretary of state; appropriating money.

The bill was read for the first time and referred to the Committee on General Legislation and Veterans Affairs.

Patton, Brinkman, Jensen, Birnstihl and Pehler introduced:

H. F. No. 844, A bill for an act relating to arts and sports; redesignating the board of the arts as the board of the arts and sports; authorizing limited pari-mutuel betting; appropriating the proceeds for stadium construction; amending Minnesota Statutes 1976, Sections 139.07; 139.08, Subdivision 1; 139.09; 139.16; and 139.18; and Chapter 139, by adding a section.

The bill was read for the first time and referred to the Committee on General Legislation and Veterans Affairs.

Anderson, B.; Kelly, R.; Voss; Dean and Murphy introduced:

H. F. No. 845, A bill for an act relating to ethics in government; requiring clarified forms for statements and reports; amending Minnesota Statutes 1976, Section 10A.02, by adding a subdivision.

The bill was read for the first time and referred to the Committee on General Legislation and Veterans Affairs.

Sherwood, Waldorf, Niehaus, Esau and Brinkman introduced:

H. F. No. 846, A resolution withdrawing ratification of a proposed amendment to the Constitution of the United States of America relating to equal rights for men and women under the law.

The bill was read for the first time and referred to the Committee on General Legislation and Veterans Affairs.

Patton, Reding, Biersdorf and Beauchamp introduced :

H. F. No. 847, A bill for an act relating to retirement; annuities of certain military affairs department personnel.

The bill was read for the first time and referred to the Committee on Governmental Operations.

Patton, Moe, Beauchamp, Reding and Sabo introduced :

H. F. No. 848, A bill for an act relating to retirement; Minnesota municipal employees retirement fund; new employees into the public employees retirement association; amending Minnesota Statutes 1976, Section 353.01, Subdivision 2a; and Chapter 422A, by adding a section.

The bill was read for the first time and referred to the Committee on Governmental Operations.

Patton, Biersdorf, Beauchamp and Reding introduced :

H. F. No. 849, A bill for an act relating to local firefighting organizations and retirement of police and firefighters; providing for municipal representation on the corporate governing body and requiring disclosure of records of nonprofit firefighting corporations; making portions of chapter 69 applicable to such corporations; providing for state fire aid to be paid first to municipalities and subsequently to relief associations and corporations; amending Minnesota Statutes 1976, Sections 69.011; 69.021, Subdivisions 4, 5, 6, 7 and 9; 69.031, Subdivisions 4, 5 and 6; 69.04; 69.051; 69.06; 69.691; 69.771, Subdivision 2; 69.772, Subdivisions 4 and 6; 69.773, Subdivisions 5 and 6; and Chapter 69, by adding a section; repealing Minnesota Statutes 1976, Sections 69.774; 424.30 and 424.31.

The bill was read for the first time and referred to the Committee on Governmental Operations.

Jaros, Ewald, Berglin, Lehto and Munger introduced :

H. F. No. 850, A bill for an act relating to counties; prohibiting counties from publishing the names and salaries of county employees; amending Minnesota Statutes 1976, Section 375.17.

The bill was read for the first time and referred to the Committee on Governmental Operations.

Arlandson and Petrafeso introduced:

H. F. No. 851, A bill for an act relating to the Hennepin county municipal court; clarifying fee exclusions for governmental units; amending Minnesota Statutes 1976, Section 488A.03, Subdivision 11a.

The bill was read for the first time and referred to the Committee on Governmental Operations.

Reding, Moe, Beauchamp, Biersdorf and Patton introduced:

H. F. No. 852, A bill for an act relating to retirement; firemen's and police relief associations in cities other than cities of the first class; membership of new police officers and firefighters in the public employees police and fire fund; contributions and refunds.

The bill was read for the first time and referred to the Committee on Governmental Operations.

Adams; Anderson, I.; Fudro and Osthoff introduced:

H. F. No. 853, A bill for an act relating to workers' compensation; providing supplementary benefits to employees suffering reoccurrences or aggravations of preexisting compensable injuries; amending Minnesota Statutes 1976, Section 176.132, Subdivision 1.

The bill was read for the first time and referred to the Committee on Governmental Operations.

Clawson; Anderson, B.; Scheid; Forsythe and Samuelson introduced:

H. F. No. 854, A bill for an act relating to medical assistance; authorizing interest reimbursement to nonproprietary nursing homes; amending Minnesota Statutes 1976, Section 256B.44, Subdivision 2.

The bill was read for the first time and referred to the Committee on Health and Welfare.

Heinitz, Fjoslien, Osthoff, Evans and Lemke introduced:

H. F. No. 855, A bill for an act relating to public welfare; providing for disregard of certain pension payment increases in calculating eligibility for supplemental aid; amending Minnesota Statutes 1976, Section 256D.38.

The bill was read for the first time and referred to the Committee on Health and Welfare.

Clawson, Swanson, Dahl, Carlson, L., and Samuelson introduced:

H. F. No. 856, A bill for an act relating to welfare; authorizing the establishment of a centralized disbursement system for payments and for food stamp benefit documents; amending Minnesota Statutes 1976, Section 256.01, by adding a subdivision.

The bill was read for the first time and referred to the Committee on Health and Welfare.

Berglin, Jacobs, Rice, Dahl and Samuelson introduced:

H. F. No. 857, A bill for an act relating to public welfare; providing for supplemental grants to families with dependent children; providing an appropriation; amending Minnesota Statutes 1976, Chapter 256, by adding a section.

The bill was read for the first time and referred to the Committee on Health and Welfare.

Berglin, Jacobs, Dahl, Rice and Clawson introduced:

H. F. No. 858, A bill for an act relating to public welfare; providing a homestead exemption in eligibility computations for certain medical assistance benefits; amending Minnesota Statutes 1976, Section 256B.06, Subdivision 1.

The bill was read for the first time and referred to the Committee on Health and Welfare.

Dean, Pehler, Beauchamp, Munger and Faricy introduced:

H. F. No. 859, A bill for an act relating to education; public radio; creating an advisory task force to study the feasibility of authorizing the combined post-secondary educational systems of the state to provide statewide public radio service; appropriating money.

The bill was read for the first time and referred to the Committee on Higher Education.

McCollar and George introduced:

H. F. No. 860, A bill for an act relating to the White Bear Lake conservation district; increasing membership on its governing board; providing for selection of board officers; amending Laws 1971, Chapter 355, Sections 2, Subdivision 2; and 8, Subdivision 1.

The bill was read for the first time and referred to the Committee on Local and Urban Affairs.

Skoglund, Knickerbocker, Jude, Petrafeso and Heinritz introduced:

H. F. No. 861, A bill for an act relating to Hennepin county and tax levies and bond issues for the purposes of the county park reserve district; amending Laws 1967, Chapter 721, Section 2, as amended.

The bill was read for the first time and referred to the Committee on Local and Urban Affairs.

Tomlinson, Norton, Kostohryz, Kelly, R., and Waldorf introduced:

H. F. No. 862, A bill for an act relating to the city of St. Paul; providing that the employees of the housing and redevelopment authority of the city of St. Paul may remain employees of the authority or become employees of the city as the governing body of the city may determine; amending Laws 1976, Chapter 234, Section 4, Subdivision 4, and by adding a subdivision.

The bill was read for the first time and referred to the Committee on Local and Urban Affairs.

Ewald, Fudro, Lemke, Hokanson and Sherwood introduced:

H. F. No. 863, A bill for an act relating to energy conversation; requiring the state and city and county governments to purchase automobiles of intermediate size or smaller.

The bill was read for the first time and referred to the Committee on Local and Urban Affairs.

Begich introduced:

H. F. No. 864, A bill for an act relating to the town of White and the city of Aurora; providing for their separation.

The bill was read for the first time and referred to the Committee on Local and Urban Affairs.

Waldorf, Novak, McCarron, Cohen and Kelly, R., introduced:

H. F. No. 865, A bill for an act relating to the city of St. Paul; providing for a procedure to declare property transfers in the city of St. Paul on a form approved by the city; providing a penalty.

The bill was read for the first time and referred to the Committee on Local and Urban Affairs.

Erickson; Eckstein; Anderson, D.; Lemke and Esau introduced:

H. F. No. 866, A bill for an act relating to taxation; allocating the proceeds of the motor vehicle excise tax between the general fund and the highway user tax distribution fund; amending Minnesota Statutes 1976, Sections 168.27, Subdivision 16; 297B.035, Subdivision 2; and 297B.09.

The bill was read for the first time and referred to the Committee on Taxes.

Jacobs, Voss, McCarron, Faricy and Kroening introduced:

H. F. No. 867, A bill for an act relating to taxation; providing for continuation of property tax classification of homesteads of survivors of disabled persons; amending Minnesota Statutes 1976, Section 273.13, Subdivision 7.

The bill was read for the first time and referred to the Committee on Taxes.

Ellingson introduced:

H. F. No. 868, A bill for an act relating to transportation; prohibiting motorcyclists with instruction permits from driving on controlled access highways; amending Minnesota Statutes 1976, Section 169.974, Subdivision 2.

The bill was read for the first time and referred to the Committee on Transportation.

Osthoff, Birnstihl and Kalis introduced:

H. F. No. 869, A bill for an act relating to motor vehicles; registration and taxation; fees for filing applications; appointment and duties of deputy registrars; amending Minnesota Statutes 1976, Section 168.33, Subdivisions 2 and 7.

The bill was read for the first time and referred to the Committee on Transportation.

Osthoff, Berglin, Anderson, I., and Sarna introduced:

H. F. No. 870, A bill for an act relating to taxation; allowing for a reduction in value of certain damaged property; providing for a tax abatement; amending Minnesota Statutes 1976, Sections 273.17, Subdivision 1; 274.19, Subdivision 1; and 375.192, Subdivision 2.

The bill was read for the first time and referred to the Committee on Taxes.

HOUSE ADVISORIES

Pursuant to rule 5.3, the following House Advisory was introduced:

Haugerud introduced:

H. A. No. 19, A proposal for citizen dispute settlement.

The advisory was referred to the Committee on Governmental Operations.

MESSAGES FROM THE SENATE

The following message was received from the Senate:

Mr. Speaker:

I hereby announce the passage by the Senate of the following Senate File, herewith transmitted:

S. F. No. 218.

PATRICK E. FLAHAVEN, Secretary of the Senate

FIRST READING OF SENATE BILLS

S. F. No. 218, A bill for an act relating to municipalities; procedures required for the letting of certain contracts; amending Minnesota Statutes 1976, Section 471.345, Subdivisions 3, 4 and 5.

The bill was read for the first time and referred to the Committee on Local and Urban Affairs.

CONSENT CALENDAR

H. F. No. 33 was reported to the House.

Kahn moved to amend H. F. No. 33, as follows:

Further amend the title.

Page 1, lines 2 through 4, delete "requiring that certain optional insurance coverage be offered motorcycle owners;"

The motion prevailed and the amendment was adopted.

H. F. No. 33, A bill for an act relating to motor vehicles; defining motorized bicycles; providing for the registration of motorized bicycles and the licensing of their operators; providing

operating rules; amending Minnesota Statutes 1976, Chapter 169, by adding a section; and 168.011, Subdivision 26, and by adding a subdivision; 168.013, by adding a subdivision; 168.27, Subdivision 20; 168A.01, Subdivision 24; 169.01, Subdivision 4, and by adding a subdivision; 169.305, Subdivision 1; 171.01, Subdivision 17, and by adding a subdivision; and 171.02, by adding a subdivision.

The bill was read for the third time, as amended, and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 129 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Abeln	Cohen	Jaros	Munger	Sherwood
Adams	Corbid	Jensen	Murphy	Sieben, H.
Albrecht	Cummiskey	Johnson	Neisen	Sieben, M.
Anderson, B.	Dahl	Jude	Nelsen, B.	Simoneau
Anderson, D.	Dean	Kahn	Nelsen, M.	Skoglund
Anderson, G.	Eckstein	Kaley	Nelson	Smogard
Anderson, I.	Eken	Kalis	Niehaus	Spanish
Anderson, R.	Ellingson	Kelly, R.	Norton	Stanton
Arlandson	Enebo	Kelly, W.	Novak	Stoa
Battaglia	Erickson	Kempe, A.	Osthoff	Suss
Beauchamp	Esau	Kempe, R.	Patton	Swanson
Begich	Evans	King	Pehler	Tomlinson
Berg	Ewald	Knickerbocker	Peterson	Vanasek
Berglin	Faricy	Kostohryz	Petrafeso	Voss
Berkelman	Fjoslien	Kroening	Pleasant	Waldorf
Birnstihl	Forsythe	Langseth	Prahl	Welch
Brandl	Friedrich	Lehto	Reding	Wenstrom
Braun	Fudro	Lemke	Rice	Wenzel
Brinkman	Fugina	Mangan	Rose	White
Byrne	George	Mann	St. Onge	Wieser
Carlson, A.	Gunter	McCarron	Samuelson	Wigley
Carlson, D.	Hanson	McCollar	Sarna	Williamson
Carlson, L.	Haugerud	McDonald	Scheid	Wynia
Casserly	Heinitz	McEachern	Schulz	Zubay
Clark	Hokanson	Metzen	Searle	Speaker Sabo
Clawson	Jacobs	Moe	Searles	

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

H. F. No. 334, A bill for an act relating to highway traffic regulations; lengths of certain vehicles and combinations of vehicles; amending Minnesota Statutes 1976, Section 169.81, Subdivision 3.

The bill was read for the third time and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 118 yeas and 5 nays as follows:

Those who voted in the affirmative were:

Abeln	Clark	Jensen	Nelsen, B.	Sieben, H.
Adams	Clawson	Johnson	Nelsen, M.	Sieben, M.
Albrecht	Cohen	Jude	Nelson	Simoneau
Anderson, B.	Corbid	Kaley	Niehaus	Skoglund
Anderson, D.	Dean	Kalis	Norton	Smogard
Anderson, G.	Eckstein	Kelly, W.	Novak	Spanish
Anderson, I.	Eken	Kempe, A.	Osthoff	Stanton
Anderson, R.	Ellingson	Kempe, R.	Patton	Stoa
Arlandson	Enebo	Knickerbocker	Pehler	Suss
Battaglia	Erickson	Kostohryz	Peterson	Swanson
Beauchamp	Esau	Kroening	Petraleso	Tomlinson
Begich	Evans	Kvam	Pleasant	Vanasek
Berg	Ewald	Langseth	Prahl	Waldorf
Berglin	Fjoslien	Lehto	Reding	Welch
Berkelman	Forsythe	Lemke	Rice	Wenstrom
Biersdorf	Friedrich	Mangan	Rose	Wenzel
Birnstihl	Fudro	McCarron	St. Onge	White
Brandl	Fugina	McCollar	Sarna	Wigley
Braun	George	McDonald	Samuelson	Williamson
Byrne	Gunter	McEachern	Savelkoul	Wynia
Carlson, A.	Hanson	Metzen	Scheid	Zubay
Carlson, D.	Haugerud	Munger	Schulz	Speaker Sabo
Carlson, L.	Heinitz	Murphy	Searles	
Casserly	Jacobs	Neisen	Sherwood	

Those who voted in the negative were:

Jaros	Kelly, R.	Moe	Searle	Voss
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The bill was passed and its title agreed to.

CALENDAR

H. F. No. 140, A bill for an act relating to natural resources; imposing limits on the issuance of licenses for commercial fishing on Lake Superior; providing maximum amounts of gill net to be licensed in Lake Superior; amending Minnesota Statutes 1976, Sections 98.46, Subdivision 12; and 102.28, Subdivision 4.

The bill was read for the third time and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 130 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Abeln	Beauchamp	Byrne	Dahl	Faricy
Adams	Begich	Carlson, A.	Dean	Fjoslien
Albrecht	Berg	Carlson, D.	Eckstein	Forsythe
Anderson, B.	Berglin	Carlson, L.	Eken	Friedrich
Anderson, D.	Berkelman	Casserly	Ellingson	Fudro
Anderson, G.	Biersdorf	Clark	Enebo	Fugina
Anderson, I.	Birnstihl	Clawson	Erickson	George
Anderson, R.	Brandl	Cohen	Esau	Gunter
Arlandson	Braun	Corbid	Evans	Hanson
Battaglia	Brinkman	Cummiskey	Ewald	Haugerud

Heinitz	Kostohryz	Nelsen, B.	Samuelson	Suss
Hokanson	Kroening	Nelsen, M.	Sarna	Swanson
Jacobs	Kvam	Nelson	Savelkoul	Tomlinson
Jaros	Langseth	Niehaus	Scheid	Vanasek
Jensen	Lehto	Norton	Schulz	Voss
Johnson	Lemke	Novak	Searle	Waldorf
Jude	Mangan	Osthoff	Searles	Welch
Kahn	Mann	Patton	Sherwood	Wenstrom
Kaley	McCarron	Pehler	Sieben, H.	Wenzel
Kalis	McCollar	Peterson	Sieben, M.	White
Kelly, R.	McDonald	Petrafaso	Simoneau	Wieser
Kelly, W.	McEachern	Pleasant	Skoglund	Wigley
Kempe, A.	Moe	Prahl	Smogard	Williamson
Kempe, R.	Munger	Reding	Spanish	Wynia
King	Murphy	Rice	Stanton	Zubay
Knickerbocker	Neisen	St. Onge	Stoa	Speaker Sabo

The bill was passed and its title agreed to.

S. F. No. 232, A bill for an act relating to unemployment compensation; redefining "base period"; redefining "wages" for contribution purposes; changing contribution rates; providing for charging of benefits; increasing weekly benefits; redefining "credit week"; providing for disqualification for benefits; providing a penalty; amending Minnesota Statutes 1976, Sections 268.04, Subdivisions 2, 25 and 29; 268.06, Subdivisions 5 and 8; 268.07, Subdivision 2; 268.08, Subdivision 1; 268.09; and 268.18, Subdivision 3.

The bill was read for the third time and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 98 yeas and 33 nays as follows:

Those who voted in the affirmative were:

Abeln	Dean	Kelly, R.	Neisen	Skoglund
Adams	Eckstein	Kelly, W.	Nelsen, B.	Smogard
Albrecht	Eken	Kempe, A.	Niehaus	Stanton
Anderson, B.	Erickson	Kempe, R.	Novak	Stoa
Anderson, R.	Esau	King	Osthoff	Suss
Arlandson	Evans	Knickerbocker	Patton	Swanson
Beauchamp	Ewald	Kostohryz	Pehler	Tomlinson
Berkelman	Fjoslien	Kvam	Peterson	Vanasek
Biersdorf	Forsythe	Laidig	Petrafaso	Waldorf
Birnstihl	Friedrich	Langseth	Pleasant	Welch
Brandl	Fudro	Lehto	Reding	Wenstrom
Braun	George	Lemke	Rose	Wenzel
Brinkman	Gunter	Mangan	St. Onge	White
Carlson, A.	Heinitz	Mann	Savelkoul	Wieser
Carlson, D.	Hokanson	McCollar	Schulz	Wigley
Carlson, L.	Jacobs	McDonald	Searle	Williamson
Clawson	Johnson	McEachern	Searles	Zubay
Cohen	Jude	Metzen	Sherwood	Speaker Sabo
Corbid	Kaley	Munger	Sieben, H.	
Dahl	Kalis	Murphy	Sieben, M.	

Those who voted in the negative were:

Anderson, D.	Cassery	Hanson	Moe	Scheid
Anderson, G.	Clark	Haugerud	Nelson	Simoneau
Anderson, I.	Cummiskey	Jaros	Norton	Spanish
Begich	Ellingson	Jensen	Prahl	Voss
Berg	Enebo	Kahn	Rice	Wynia
Berglin	Faricy	Kroening	Samuelson	
Byrne	Fugina	McCarron	Sarna	

The bill was passed and its title agreed to.

Anderson, G.; George and Wieser were excused at 3:40 p.m. Metzen was excused at 3:45 p.m. and Brinkman was excused at 4:00 p.m.

GENERAL ORDERS

Pursuant to rules of the House, the House resolved itself into the Committee of the Whole, with Sabo in the Chair, for the consideration of bills pending on General Orders of the Day. After some time spent therein the Committee arose.

REPORT OF COMMITTEE OF THE WHOLE

The Speaker resumed the Chair, whereupon the following proceedings of the Committee as kept by the Chief Clerk were reported to the House:

H. F. No. 45 which it recommended to pass.

S. F. No. 76 which it recommended to pass.

H. F. No. 382 which it recommended to pass, as amended by the Committee of the Whole on Thursday, March 10, 1977, with the following amendments:

Offered by Hanson:

Page 3, after line 10, add a new section to read:

“Sec. 3. Minnesota Statutes 1976, Chapter 169, is amended by adding a section to read:

[169.975] *In any litigation based upon negligence arising from any motor vehicle accident, where damages are sought for any head injury suffered by an operator or passenger of a motorcycle, proof of the failure to use protective headgear of a type approved by the commissioner of public safety shall be admissible as evidence only to the issue of the extent of compensable damages for the head injury.”*

Renumber the following section.

Further amend the title:

Line 5, after "4" insert "; and Chapter 169, by adding a section".

Offered by Carlson, A., and Petrafeso:

Page 3, following line 10, insert:

"Sec. 3. Minnesota Statutes 1976, Section 169.974, is amended by adding a subdivision to read:

Subd. 6. [NOISE LIMITS.] After December 31, 1978, noise regulations adopted by the pollution control agency for motor vehicles pursuant to section 169.693 shall also apply to motorcycles."

Re-number remaining section.

Further, amend the title in line 3 after the semicolon by inserting "noise regulations;" and in line 5 after "4" by inserting ", and by adding a subdivision".

On the motion of Anderson, I., the report of the Committee of the Whole was adopted.

ROLL CALLS IN COMMITTEE OF THE WHOLE

Pursuant to rule 1.6, the following roll calls were taken in the Committee of the Whole:

Carlson, D., moved to amend H. F. No. 45, as follows:

Page 1, line 8, delete "MILK" and insert "FLUID".

Page 1, line 11, delete "milk and other milk" and insert "fluid".

Page 1, line 16, delete "milk and other milk" and insert "fluid".

Page 1, delete lines 20 to 22.

Page 2, delete lines 1 to 4 and insert the following:

"Sec. 2. [116F.22] [PLASTIC PACKAGING FOR FLUIDS PROHIBITED.] Subdivision 1. No person shall sell at retail or offer for sale at retail in this state any fluid product packaged in a disposable plastic container. For the purposes of this section, "disposable" means not designed or intended for refilling, and "plastic container" means any rigid or semi-rigid container at least 50 percent of which is plastic."

Further, amend the title by striking it in its entirety and inserting:

“A bill for an act relating to solid waste pollution; prohibiting certain plastic packaging for fluids; providing penalties.”.

Kempe, A., moved to amend the Carlson, D., amendment, as follows:

Lines 3 and 4 delete “and” insert “fluid”.

Lines 5 and 6 delete “and” insert “fluid”.

Line 11 delete “fluid”.

Line 21 delete “for fluids”.

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

The question was taken on the adoption of the Carlson, D., amendment, as amended, and the roll was called. There were 37 yeas and 92 nays as follows:

Those who voted in the affirmative were:

Adams	Eckstein	Heinitz	Peterson	Searles
Albrecht	Eken	Kaley	Pleasant	Suss
Anderson, R.	Erickson	Kvam	Prahl	Swanson
Biersdorf	Ewald	Laidig	Rose	Wigley
Brinkman	Fjoslien	Lemke	St. Onge	Zubay
Carlson, A.	Friedrich	McDonald	Savelkoul	
Carlson, D.	Fudro	Nelsen, B.	Schulz	
Carlson, L.	Haugerud	Niehaus	Searle	

Those who voted in the negative were:

Abeln	Cohen	Jude	Munger	Simoneau
Anderson, B.	Corbid	Kahn	Murphy	Skoglund
Anderson, D.	Cummiskey	Kalis	Neisen	Smogard
Anderson, G.	Dahl	Kelly, R.	Neisen, M.	Stanton
Anderson, I.	Dean	Kelly, W.	Nelson	Stoa
Arlandson	Ellingson	Kempe, A.	Norton	Tomlinson
Battaglia	Enebo	Kempe, R.	Novak	Vanasek
Beauchamp	Evans	King	Osthoff	Waldorf
Begich	Faricy	Knickerbocker	Patton	Welch
Berg	Forsythe	Kostohryz	Pehler	Wenstrom
Berglin	Fugina	Kroening	Petrafeso	Wenzel
Berkelman	George	Langseth	Reding	White
Birnstihl	Gunter	Lehto	Rice	Wieser
Brandl	Hanson	Mangan	Samuelson	Williamson
Braun	Hokanson	Mann	Sarna	Wynia
Byrne	Jacobs	McCollar	Scheid	Speaker Sabo
Casserly	Jaros	McEachern	Sherwood	
Clark	Jensen	Metzen	Sieben, H.	
Clawson	Johnson	Moe	Sieben, M.	

The motion did not prevail and the amendment, as amended, was not adopted.

Dean moved to amend H. F. No. 45, as follows:

Page 1, line 8, delete "MILK" and insert "BEVERAGE".

Page 1, line 11, delete "milk and other milk" and insert "beverage".

Page 1, line 16, delete "milk and other milk" and insert "beverage".

Page 1, delete lines 20 to 22.

Page 2, delete lines 1 to 4 and insert the following:

"Sec. 2. [116F.22] [PLASTIC PACKAGING FOR FLUIDS PROHIBITED.] Subdivision 1. No person shall sell at retail or offer for sale at retail in this state any beverage product packaged in a disposable plastic container. For the purposes of this section, "disposable" means not designed or intended for refilling, and "plastic container" means any rigid or semi-rigid container at least 50 percent of which is plastic."

Further, amend the title by striking it in its entirety and inserting:

"A bill for an act relating to solid waste pollution; prohibiting certain plastic packaging for fluids; providing penalties."

The question was taken on the adoption of the amendment and the roll was called. There were 54 yeas and 72 nays as follows:

Those who voted in the affirmative were:

Abeln	Clawson	Haugerud	Lemke	Searles
Adams	Dean	Heinitz	McDonald	Smogard
Albrecht	Eckstein	Jude	Nelsen, B.	Suss
Anderson, D.	Eken	Kaley	Niehaus	Swanson
Anderson, G.	Erickson	Kalis	Norton	Tomlinson
Anderson, R.	Esau	Kelly, R.	Novak	Wenstrom
Biersdorf	Evans	Kempe, A.	Peterson	Wenzel
Brinkman	Ewald	Kempe, R.	Pleasant	Wigley
Carlson, A.	Fjoslien	Knickerbocker	Rose	Williamson
Carlson, D.	Friedrich	Kvam	Savelkoul	Zubay
Carlson, L.	Fudro	Laidig	Schulz	

Those who voted in the negative were:

Anderson, B.	Beauchamp	Berkelman	Byrne	Cummiskey
Anderson, I.	Begich	Birnstihl	Casserly	Dahl
Arlandson	Berg	Brandl	Clark	Ellingson
Battaglia	Berglin	Braun	Cohen	Enebo

Faricy	King	Murphy	Samuelson	Vanasek
Forsythe	Kostohryz	Neisen	Sarna	Voss
Fugina	Kroening	Nelsen, M.	Scheid	Waldorf
Gunter	Lehto	Nelson	Searle	Welch
Hanson	Mann	Osthoff	Sherwood	White
Hokanson	McCarron	Pehler	Sieben, H.	Wieser
Jacobs	McCollar	Petrafeso	Sieben, M.	Wynia
Jensen	McEachern	Prahl	Simoneau	Speaker Sabo
Johnson	Metzen	Reding	Skoglund	
Kahn	Moe	Rice	Stanton	
Kelly, W.	Munger	St. Onge	Stoa	

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

The question was taken on the Wigley motion to re-refer H. F. No. 45 to the Committee on Agriculture and the roll was called. There were 39 yeas and 89 nays as follows:

Those who voted in the affirmative were:

Albrecht	Esau	Kalis	Rose	Suss
Anderson, B.	Evans	Kvam	St. Onge	Welch
Anderson, R.	Fjoslien	Lemke	Samuelson	Wenzel
Biersdorf	Friedrich	McDonald	Savelkoul	White
Birnstihl	Haugerud	Nelsen, B.	Schulz	Wieser
Brinkman	Heinitz	Niehaus	Searle	Wigley
Eckstein	Johnson	Peterson	Searles	Zubay
Erickson	Kaley	Pleasant	Spanish	

Those who voted in the negative were:

Abeln	Clawson	Jaros	Metzen	Sherwood
Adams	Cohen	Jensen	Moe	Sieben, H.
Anderson, D.	Corbid	Jude	Munger	Sieben, M.
Anderson, G.	Cummiskey	Kahn	Murphy	Simoneau
Anderson, I.	Dean	Kelly, R.	Neisen	Skoglund
Arlandson	Eken	Kempe, A.	Neisen, M.	Smogard
Battaglia	Ellingson	Kempe, R.	Nelson	Stanton
Begich	Enebo	King	Norton	Stoa
Berg	Ewald	Knickerbocker	Novak	Swanson
Berglin	Faricy	Kostohryz	Osthoff	Tomlinson
Berkelman	Forsythe	Kroening	Patton	Vanasek
Brandl	Fudro	Laidig	Pehler	Voss
Braun	Fugina	Lehto	Petrafeso	Waldorf
Byrne	George	Mangan	Prahl	Wenstrom
Carlson, A.	Gunter	Mann	Reding	Williamson
Carlson, L.	Hokanson	McCarron	Rice	Wynia
Casserly	Hanson	McCollar	Sarna	Speaker Sabo
Clark	Jacobs	McEachern	Scheid	

The motion did not prevail.

The question was taken on the motion to recommend passage of H. F. No. 45 and the roll was called. There were 112 yeas and 18 nays as follows:

Those who voted in the affirmative were:

Abeln	Clawson	Jaros	Murphy	Sherwood
Adams	Cohen	Jensen	Neisen	Sieben, H.
Anderson, B.	Corbid	Jude	Nelsen, B.	Sieben, M.
Anderson, D.	Cummiskey	Kahn	Nelsen, M.	Simoneau
Anderson, G.	Dahl	Kelly, R.	Nelson	Skoglund
Anderson, I.	Dean	Kempe, A.	Niehaus	Smogard
Anderson, R.	Eken	Kempe, R.	Norton	Stanton
Arlandson	Ellingson	King	Novak	Stoa
Battaglia	Enebo	Knickerbocker	Osthoff	Suss
Beauchamp	Esau	Kostohryz	Patton	Swanson
Begich	Evans	Kroening	Pehler	Tomlinson
Berg	Ewald	Laidig	Peterson	Vanasek
Berglin	Faricy	Langseth	Petraffeso	Voss
Berkelman	Fjoslien	Lehto	Pleasant	Waldorf
Biersdorf	Forsythe	Mangan	Prahl	Welch
Brandl	Fudro	Mann	Reding	Wenstrom
Braun	Fugina	McCarron	Rice	Wenzel
Brinkman	George	McCollar	Rose	Williamson
Byrne	Gunter	McDonald	St. Onge	Wynia
Carlson, A.	Hanson	McEachern	Samuelson	Speaker Sabo
Carlson, L.	Heinitz	Metzen	Sarna	
Casserly	Hokanson	Moe	Scheid	
Clark	Jacobs	Munger	Searles	

Those who voted in the negative were:

Albrecht	Erickson	Kaley	Schulz	Wigley
Birnstihl	Friedrich	Kalis	Searle	Zubay
Carlson, D.	Haugerud	Kvam	White	
Eckstein	Johnson	Lemke	Wieser	

The motion prevailed.

Hanson moved to amend H. F. No. 382 as follows:

Page 3, after line 10, add a new section to read:

"Sec. 3. Minnesota Statutes 1976, Chapter 169, is amended by adding a section to read:

[169.975] *In any litigation based upon negligence arising from any motor vehicle accident, where damages are sought for any head injury suffered by an operator or passenger of a motorcycle, proof of the failure to use protective headgear of a type approved by the commissioner of public safety shall be admissible as evidence only to the issue of the extent of compensable damages for the head injury."*

Renumber the following section.

Further amend the title:

Line 5, after "4" insert "; and Chapter 169, by adding a section".

The question was taken on the adoption of the amendment and the roll was called. There were 93 yeas and 27 nays as follows:

Those who voted in the affirmative were:

Abeln	Corbid	Kahn	Neisen	Sieben, H.
Adams	Dahl	Kaley	Nelsen, B.	Simoneau
Anderson, B.	Eken	Kalis	Nelsen, M.	Skoglund
Anderson, I.	Enebo	Kelly, R.	Niehaus	Smogard
Arlandson	Erickson	Kelly, W.	Norton	Spanish
Battaglia	Ewald	Kempe, R.	Novak	Stanton
Beauchamp	Faricy	King	Osthoff	Suss
Begich	Fjoslien	Knickerbocker	Pehler	Swanson
Berglin	Forsythe	Kroening	Peterson	Voss
Berkelman	Friedrich	Kvam	Pleasant	Waldorf
Birnstihl	Fudro	Laidig	Reding	Welch
Brandl	Gunter	Langseth	Rose	Wenstrom
Braun	Hanson	Lehto	Samuelson	White
Carlson, A.	Heinitz	Mangan	Sarna	Wigley
Carlson, D.	Hokanson	McCarron	Savelkoul	Williamson
Carlson, L.	Jacobs	McCollar	Scheid	Wynia
Casserly	Jaros	McDonald	Schulz	Zubay
Clawson	Jensen	McEachern	Searles	
Cohen	Jude	Murphy	Sherwood	

Those who voted in the negative were:

Albrecht	Eckstein	Kempe, A.	Prahl	Vanasek
Anderson, D.	Ellingson	Kostohryz	Rice	Wenzel
Anderson, R.	Esau	Lemke	St. Onge	Speaker Sabo
Biersdorf	Evans	Mann	Sieben, M.	
Clark	Fugina	Moe	Stoa	
Cummiskey	Johnson	Patton	Tomlinson	

The motion prevailed and the amendment was adopted.

MOTIONS AND RESOLUTIONS

Berg moved that the name of Dean be added as an author on H. F. No. 800. The motion prevailed.

Rose moved that the names of Neisen, Simoneau, and Heinitz be added as authors on H. F. No. 725. The motion prevailed.

ADJOURNMENT

Anderson, I., moved that when the House adjourns today it adjourn until 2:00 p.m., Thursday, March 17, 1977. The motion prevailed.

Anderson, I., moved that the House adjourn. The motion prevailed, and the Speaker declared the House stands adjourned until 2:00 p.m., Thursday, March 17, 1977.

EDWARD A. BURDICK, Chief Clerk, House of Representatives

STATE OF MINNESOTA
SEVENTIETH SESSION - 1977

TWENTY-FOURTH DAY

SAINT PAUL, MINNESOTA, THURSDAY, MARCH 17, 1977

The House of Representatives convened at 2:00 p.m. and was called to order by the Speaker.

Prayer was offered by the Chaplain.

The roll was called and the following members were present:

Abeln	Clawson	Jaros	Munger	Sherwood
Adams	Cohen	Jensen	Murphy	Sieben, H.
Albrecht	Corbid	Johnson	Neisen	Sieben, M.
Anderson, B.	Cummiskey	Jude	Nelsen, B.	Simoneau
Anderson, D.	Dahl	Kahn	Nelsen, M.	Skoglund
Anderson, G.	Dean	Kaley	Nelson	Smogard
Anderson, I.	Eckstein	Kelly, R.	Niehaus	Spanish
Anderson, R.	Eken	Kelly, W.	Norton	Stanton
Arlandson	Ellingson	Kempe, A.	Novak	Stoa
Battaglia	Enebo	Kempe, R.	Patton	Suss
Beauchamp	Erickson	King	Pehler	Swanson
Begich	Esau	Knickerbocker	Peterson	Tomlinson
Berg	Evans	Kroening	Petrafeso	Vanasek
Berglin	Ewald	Kvam	Pleasant	Voss
Berkelman	Faricy	Laidig	Prahl	Waldorf
Biersdorf	Fjoslien	Langseth	Reding	Welch
Birnstihl	Forsythe	Lehto	Rice	Wenstrom
Brandl	Fudro	Lemke	Rose	Wenzel
Braun	Fugina	Mangan	St. Onge	White
Brinkman	George	Mann	Samuelson	Wieser
Byrne	Gunter	McCarron	Sarna	Wigley
Carlson, A.	Hanson	McCollar	Savelkoul	Williamson
Carlson, D.	Haugerud	McDonald	Scheid	Wynia
Carlson, L.	Heinitz	McEachern	Schulz	Zubay
Casserly	Hokanson	Metzen	Searle	Speaker Sabo
Clark	Jacobs	Moe	Searles	

A quorum was present.

Friedrich, Kostohryz and Osthoff were excused. Kalis was excused until 2:25 p.m.

The Chief Clerk proceeded to read the Journal of the preceding day. McCollar moved that further reading of the Journal be dispensed with and that the Journal be approved as corrected by the Chief Clerk. The motion prevailed.

REPORTS OF CHIEF CLERK

Pursuant to Rules of the House, printed copies of H. F. Nos. 261, 636, 33, 188, 229, 262, 301, 562, 621 and 382 and S. F. No. 218 have been placed in the members' files.

PETITIONS AND COMMUNICATIONS

The following reports were received and filed in the Chief Clerk's Office: Progress Report on Planning, University of Minnesota; FY76 Annual Report, Minnesota State Arts Board; and Biennial Report, State Planning Agency.

The following communications were received:

STATE OF MINNESOTA
OFFICE OF THE GOVERNOR
ST. PAUL 55155

March 15, 1977

The Honorable Martin Sabo
Speaker of the House

Sir:

I have the honor to inform you that I received, approved, signed and deposited in the Office of the Secretary of State the following House File:

H.F. No. 12, An Act relating to Independent School District No. 15 and Independent School District No. 911; providing for a transfer of property between the districts.

Sincerely,

RUDY PERPICH
Governor

STATE OF MINNESOTA
OFFICE OF THE SECRETARY OF STATE
ST. PAUL 55155

March 15, 1977

The Honorable Martin O. Sabo
Speaker of the House of Representatives
The Honorable Edward J. Gearty
President of the Senate

I have the honor to inform you that the following enrolled Acts of the 1977 Session of the State Legislature have been received

from the Office of the Governor and are deposited in the Office of the Secretary of State for preservation, pursuant to the State Constitution, Article IV, Section 23:

<i>S.F. No.</i>	<i>H.F. No.</i>	<i>Session Laws Chapter No.</i>	<i>Date Approved 1977</i>	<i>Date Filed 1977</i>
	12	2	March 15	March 15
48		3	March 15	March 15

Sincerely,

JOAN ANDERSON GROWE
Secretary of State

REPORTS OF STANDING COMMITTEES

Mann from the Committee on Agriculture to which was referred:

H. F. No. 777, A bill for an act relating to agriculture; the family farm security program; eliminating first mortgage requirements for seller-sponsored loans; authorizing retention of land by sellers in lieu of payment of loan guarantees; authorizing sharing of excess proceeds from default sale; allowing payment adjustments for certain loans with unequal annual payments; amending Minnesota Statutes 1976, Sections 41.52, Subdivisions 5 and 8; 41.54, Subdivision 2; 41.56, Subdivisions 3 and 4; 41.57, Subdivision 2; and 41.58, Subdivision 2.

Reported the same back with the following amendments:

Page 4, line 28, delete "*paid out by*" and insert "*due and payable to*".

Page 5, after line 30, add a section as follows:

"Sec. 8. [EFFECTIVE DATE.] *Sections 1 to 7 are effective the day following final enactment.*"

With the recommendation that when so amended the bill pass.

The report was adopted.

Johnson from the Committee on Education to which was referred:

H. F. No. 247, A bill for an act relating to Independent School Districts No. 158, No. 161, No. 217, No. 220, No. 351, No. 354, No. 649, No. 650, No. 782, No. 783, No. 893, and No. 896; autho-

rizing the districts to discontinue certain grades and provide instruction by contract with another district; providing for aids, levies and the contractual rights of teachers in participating districts.

Reported the same back with the following amendments:

Page 1, line 16, delete "seven" and insert "kindergarten".

Page 1, line 18, delete "grade" and insert "grades; provided, boards of districts entering such agreements shall continue to maintain a school enrolling pupils in at least three grades".

Page 1, line 20, delete "No. 158 and No. 161,".

Page 1, line 21, delete "No. 351 and No. 354" and insert "No. 440 and No. 444".

Page 2, after line 9, insert a new subdivision to read:

"Subd. 3. As used in this section, the term "teacher" shall have the meaning given it in Minnesota Statutes, Section 125.12, Subdivision 1."

Renumber remaining subdivisions in sequence.

Page 2, line 27, delete "April" and insert "March".

Page 3, line 3, delete "the".

Page 3, delete lines 4 and 5 and insert "necessary,".

Page 3, line 6, delete "teach" and insert "are employed".

Page 3, line 11, before the period insert ", according to a combined seniority list of teachers in affected grades in both districts".

Further amend the title:

Line 2, delete "No. 158,".

Line 3, delete "No. 161,".

Line 3, delete "No. 351, No. 354" and insert "No. 440, No. 444".

With the recommendation that when so amended the bill pass.

The report was adopted.

Johnson from the Committee on Education to which was referred:

H. F. No. 521, A bill for an act relating to Independent School District No. 196 (Rosemount) and Independent School District No. 194 (Lakeville); providing for certain land to be detached from Independent School District No. 196 and annexed to Independent School District No. 194.

Reported the same back with the following amendments:

Page 2, line 9, delete "475.74" and insert "475.64".

Page 2, delete lines 14 to 18.

With the recommendation that when so amended the bill pass.

The report was adopted.

Munger from the Committee on Environment and Natural Resources to which was referred:

H. F. No. 105, A resolution relating to the eastern timber wolf; urging the Secretary of the Interior to return management control of the eastern timber wolf to the state of Minnesota.

Reported the same back with the recommendation that the bill pass.

The report was adopted.

Brinkman from the Committee on Financial Institutions and Insurance to which was referred:

H. F. No. 256, A bill for an act relating to insurance; providing for regulation of aircraft and inland marine insurance; amending Minnesota Statutes 1976, Section 70A.02, Subdivision 2; repealing Minnesota Statutes 1976, Section 70A.06, Subdivision 3.

Reported the same back with the following amendments:

Page 1, line 23, restore the stricken language and after "aircraft," insert "*used in scheduled airline operations*,".

Page 2, lines 1 to 3, restore the stricken language.

Page 2, delete lines 14 and 15 and insert:

"Sec. 2. Minnesota Statutes 1976, Section 70A.06, Subdivision 3, is amended to read:

Subd. 3. Subdivisions 1 and 2 shall not apply to policies or rates for inland marine risks which by general custom of the business are not written according to manual rates or rating plans, *except that subdivisions 1 and 2 shall apply to policies insuring the personal property purchased under a credit transaction or a credit transaction involving a debtor pledging personal property as collateral. For purposes of this subdivision the personal property insured in credit transactions or credit transactions involving a debtor pledging personal property as collateral shall refer only to such personal property of the debtor used for his personal use and not used in any business, trade or profession of the debtor.*"

Further amend the title as follows :

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

Page 1, line 5, delete "repealing Minnesota Statutes 1976,".

Page 1, line 6, delete "Section" and insert "and".

With the recommendation that when so amended the bill pass.

The report was adopted.

Brinkman from the Committee on Financial Institutions and Insurance to which was referred :

H. F. No. 672, A bill for an act relating to insurance; providing for higher limits of liability coverage and uninsured motorist coverage; amending Minnesota Statutes 1976, Sections 65B.06, Subdivision 2; and 65B.49, Subdivision 6.

Reported the same back with the following amendments :

Page 1, after line 8, insert :

"Section 1. Minnesota Statutes 1976, Section 65B.02, Subdivision 7, is amended to read :

Subd. 7. "Participation ratio" means the ratio of the participating member's Minnesota premiums, or other measure of business written approved by the commissioner, in relation to the comparable statewide totals for all participating members.

(1) For private passenger non-fleet automobile insurance coverages the participation ratio shall be based on voluntary car years written in this state for the calendar year ending December 31 of the second prior year, as reported by the statistical agent of each participating member as private passenger non-fleet exposures.

(2) For insurance coverages on all other automobiles, including insurance for fleets, commercial vehicles, public vehicles and garages, the ratio shall be based on the total Minnesota gross, direct automobile insurance premiums written, including both policy and membership fees less return premiums and premiums on policies not taken, without including reinsurance assumed and without deducting reinsurance ceded, and less the amount of such premiums reported as received for insurance on private passenger non-fleet vehicles, for the calendar year ending December 31 of the second prior year.

(3) For the purpose of determining each participating member's responsibility for expenses and assessments, the ratio shall be based on each participating member's total Minnesota car years and gross, direct premiums written, including both policy and membership fees less return premiums and premiums on policies not taken, without including reinsurance assumed and without deducting reinsurance ceded, for the calendar year ending December 31 of the second prior year, *provided, however, that the preliminary determination of each participating member's responsibility for expenses and assessments may use the calendar year ending December 31 of the third prior year.*"

Re-number the sections accordingly.

Further amend the title as follows:

Page 1, line 2, after the semicolon insert "providing for determination of the participation ratio;"

Page 1, line 5, after "Sections" insert "65B.02, Subdivision 7;"

With the recommendation that when so amended the bill pass and be placed on the Consent Calendar.

The report was adopted.

Brinkman from the Committee on Financial Institutions and Insurance to which was referred:

H. F. No. 675, A bill for an act relating to insurance; changing the filing date for annual statements of township mutual companies; changing limitations on property insurable by township mutual companies; changing limitations on investments by township mutual companies; amending Minnesota Statutes 1976, Sections 67A.11, Subdivision 3; 67A.14, Subdivisions 1 and 5; and 67A.23.

Reported the same back with the following amendments:

Page 3, line 2, after the period insert "*Funds deposited in a certificate of deposit in a federally insured depository located in states adjacent to Minnesota may continue on deposit in the depository until the certificate of deposit matures, at which time the funds shall be withdrawn and deposited in a federally insured depository as provided in this section.*".

With the recommendation that when so amended the bill pass and be placed on the Consent Calendar.

The report was adopted.

Rice from the Committee on General Legislation and Veterans Affairs to which was referred:

H. F. No. 300, A bill for an act relating to elections; removing a provision for special hours during which registration locations must be open; amending Minnesota Statutes 1976, Section 201.091, Subdivision 6.

Reported the same back with the following amendments:

Page 1, line 15, strike "cards" and insert "card".

Page 2, line 1, after "the" insert "*designated*" and after "locations" strike "determined".

With the recommendation that when so amended the bill pass and be placed on the Consent Calendar.

The report was adopted.

Sieben, H., from the Committee on Governmental Operations to which was referred:

H. F. No. 1, A bill for an act relating to public welfare; establishing a formula for allocating state funds to counties for social service programs; prescribing county duties; providing for social service tax levies; prescribing duties of the commissioner of public welfare; appropriating money; amending Minnesota Statutes 1976, Sections 144.065; 145.55, Subdivision 1; 245.70; 252.22; 252.23; 252.26; 252.27, Subdivision 1; 253A.02, by adding a subdivision; 253A.07, Subdivisions 1 and 7; 253A.09, Subdivision 1; 253A.10, Subdivision 4; 253A.14, Subdivision 1; 253A.15, Subdivisions 6, 11, 12 and 13; 254A.05, Subdivision 1; 254A.07, Subdivisions 1 and 2; 254A.08, Subdivision 1; 256.12, Subdivision 9; 256.871, Subdivision 5; 256.95; 260.251, Subdivision 1a; 275.50, Subdivision 5; 393.07, Subdivisions 2 and 3; 477A.01, Subdivision 2; 626.556, Subdivision 2; repealing Minnesota Statutes 1976, Sections 145.08, Subdivision 2; 145.11; 145.12; 145.123; 145.125, Subdivisions 1 and 2; 145.47; 145.48; 145.49;

145.50; 145.51; 145.52; 145.53; 145.54; 145.911; 145.912; 145.913; 145.914; 145.915; 145.916; 145.917; 145.918; 145.919; 145.92; 145.921; 145.922; 245.61; 245.62; 245.63; 245.64; 245.65; 245.66; 245.67; 245.68; 245.69; 245.691; 245.72; 245.83; 245.84; 245.85; 245.86; 245.87; 252.21; 252.24; 252.25; 254A.02, Subdivision 12; 254A.07, Subdivision 3; 254A.08, Subdivision 3; 254A.12; 254A.14; 254A.15; 254A.16; 254A.17; 393.01; 393.02; 393.03; 393.04; 393.06; 393.07, Subdivision 8; 393.08; 393.09; 393.11.

Reported the same back with the following amendments:

Page 4, line 2, after "BOARD" insert "AND MULTI-COUNTY".

Page 17, line 10, delete "ten" and insert "fifteen".

Page 31, line 31, strike "his" and insert "such".

Page 33, line 27, delete "collaborate with the commissioner of public".

Page 33, line 28, delete "welfare in providing" and insert "provide".

Page 34, line 22, after "counties and to" delete "the".

Page 34, line 23, delete "appropriate standing committees of".

Page 35, line 16, after "efficiency" insert "and effectiveness".

Page 36, line 5, delete "through use of funds made available by this act".

With the recommendation that when so amended the bill pass and be re-referred to the Committee on Local and Urban Affairs.

The report was adopted.

Sieben, H., from the Committee on Governmental Operations to which was referred:

H. F. No. 689, A bill for an act relating to the operation of state government; raising base salaries for certain executive branch employees, metropolitan agency officers, legislators, judges and judicial branch employees; limiting possible increases for certain executive branch employees; requiring political subdivisions of the state to report certain salaries; providing for a report by the personnel board; amending Minnesota Statutes 1976, Sections 3.099; 3.102; 15A.081, Subdivision 1, and by add-

ing subdivisions; 15A.083; 43.067; 43.069; 473.123, Subdivision 4; 473.141, Subdivision 7; 473.605, Subdivision 2; and 487.01, Subdivision 5; repealing Minnesota Statutes 1976, Sections 3.13; 15A.081, Subdivision 4; 43.066; and 487.05.

Reported the same back with the following amendments:

Strike everything after the enacting clause and insert in lieu thereof:

"Section 1. Minnesota Statutes 1976, Section 15A.081, Subdivision 1, is amended to read:

15A.081 [SALARIES AND SALARY RANGES FOR CERTAIN EMPLOYEES.] Subdivision 1. The following salaries or salary ranges are provided for the below listed (OFFICERS AND) employees in the executive branch of government:

	Base Salary or Range
Administration, department of commissioner	(\$36,000)
	<i>\$41,000</i>
(DEPUTY COMMISSIONER	28,800
AERONAUTICS, DEPARTMENT OF COMMISSIONER	20,400)
Agriculture, department of commissioner	(22,000)
	<i>36,000</i>
(DEPUTY COMMISSIONER	17,600)
Attorney general, office of (ATTORNEY GENERAL	36,500)
deputy attorney general	(19,100-31,500)
	<i>23,000-42,000</i>
(AUDITOR, OFFICE OF AUDITOR	26,000
DEPUTY AUDITOR	20,800)
Commerce, department of commissioner of banks	(22,000)

	Base Salary or Range
	<i>\$32,000</i>
commissioner of insurance	(22,000)
	<i>32,000</i>
commissioner of securities	(22,000)
	<i>32,000</i>
<i>executive secretary, commerce commission</i>	<i>27,000</i>
Community college system	
chancellor	(27,500)
	<i>41,000</i>
Corrections, department of	
commissioner	(28,000)
	<i>36,000</i>
(DEPUTY COMMISSIONER	22,400)
<i>ombudsman</i>	<i>32,000</i>
Crime prevention and control, governor's commission on	
<i>executive director</i>	<i>32,000</i>
Economic development, department of	
commissioner	(22,000)
	<i>32,000</i>
(DEPUTY COMMISSIONER	17,600)
Education, department of	
commissioner	(29,800)
	<i>41,000</i>
Employment services, department of	
commissioner	(26,400)
	<i>32,000</i>
<i>Energy agency</i>	
<i>director</i>	<i>36,000</i>

	Base Salary or Range
Finance, department of commissioner	(\$35,500)
	45,000
(DEPUTY COMMISSIONER	28,400)
(GOVERNOR, OFFICE OF GOVERNOR	41,000)
Health, department of commissioner	(30,300)
	41,000
<i>Hearing examiners office chief hearing examiner</i>	36,000
Higher education coordinating board executive director	(26,100)
	36,000
(ASSISTANT EXECUTIVE DIRECTOR	20,900)
<i>Housing finance agency executive director</i>	36,000
Human rights, department of commissioner	(20,000)
	29,000
Indian affairs board executive director	(17,500)
	25,000
Investment, board of executive secretary	(35,000)
	41,000
<i>Iron range resources and rehabilitation board commissioner</i>	29,000
Labor and industry, department of commissioner	(26,400)
	36,000

	Base Salary or Range
(DEPUTY COMMISSIONER	\$21,100)
judge of the workers compensation court of appeals	(22,000)
	<i>36,000</i>
director, mediation services	(21,000)
	<i>29,000</i>
(LIEUTENANT GOVERNOR, OFFICE OF LIEUTENANT GOVERNOR	30,000)
Natural resources, department of commissioner	(28,300)
	<i>41,000</i>
(DEPUTY COMMISSIONER	22,600)
Personnel, department of commissioner	(31,000)
	<i>41,000</i>
(DEPUTY COMMISSIONER	24,800)
Planning agency director	(27,000)
	<i>41,000</i>
Pollution control agency director	(24,000)
	<i>36,000</i>
Public safety, department of commissioner	(26,900)
	<i>36,000</i>
(DEPUTY COMMISSIONER	21,500)
Public service, department of commissioner, public service commission	(22,000)
	<i>32,000</i>

	Base Salary or Range
director	(\$20,700)
	<i>32,000</i>
Public welfare, department of commissioner	(33,600)
	<i>41,000</i>
(DEPUTY COMMISSIONER	26,900)
Revenue, department of commissioner	(28,900)
	<i>41,000</i>
(SECRETARY OF STATE, OFFICE OF SECRETARY OF STATE	25,000
DEPUTY SECRETARY OF STATE	17,500)
State university system chancellor	(32,500)
	<i>41,000</i>
Transportation, Department of commissioner	(33,600)
	<i>41,000</i>
(TREASURY, STATE TREASURER	25,000
DEPUTY TREASURER	17,500)
Veterans affairs, department of commissioner	(16,000)
	<i>29,000</i>
<i>Vocational rehabilitation, department of commissioner</i>	<i>32,000</i>

Sec. 2. Minnesota Statutes 1976, Section 15A.081, is amended by adding a subdivision to read:

Subd. 5. A deputy of a position listed in subdivision 1, other than the attorney general, shall be paid a base salary equal to 90 percent of the salary of the head of that department or agency as listed in subdivision 1.

Sec. 3. Minnesota Statutes 1976, Section 43.067, is amended to read:

43.067 [SALARY LIMITS.] *Subdivision 1. [AGENCY HEADS AND DEPUTIES.] The base salary of the head of any state department or other agency in the executive branch shall serve as the upper limit of compensation in (HIS ORGANIZATION UNLESS THE PERSONNEL BOARD APPROVES AN EXEMPTION IN INDIVIDUAL CASES) the agency. Within the agency, no person other than the agency head shall be paid more than the base salary that is or would be paid a deputy agency head pursuant to section 15A.081 whether or not there is a deputy agency head position for that agency.*

Subd. 2. [DISCRETIONARY EXEMPTIONS.] The personnel board may grant exemptions from the provisions of subdivision 1 in the case of individual persons. A salary increase authorized by other law by reason of seniority or cost of living adjustments shall not be sufficient reason to grant an exemption. The board may grant an exemption upon application of the appointing authority, but only if the board determines that the position requires special expertise necessitating a higher salary in order to attract or retain qualified persons. In no event may a salary exempted pursuant to this subdivision exceed 120 percent of the base salary of the position in respect to which the exemption was requested.

Subd. 3. [MEDICAL DOCTORS EXEMPTED.] Salaries of medical doctors who are occupying positions which the commissioner of personnel determines requires an M.D. degree and who are paid under the provisions of section 43.126, shall be excluded from the limitation provided in this section.

Subd. 4. [LIMIT ON POLITICAL SUBDIVISION SALARIES.] Notwithstanding any other law to the contrary, no salary of a person employed by a city, county, town, school district or other political subdivision of the state may exceed the salary of the governor.

Sec. 4. Minnesota Statutes 1976, Section 43.069, is amended to read:

43.069 [BOARD MAY GRANT ACHIEVEMENT AWARDS.] *Subdivision 1. (EXCEPT AS PROVIDED IN SECTION 43.062,) The personnel board may (RAISE THE SALARY) grant an achievement award for any individual incumbent of a position whose base salary is established under the provisions of section 15A.081, (AND WHICH HAS NOT BEEN PROVIDED WITH A SALARY RANGE) subdivision 1 or section 2, provided:*

(a) The incumbent has, in the opinion of the board, (CHALLENGING) written objectives which are specific as to amount

and time, *which directly relate to the incumbent's duties, which require efforts exceeding the expected performance of a person in the incumbent's position and which have been (AGREED UPON) approved in advance by the appointing authority;*

(b) The appointing authority of the incumbent applies to the board for the (SALARY INCREASE) *achievement award* and simultaneously certifies to the board that the incumbent has fulfilled, or is fulfilling, his (AGREED UPON) *approved objectives.*

Subd. 2. The board may require the appointing authority or the incumbent to submit additional information as it may deem necessary.

Subd. 3. (THE) *An appointing authority may annually apply for, and the board may annually approve (SALARY RAISES) an achievement award for (THE) an incumbent (BY ANY INCREMENT, AND MORE THAN ONCE). (THE AGGREGATE OF THE INCREASES) An annual achievement award* under this section shall not (INCREASE THE INDIVIDUAL SALARY BEYOND 25) *be more than ten percent of the base salary established for the position under the provisions of section 15A.081.*

Subd. 4. (ANY) *An annual achievement award granted (TO INDIVIDUALS) under this section shall (REMAIN IN EFFECT FOR 12 MONTHS FROM THE DATE OF APPROVAL, UNLESS THE BOARD DETERMINES A LESSER EFFECTIVE PERIOD OF TIME) be paid the recipient in a lump sum within 60 days after the end of the fiscal year, or portion thereof, for which the award was granted.*

Sec. 5. Minnesota Statutes 1976, Section 15A.081, is amended by adding a subdivision to read:

Subd. 7. [METROPOLITAN AGENCIES.] The following salaries are provided for officers of metropolitan agencies:

- Chairman, metropolitan council\$39,000*
- Chairman, metropolitan airports commission 10,000*
- Chairman, metropolitan transit commission 33,500*
- Chairman, metropolitan waste control commission ... 15,000*

Sec. 6. Minnesota Statutes 1976, Section 473.123, Subdivision 4, is amended to read:

Subd. 4. [CHAIRMAN; APPOINTMENT, DUTIES.] (a) The chairman of the metropolitan council shall be appointed by

the governor as the 17th voting member thereof by and with the advice and consent of the senate to serve at his pleasure. He shall be a person experienced in the field of municipal and urban affairs with administrative training and executive ability.

(b) The chairman of the metropolitan council shall preside at the meetings of the metropolitan council and shall act as principal executive officer. He shall organize the work of the metropolitan council, appoint all officers and employees thereof, subject to the approval of the metropolitan council, and be responsible for carrying out all policy decisions of the metropolitan council. His salary (AND EXPENSE ALLOWANCES) shall be (FIXED BY THE METROPOLITAN COUNCIL) as provided in section 15A.081, and he shall be eligible for expenses in the same manner and amount as state employees.

Sec. 7. Minnesota Statutes 1976, Section 473.141, Subdivision 7, is amended to read:

Subd. 7. [COMPENSATION.] Each commission member shall be paid a per diem compensation of \$50 for each meeting and for such other services as authorized by the commission, and shall be reimbursed for all actual and necessary expenses incurred in the performance of his duties in the same manner and amount as state employees. The chairman shall receive a salary in an amount fixed by (THE MEMBERS OF THE COMMISSION) section 15A.081 and shall be reimbursed for reasonable expenses to the same extent as a member.

Sec. 8. Minnesota Statutes 1976, Section 473.605, Subdivision 2, is amended to read:

Subd. 2. Each commission member shall be paid a per diem compensation of \$35 for each meeting and for such other services as are specifically authorized by the commission, and shall be reimbursed for all actual and necessary expenses incurred in the performance of his duties in the same manner and amount as state employees. The chairman shall receive (SUCH COMPENSATION AS THE COMMISSION SHALL DETERMINE) a salary as prescribed in section 15A.081 and shall be reimbursed for reasonable expenses to the same extent as a member.

Sec. 9. Minnesota Statutes 1976, Section 15A.081, is amended by adding a subdivision to read:

Subd. 6. [CONSTITUTIONAL OFFICERS.] *The following salaries are provided for the constitutional officers of the state:*

Governor \$58,000

Attorney general 49,000

<i>Lieutenant governor</i>	\$36,000
<i>Auditor</i>	30,000
<i>Secretary of state</i>	30,000
<i>Treasurer</i>	30,000

The salaries of the deputy auditor, deputy secretary of state and deputy treasurer shall be 90 percent of the salaries of their respective superior constitutional officers. The deputies shall be eligible for achievement awards as provided in section 43.069.

Sec. 10. Minnesota Statutes 1976, Section 3.099, is amended to read:

3.099 [MEMBERS; COMPENSATION AND EXPENSES, FLEXIBLE SESSIONS.] *Subdivision 1.* The compensation of each member (OF THE HOUSE OF REPRESENTATIVES) of the legislature shall be (\$16,800 FOR THE ENTIRE TERM TO WHICH HE IS ELECTED, WHICH SHALL BE) due on the first day of the regular legislative session of the term and payable (AS FOLLOWS):

(\$700) *in equal parts* on the fifteenth day of January and on the first day of each month, February to December, inclusive, during the term for which he was elected.

(THE COMPENSATION OF EACH SENATOR OF THE LEGISLATURE SHALL BE \$33,600 FOR THE TERM TO WHICH HE IS ELECTED, OF WHICH \$16,800 SHALL BE DUE ON THE FIRST DAY OF EACH REGULAR LEGISLATIVE SESSION OF THE TERM AND PAYABLE AS FOLLOWS:

\$700 ON THE FIFTEENTH DAY OF JANUARY AND ON THE FIRST DAY OF EACH MONTH, FEBRUARY TO DECEMBER, INCLUSIVE, DURING THE TERM FOR WHICH HE WAS ELECTED.)

Each member shall receive mileage for necessary travel in going to and returning from the place of meeting to his place of residence in such amount and for such trips as may be authorized by the senate as to senate members, and by the house of representatives as to house members.

Each member shall receive in addition to the foregoing, such per diem living expenses during a regular or special session of the legislature in such amounts and for such purposes as may be determined by the senate as to senate members and by the house of representatives as to house members; *provided, that because of the salary increases provided in subdivision 2, the*

amount of the per diem living expenses payable commencing with the start of the legislative session in 1979 shall be substantially less than the per diem living expenses payable on the effective date of this act.

On the fifteenth day of January and on the first day of each month, February to December, inclusive, the secretary of the senate and the chief clerk of the house of representatives, shall certify to the commissioner of finance, in duplicate, the amount of compensation then payable to each member of their respective houses, and the aggregate thereof.

Subd. 2. The compensation of each member of the legislature until the start of the legislative session in 1979 shall be \$8,400 per year. Commencing with the start of the legislative session in 1979, the compensation of each member of the legislature shall be \$16,500 per year. Effective January 1, 1980, the compensation of each member of the legislature will be \$18,500 per year.

Subd. 3. Commencing with the start of the legislative session in 1979, the president of the senate, the majority leader, assistant majority leader and minority leader of the senate, the speaker of the house of representatives, and the majority leader and minority leader of the house of representatives shall be paid 150 percent of the compensation of other members.

Sec. 11. Minnesota Statutes 1976, Section 3.102, is amended to read:

3.102 [LEGISLATIVE LIVING EXPENSES.] Each member of the legislature shall be reimbursed for expenses incurred while engaged in official business when the legislature is not in session. The amount of such reimbursement shall not exceed (\$33) \$48 per day as a per diem expense allowance for all expenses incurred except travel and lodging. The member shall also be reimbursed for travel and lodging expenses in the same manner and amount as state employees.

Expenses for members of the legislature are payable in the manner and in the amount designated by the senate committee on rules and administration as to members of the senate and by the committee on rules and legislative administration as to members of the house of representatives.

The expense allowances provided for herein to the persons designated are in lieu of any other expenses authorized by law or resolution for the same purposes.

Sec. 12. Minnesota Statutes 1976, Section 15A.083, is amended to read:

15A.083 [SALARIES FOR POSITIONS IN THE JUDICIAL BRANCH.] Subdivision 1. [ELECTIVE JUDICIAL

OFFICERS.] The following salaries shall be paid annually to the enumerated elective judicial officers of the state:

(1) Chief justice of the supreme court	(\$40,000)	
		\$52,000
(2) Associate justice of the supreme court	(36,500)	
		49,000
(3) District judge	(32,000)	
		43,000
(4) <i>Judge of a county court</i> <i>(learned in the law)</i>	40,000	
(5) <i>Judge of a county court</i> <i>(not learned in the law)</i>	27,000	

(EACH DISTRICT JUDGE SHALL RECEIVE \$1,500 ADDITIONAL ANNUALLY FROM EACH COUNTY IN HIS DISTRICT HAVING A POPULATION OF 200,000 OR MORE. WHEN ANY DISTRICT JUDGE SHALL PRESIDE UPON THE TRIAL OR HEARING OF ANY CAUSE OUTSIDE OF HIS RESIDENT DISTRICT WHEREIN THE DISTRICT JUDGE RECEIVES A LARGER SALARY HE SHALL RECEIVE AN ADDITIONAL COMPENSATION DURING THE PERIOD OF SUCH TRIAL OR HEARING THE DIFFERENCE BETWEEN HIS FIXED COMPENSATION AND THE COMPENSATION OF THE DISTRICT JUDGE OF THE DISTRICT WHERE HE HAS BEEN SO ENGAGED, TO BE PAID BY THE COUNTY WHEREIN THE TRIAL OR HEARING WAS HELD UPON CERTIFICATION OF THE SENIOR RESIDENT DISTRICT JUDGE THEREOF.)

(AN AMOUNT DUE FROM A COUNTY UNDER THIS SUBDIVISION SHALL BE PAID BY THE STATE AND FORTHWITH REIMBURSED BY THE COUNTY.)

Subd. 2. [COUNTY COURT AND COUNTY MUNICIPAL JUDGES.] (1) Notwithstanding any other law to the contrary, the salary paid to a judge of a county court shall also be paid to judges of the probate court of St. Louis county and to judges of the Duluth municipal court.

(2) Judges of the county municipal courts, and county courts in the counties of Hennepin, Ramsey, Washington, Anoka, Scott, St. Louis, Carver and Dakota (\$29,000) \$40,000.

(3) If any judge enumerated in this subdivision dies while in office, the amount of his salary remaining unpaid for the month in which his death occurs, shall be paid to his estate.

(4) *The amounts required to pay the salaries of county court judges and the salaries provided in this subdivision are appropriated from the general fund of the state treasury.*

Subd. 3. [RANGES FOR OTHER JUDICIAL POSITIONS.] Salaries or salary ranges are provided for the following positions in the judicial branch of government. The appointing authority of positions for which ranges have been provided shall fix individual salaries under the provisions of section 15A.081, subdivision 2.

Public defender	(\$24,000 - 30,000)	\$33,000
Court administrator	(25,000 - 32,000)	32,000
County attorneys council executive director	(18,000 - 27,500)	25,000

Subd. 4. [TAX COURT OF APPEALS.] Salaries of judges of the tax court of appeals (\$10,500) \$15,000

Sec. 13. Minnesota Statutes 1976, Section 487.01, Subdivision 5, is amended to read:

Subd. 5. Each county court district shall elect one county court judge except:

(1) The district consisting of St. Louis county shall elect six judges; two of the county court judges shall reside and serve in and be elected at large by the voters of St. Louis county; two of the county court judges shall reside and serve in and be elected by the voters in that part of St. Louis county south of the following described line: South of the south line of township 55; the area to be known as the south district; one county court judge shall reside and serve in and be elected by the voters of an area to be known as the northwest district, which area lies within the following described lines in St. Louis county: North of the south line of township 55 and west of the west line of range 18 and excluding that part of Portage township west of the west line of range 18; and one county court judge shall reside and serve in and be elected by the voters of an area to be known as the northeast district, which area lies within the following described lines in St. Louis county: North of the south line of township 55 and east of the west line of range 18 and including that part of Portage township west of the west line of range 18.

(2) The district consisting of Dakota county, the district consisting of Anoka county and the district consisting of Stearns, Sherburne and Benton shall each elect five judges;

(3) The district consisting of Olmsted and Dodge counties, the district consisting of Winona and Wabasha counties and the district consisting of Washington county shall each elect three judges;

(4) The district consisting of Blue Earth county, the district consisting of Clay county, the district consisting of Sibley, Meeker and McLeod counties, the district consisting of Martin, Watonwan and Faribault counties and the district consisting of Pine, Chisago and Isanti counties shall each elect two county court judges(.);

(5) The number of judges to be elected may be increased by the county board of the affected county or by the concurrence of the county boards of those affected counties combined into districts; *provided that no new judge positions authorized pursuant to this section may be created without specific statutory authorization.*

Sec. 14. [TEMPORARY PROVISION.] *Notwithstanding any other provision of this act to the contrary, an increase in compensation provided a district or supreme court judge herein shall not take effect until every judge of the district court and justice of the supreme court who served in the district or supreme court prior to July 1, 1967, submits an executed agreement to the executive director of the Minnesota state retirement system in accord with section 490.106.*

Sec. 15. [TEMPORARY PROVISION.] *No incumbent whose salary is prescribed in section 15A.081 or 15A.083, or whose salary is limited by section 43.067, shall suffer a decrease in salary as a result of this act. If an incumbent's new salary as prescribed by section 15A.081 or 15A.083, is less than the salary he is earning on the day prior to the effective date of this act, the salary for that incumbent, for as long as he holds that position, shall be the salary he is receiving on the day prior to the effective date of this act. This provision shall be effective for a particular incumbent until a vacancy in the position occurs or the salary of the incumbent falls below a newly established statutory limit.*

An incumbent whose salary was, prior to the effective date of this act, set pursuant to section 43.126 may, at his discretion, continue to have his salary set pursuant to section 43.126 without reference to section 15A.081 or 43.067.

An incumbent whose position is not listed in section 15A.081 and whose salary on the effective date of this act is higher than

that permitted by section 43.067, shall continue to receive that higher salary for as long as he holds that position, but he shall not be eligible for increases (1) until his salary is no longer higher than that permitted by section 43.067, or (2) unless the personnel board approves an exemption pursuant to section 43.067, subdivision 2.

No person shall be removed from his position as a result of the limitations placed in section 43.09, subdivision 2a, by this act. When a position which was filled as of March 1, 1977, pursuant to section 43.09, subdivision 2a, becomes vacant, the position may not be refilled unless the position meets the requirements of section 43.09, subdivision 2a, as amended by this act.

Sec. 16. [REPEALER.] *Minnesota Statutes 1976, Sections 15A.081, Subdivision 4; 43.066; 487.05 and 490.102, Subdivision 5 are repealed. Minnesota Statutes 1976, Section 3.13 is repealed on January 1, 1979.*

Sec. 17. [EFFECTIVE DATE.] *This act is effective July 1, 1977."*

Further, amend the title by striking in its entirety and inserting:

"A bill for an act relating to the operation of state government; raising base salaries for certain executive branch employees, metropolitan agency officers, legislators, judges and judicial branch employees; limiting possible increases for certain executive branch employees; limiting the ability of appointing authorities to fill certain unclassified positions; prohibiting salaries of employees of political subdivisions from exceeding the salary of the governor; amending Minnesota Statutes 1976, Sections 3.099; 3.102; 15A.081, Subdivision 1, and by adding subdivisions; 15A.083; 43.067; 43.069; 473.123, Subdivision 4; 473.141, Subdivision 7; 473.605, Subdivision 2; and 487.01, Subdivision 5; repealing Minnesota Statutes 1976, Sections 3.13; 15A.081, Subdivision 4; 43.066; 487.05 and 490.102, Subdivision 5."

With the recommendation that when so amended the bill pass and be re-referred to the Committee on Appropriations.

The report was adopted.

Swanson from the Committee on Health and Welfare to which was referred:

H. F. No. 56, A bill for an act relating to children; providing visitation rights to minor children in certain cases; amending Minnesota Statutes 1976, Section 257.022, Subdivision 2.

Reported the same back with the following amendments:

Page 1, after line 21, insert a new section to read:

“Sec. 2. [EFFECTIVE DATE.] This act is effective upon final enactment.”.

With the recommendation that when so amended the bill pass and be placed on the Consent Calendar.

The report was adopted.

Swanson from the Committee on Health and Welfare to which was referred:

H. F. No. 168, A bill for an act relating to Yellow Medicine county; authorizing participation in a mental health services program outside its region.

Reported the same back with the following amendments:

Page 1, line 8, delete “or”.

Page 1, line 9, after the comma insert “or 245.63,”.

Page 1, line 10, delete “at Marshall” and insert “outside its economic development region”.

With the recommendation that when so amended the bill pass and be placed on the Consent Calendar.

The report was adopted.

Swanson from the Committee on Health and Welfare to which was referred:

H. F. No. 268, A bill for an act relating to welfare; establishing evening child care programs for students at certain educational institutions; appropriating money.

Reported the same back with the following amendments:

Page 1, line 7, delete “Subdivision 1.”.

Page 1, line 8, delete “, with the advice of the”.

Page 1, delete line 9.

Page 1, line 10, delete “board at the University of Minnesota, shall” and insert “may”.

Page 1, line 10, delete "two" and insert "four locations selected between".

Page 1, line 11, delete "and at two" and insert ", the university,".

Page 1, line 11, after "universities" insert "and vocational schools,".

Page 1, line 14, delete ", and shall".

Page 1, line 15, delete "operate throughout the year".

Page 1, delete lines 18 to 22.

Page 2, delete lines 1 to 5.

Page 2, line 6, delete "Subdivision 1.".

Page 2, line 8, delete "\$80,000" and insert "\$20,000".

Page 2, line 8, after "granted to the" insert "university,".

Page 2, line 9, delete "and" and insert a comma.

Page 2, line 9, after "colleges" insert "and vocational schools".

Page 2, line 10, after "provide" insert "start-up funds for".

Page 2, line 10, after "care" insert "programs".

Page 2, line 10, after the period insert "Child care programs established pursuant to section 1 may apply to the commissioner for grants for child care services pursuant to Minnesota Statutes, Sections 245.83 to 245.87.".

Page 2, delete lines 11 to 14.

With the recommendation that when so amended the bill pass and be re-referred to the Committee on Appropriations.

The report was adopted.

Swanson from the Committee on Health and Welfare to which was referred:

H. F. No. 319, A bill for an act relating to daytime activity centers; renaming them developmental achievement centers; making the necessary revisions in Minnesota Statutes; amending Minnesota Statutes 1976, Sections 123.39, Subdivision 13; 252.21; 252.22; 252.23; 252.24; 252.25; and 252.26.

Reported the same back with the following amendments:

Page 8, line 6, delete "10" and insert "9".

With the recommendation that when so amended the bill pass and be placed on the Consent Calendar.

The report was adopted.

Swanson from the Committee on Health and Welfare to which was referred:

H. F. No. 422, A bill for an act relating to the Gillette hospital board; board membership; amending Minnesota Statutes 1976, Section 250.05, Subdivision 2.

Reported the same back with the recommendation that the bill pass and be placed on the Consent Calendar.

The report was adopted.

Fugina from the Committee on Higher Education to which was referred:

H. F. No. 129, A bill for an act relating to education; encouraging post-secondary institutions to grant comparable credit for comparable work at another institution; directing the higher education coordinating board to perform certain duties.

Reported the same back with the following amendments:

Page 2, line 6, before "report" insert "make a progress".

Page 2, line 6, after "report" insert "by January 1, 1978".

Page 2, line 6, delete "1979".

With the recommendation that when so amended the bill pass.

The report was adopted.

Enebo from the Committee on Labor-Management Relations to which was referred:

H. F. No. 7, A bill for an act relating to labor relations; providing for successor clauses in collective bargaining agreements; requiring successor employers to assume certain obligations; requiring notice of collective bargaining agreements to successor employers; requiring notice of successor transactions to exclusive representatives; allowing successor transactions in violation of

a collective bargaining agreement to be enjoined; amending Minnesota Statutes 1976, Chapter 179, by adding a section.

Reported the same back with the following amendments:

Page 1, line 20, after the period insert "*The provisions of this subdivision shall apply to all collective bargaining agreements entered into or renewed on or after the effective date of this act.*".

Page 2, line 17, after "act" insert "*provided that in lieu of notice to the labor organization representing the employer's employees, the prospective successor, assignee, lessee or transferee, may agree in writing with the labor organization to assume all of the terms and conditions of the employer's collective bargaining agreement with such labor organization.*"

No labor organization receiving the notice or entering into the assumption agreement provided by this subdivision shall voluntarily disclose any of the information contained therein, except insofar as such disclosure may be necessary to protect the rights afforded to the labor organization under law or under the collective bargaining agreement or assumption agreement.

Page 2, line 24, after "maintained" insert "*by the labor organization that is the recognized exclusive representative of the employee.*".

With the recommendation that when so amended the bill pass.

The report was adopted.

Enebo from the Committee on Labor-Management Relations to which was referred:

H. F. No. 169, A bill for an act relating to minimum wage; providing a higher minimum wage; lowering the credit for tips; amending Minnesota Statutes 1976, Sections 177.24; and 177.28, Subdivision 4.

Reported the same back with the following amendments:

Page 1, delete lines 17 to 22.

Page 2, delete lines 1 to 8.

Re-number the section accordingly.

Further, amend the title as follows:

Page 1, line 3, delete "lowering the credit for tips;"

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

Page 1, line 4, delete the semicolon and insert a period.

Page 1, delete line 5.

With the recommendation that when so amended the bill pass.

The report was adopted.

Berg from the Committee on Local and Urban Affairs to which was referred:

H. F. No. 90, A bill for an act relating to the city of West St. Paul; authorizing one additional on-sale intoxicating liquor license.

Reported the same back with the following amendments:

Strike everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 1976, Section 340.11, Subdivision 18, is amended to read:

Subd. 18. [ADDITIONAL LICENSES; REFERENDUM.] The governing body of any city, including statutory cities and cities issuing "on-sale" licenses pursuant to section 340.353 may issue "on-sale" licenses in excess of the number authorized by this section, upon authorization by the voters of the municipality voting at a special election called for such purpose or at the general election in the municipality. Such governing body may by majority vote direct that *either of the following (QUESTION) questions* be placed on the ballot at a special election called for such purposes or at a general election of the city: "Shall the city council be allowed to issue 'on-sale' licenses for the sale of intoxicating liquor at retail in excess of the number now permitted by law?", or: "*Shall the city council be allowed to issue 'on-sale' licenses for the sale of intoxicating liquor at retail in addition to the number now permitted by law?*" If a majority of the voters voting on the question at such election vote in the affirmative, the governing body may issue "on-sale" licenses in such number as (IT) shall (DETERMINE WITHOUT REGARD TO THE NUMBER AUTHORIZED BY THIS SECTION) *be determined by the referendum.*

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

Further, amend the title as follows:

Delete lines 2, 3 and 4 and insert "relating to intoxicating

liquor; authorizing cities to issue additional on-sale licenses by referendum; amending Minnesota Statutes 1976, Section 340.11, Subdivision 18.”.

With the recommendation that when so amended the bill pass.

The report was adopted.

Berg from the Committee on Local and Urban Affairs to which was referred:

H. F. No. 148, A bill for an act relating to the city of Minneapolis; selection of supervisor of license inspection for the Minneapolis police department; providing for the establishment of qualifications by the Minneapolis city council; amending Laws 1961, Chapter 108, Section 2, as amended.

Reported the same back with the following amendments:

Page 1, line 13, delete “*Subdivision*”.

Page 1, line 14, delete “1.” and delete “, *except for the position of supervisor*”.

Page 1, line 15, delete “*of license inspection,*”.

Page 1, line 17, after the period insert “*The chief of police in making an appointment to the position of supervisor of license inspection shall appoint someone who has a minimum of four years of investigative experience within the department.*”.

Page 1, delete lines 18 to 23.

Page 2, delete lines 1 to 3.

Further, amend the title as follows:

Page 1, line 4, delete “*providing for the*”.

Page 1, delete line 5.

Page 1, line 6, delete “*city council*” and insert “*establishing minimum qualifications*”.

With the recommendation that when so amended the bill pass and be placed on the Consent Calendar.

The report was adopted.

Berg from the Committee on Local and Urban Affairs to which was referred:

S. F. No. 11, A bill for an act authorizing the city of Kenyon to construct, furnish and equip a medical clinic, to lease the medical clinic, to issue general obligation bonds for such purpose; validating action heretofore taken.

Reported the same back with the recommendation that the bill pass.

The report was adopted.

Kelly, W., from the Committee on Taxes to which was referred:

H. F. No. 326, A bill for an act relating to Kittson county; providing for the imposition of a tax upon persons, copartnerships, companies, joint stock companies, corporations, and associations however organized engaged therein in the business of removing gravel from gravel pits or deposits of gravel, for enforcing and collecting the same and prescribing penalties for violations thereof.

Reported the same back with the following amendments:

Page 1, line 12, delete "COUNTY" and insert "AND MARSHALL COUNTIES".

Page 1, line 14, after "Kittson" insert "or Marshall".

Page 1, line 20, after "Kittson" insert "or Marshall".

Page 2, line 1, delete "of Kittson".

Page 2, line 2, delete "county".

Page 2, line 13, delete "of Kittson county".

Page 2, line 30, after "Kittson" insert "or Marshall".

Page 3, line 30, before "This" insert "The provisions of".

Page 3, line 30, after "act" insert "that relate to Kittson county".

Page 4, line 1, after the period insert "The provisions of this act that relate to Marshall county shall become effective only after its approval by a majority of the members of the board of

county commissioners of Marshall county and upon compliance with the provisions of Minnesota Statutes, Section 645.021.”.

Further, amend the title as follows:

Line 2, after “to” insert “taxation;”.

Line 2, delete “county” and insert “and Marshall counties”.

With the recommendation that when so amended the bill pass.

The report was adopted.

Kelly, W., from the Committee on Taxes to which was referred:

H. F. No. 374, A bill for an act relating to taxation; defining “common carrier” for certain purposes in connection with the sales and use tax; amending Minnesota Statutes 1976, Section 297A.01, by adding a subdivision.

Reported the same back with the following amendments:

Strike everything after the enacting clause and insert:

“Section 1. Minnesota Statutes 1976, Section 297A.211, Subdivision 1, is amended to read:

297A.211 [COMMON CARRIERS AS RETAILERS.] Subdivision 1. Every person, as defined in this chapter, who is engaged in (THE TRANSPORTATION OF PROPERTY AS A COMMON CARRIER IN INTERSTATE COMMERCE) *interstate for-hire transportation of tangible personal property* by motor vehicle may at their option, under rules and regulations prescribed by the commissioner, register as retailers and pay the taxes imposed by this chapter in accordance with this section. *Persons referred to herein are: (1) persons possessing a certificate or permit authorizing for-hire transportation of property from the Interstate Commerce Commission or the Minnesota public service commission; or (2) persons transporting commodities defined as “exempt” in for-hire transportation in interstate commerce; or (3) persons who, pursuant to contracts with persons described in (1) or (2) above, transport tangible personal property in interstate commerce. Persons qualifying under clauses (2) and (3) must maintain on a current basis the same type of mileage records that are required by persons specified in clause (1) by the Interstate Commerce Commission.*

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

Further, amend the title as follows:

Line 5, delete "297A.01, by adding a subdivision" and insert "297A.211, Subdivision 1".

With the recommendation that when so amended the bill pass.

The report was adopted.

Kelly, W., from the Committee on Taxes to which was referred:

H. F. No. 598, A bill for an act relating to Becker county; providing for the imposition of a tax upon persons, copartnerships, companies, joint stock companies, corporations, and associations however organized engaged therein in the business of removing gravel from gravel pits or deposits of gravel, for enforcing the same and prescribing penalties for violations thereof.

Reported the same back with the recommendation that the bill pass.

The report was adopted.

Kelly, W., from the Committee on Taxes to which was referred:

H. F. No. 705, A bill for an act relating to taxation; providing for revocation of motor carrier licenses for failure to file road tax reports; providing credit for tax paid on gasoline or fuel used in other states; amending Minnesota Statutes 1976, Section 296.17, Subdivisions 3, 11, and 12; and Chapter 296, by adding a section; repealing Minnesota Statutes 1976, Section 296.18, Subdivision 1a.

Reported the same back with the recommendation that the bill pass.

The report was adopted.

Lemke from the Committee on Transportation to which was referred:

H. F. No. 75, A bill for an act relating to public safety; requiring railroad companies to reimburse local governments for expenses incurred to extinguish locomotive caused fires.

Reported the same back with the following amendments:

Strike everything after the enacting clause and insert:

"Section 1. [219.761] [LOCOMOTIVE CAUSED FIRES; RAILROAD COMPANY REIMBURSEMENT OF LOCAL GOVERNMENT FOR FIRE EXTINGUISHMENT EXPENSES INCURRED.] Subdivision 1. When a fire or fire hazard emergency is directly or proximately caused by a railroad locomotive, rolling stock, or employees working the railroad right-of-way, the railroad shall be liable for all reasonable expenses of fire extinguishment. If the fire department of a local government extinguishes a fire, or fires arising from one occurrence, directly or proximately caused by a railroad locomotive, rolling stock, or employees working the railroad right-of-way, and deems that it is entitled to reimbursement for the expenses therein incurred, it shall, within seven days (the time to be computed commencing the first full day after extinguishment) of such fire, give the railroad thereof written notice by United States mail stating, as then known, the time, date, place and circumstances of the fire. Said notice may be given to said railroad at any address at which the owner has an office, agent or other place of business in this state. The date of the mailing shall be the date of service of the notice. Thereafter, the local government, if claiming reimbursement, shall file a claim with said railroad setting forth with reasonable certainty the basis for the claim and an itemization of costs incurred in extinguishment of such fire.

If, after such notice and claim for reimbursement, the owner of such railroad locomotive, rolling stock, or employees working the railroad right-of-way refuses to reimburse the local government for such reasonable fire extinguishment expenses incurred, the local government may recover by civil action in its name such reasonable expenses, together with costs and disbursements, including reasonable attorney's fees.

Subd. 2. The state fire marshal, in consultation with chiefs of the fire department of cities in which a fire department has been established, or their authorized representatives, and representatives of the interested railroads, shall prescribe a standard form for notice, which said form shall, among other things, provide for the time, date, place and circumstances of the fire, as provided in subdivision 1, and a standard claim form for alleging the basis for the claim and the itemization of costs incurred in extinguishment of such fire.

Subd. 3. This act shall expire one year after the effective date of any law hereafter enacted or final court decision hereafter rendered under which railroads presently taxed under the provisions of Minnesota Statutes, Section 295.02, shall be subject to general property taxes pursuant to the provisions of Minnesota Statutes, Chapter 272, and other laws thereunto appertaining and amendatory thereof. Neither the enactment of this act, nor the subsequent repeal or termination thereof, shall alter the rights, duties or obligations of railroad companies as otherwise existent at the time of enactment of this act with regard to fires

caused directly or indirectly by locomotive engines, rolling stock, or employees working the railroad right-of-way, which said rights, duties and obligations shall continue after repeal or termination of this act. After repeal or termination of this act, it is the intent of this act that railroads shall be treated the same as all other property taxpayers.”.

With the recommendation that when so amended the bill pass.

The report was adopted.

SECOND READING OF HOUSE BILLS

H. F. Nos. 777, 247, 521, 105, 256, 672, 675, 300, 56, 168, 319, 422, 129, 7, 169, 90, 148, 326, 374, 598, 705 and 75 were read for the second time.

SECOND READING OF SENATE BILLS

S. F. No. 11 was read for the second time.

INTRODUCTION AND FIRST READING OF HOUSE BILLS

The following House Files were introduced:

Wieser, Berglin, Corbid, Zubay and Reding introduced:

H. F. No. 871, A bill for an act relating to the aging; appropriating money for the retired senior volunteer program.

The bill was read for the first time and referred to the Committee on Appropriations.

Voss, Faricy, Haugerud, Samuelson and Searle introduced:

H. F. No. 872, A bill for an act relating to appropriations; converting certain open appropriations of dedicated receipts to direct appropriations; abolishing other open appropriations of dedicated receipts; abolishing certain dedicated funds and accounts; appropriating money; amending Minnesota Statutes 1976, Sections 15.05; 15.052, Subdivision 7; 15A.083, Subdivision 1; 16.72, Subdivision 1; 16A.125, Subdivision 5; 18.411; 18.67; 34.07; 43.31; 69.031, Subdivision 3; 69.55; 84.153; 84.154, Subdivision 5; 84.155, Subdivision 6; 84.86, Subdivision 1; 86.42, Subdivision 1; 89.035; 89.036; 89.21; 93.283, Subdivision 7; 93.335, Subdivision 4; 94.48; 97.49, Subdivision 7; 115.03, Subdivision 1; 116.41, Subdivision 2; 136A.29, Subdivision 22;

136A.30; 144.175, Subdivision 4; 160.285, Subdivision 3; 163.051, Subdivision 2; 168.16; 168.54, Subdivision 5; 168A.31, Subdivision 1; 186.04; 192.68, Subdivision 2; 192A.645; 197.02; 197.03; 197.05; 197.06; 246.41, Subdivision 2; 270.077; 299F.21; and 344.03, Subdivision 2; repealing Minnesota Statutes 1976, Sections 1.38; 16A.125, Subdivision 6; 21.114; 33.10; 33.11; 33.12 to 33.15; 33.171; 86.42, Subdivision 2; 94.49; 161.231; 168.54, Subdivisions 2, 3 and 6; 168A.31, Subdivision 2; 190.28; 197.04; 197.07; 241.25; 246.41, Subdivisions 1 and 3; 360.389; 424.165; 458.50 to 458.60; 626.85, Subdivision 2; and Laws 1961, Chapter 472, Section 4, as added.

The bill was read for the first time and referred to the Committee on Appropriations.

Novak, Simoneau, Hanson, Stanton and Anderson, G., introduced:

H. F. No. 873, A bill for an act relating to public utilities; changing rate review procedures; amending Minnesota Statutes 1976, Section 216B.16, Subdivision 1.

The bill was read for the first time and referred to the Committee on Commerce and Economic Development.

Berglin, Pehler, Skoglund, Metzen and Cohen introduced:

H. F. No. 874, A bill for an act relating to commerce; regulating employment agencies; amending Minnesota Statutes 1976, Section 184.38, Subdivision 8.

The bill was read for the first time and referred to the Committee on Commerce and Economic Development.

Kroening, Norton, Jaros, Osthoff and Jacobs introduced:

H. F. No. 875, A bill for an act relating to the state housing finance agency; setting the amount of bonds and notes that may be outstanding; clarifying eligibility; providing for fund administration and repayment requirements; appropriating money; amending Minnesota Statutes 1976, Sections 462A.03, Subdivision 7; 462A.21, Subdivisions 4b and 5; and 462A.22, Subdivision 1.

The bill was read for the first time and referred to the Committee on Commerce and Economic Development.

Casserly, Ellingson, Ewald, Scheid and Simoneau introduced:

H. F. No. 876, A bill for an act relating to landlord and tenant; providing for actions to recover possession of property on the ground of nonpayment of rent; authorizing restitution of the premises under certain circumstances; amending Minnesota Statutes 1976, Section 504.02.

The bill was read for the first time and referred to the Committee on Commerce and Economic Development.

Casserly; Carlson, L.; Arlandson; Brinkman and Ellingson introduced:

H. F. No. 877, A bill for an act relating to certain commercial transactions; providing for the place of filing security interests under the uniform commercial code; amending Minnesota Statutes 1976, Section 336.9-401.

The bill was read for the first time and referred to the Committee on Commerce and Economic Development.

Casserly; Byrne; Sieben, H.; Brandl and Arlandson introduced:

H. F. No. 878, A bill for an act relating to commerce; limiting deficiency judgments in consumer transactions; restricting waiver of garnishment exemptions; amending Minnesota Statutes 1976, Section 550.37, Subdivision 4.

The bill was read for the first time and referred to the Committee on Commerce and Economic Development.

Gunter; Anderson, G.; Wenstrom; Smogard and Kvam introduced:

H. F. No. 879, A bill for an act relating to pipelines; liability of landowner restricted.

The bill was read for the first time and referred to the Committee on Commerce and Economic Development.

Berglin, Arlandson, Jaros, Sieben, M., and Casserly introduced:

H. F. No. 880, A bill for an act relating to tenants and landlords; establishing grounds and procedures for the recovery of possession of certain residential premises; amending Minnesota Statutes 1976, Sections 487.24, Subdivision 3; 488.19; 488A.11, Subdivision 3; 488A.28, Subdivision 3; 504.06; 504.07; 566.03; 566.05; 566.09; and Chapters 504, by adding a section; and 566, by adding a section.

The bill was read for the first time and referred to the Committee on Commerce and Economic Development.

Sieben, M., introduced:

H. F. No. 881, A bill for an act relating to limited partnerships; adopting the revised uniform limited partnership act; providing definitions; requiring agent for service of process; providing and clarifying formation procedures; specifying powers and liabilities of limited partners; changing existing provisions for financing limited partnerships; providing for distribution, withdrawal, assignment of partnership interests and dissolution; providing for registration of foreign limited partnerships; specifying choice of law rules; authorizing derivative actions by limited partners; repealing Minnesota Statutes 1976, Chapter 322.

The bill was read for the first time and referred to the Committee on Commerce and Economic Development.

Novak, McCarron, Simoneau, Reding and Hanson introduced:

H. F. No. 882, A bill for an act relating to commerce; providing for disclosure of mileage traveled by motor vehicles; amending Minnesota Statutes 1976, Sections 168A.04, Subdivision 1; 168A.05, Subdivision 3; 168A.10, Subdivision 1; and 168A.11, Subdivisions 1 and 3.

The bill was read for the first time and referred to the Committee on Commerce and Economic Development.

Cohen, Lehto, Wynia, Evans and Novak introduced:

H. F. No. 883, A bill for an act relating to crimes; specifying the crime of inflicting bodily harm on a spouse; authorizing a "crisis team" consisting of a male and female peace officer to take preventive action to deter the possibility of further spousal harm; prescribing penalties.

The bill was read for the first time and referred to the Committee on Criminal Justice.

Cohen, Scheid, Clark and Ellingson introduced:

H. F. No. 884, A bill for an act relating to criminal convictions; providing for the setting aside of certain convictions and the protection of criminal records; amending Minnesota Statutes 1976, Section 609.166.

The bill was read for the first time and referred to the Committee on Criminal Justice.

Moe and McCarron introduced:

H. F. No. 885, A bill for an act relating to peace officer training; transferring the Minnesota peace officer training board from the office of the attorney general to the department of public safety; providing for board approval of peace officer training courses and schools; authorizing the board to recommend rules to the commissioner of public safety; amending Minnesota Statutes 1976, Sections 626.841; and 626.851, Subdivision 2; repealing Minnesota Statutes 1976, Sections 626.842; 626.843; 626.844; and 626.845.

The bill was read for the first time and referred to the Committee on Criminal Justice.

Berkelman, McEachern, Kostohryz, Eken and Metzen introduced:

H. F. No. 886, A bill for an act relating to education; school districts; community services levy; authorizing meeting notices to satisfy compliance requirement of meetings with municipalities; amending Minnesota Statutes 1976, Section 275.125, Subdivision 8.

The bill was read for the first time and referred to the Committee on Education.

King, Johnson, Knickerbocker, Patton and Brandl introduced:

H. F. No. 887, A bill for an act relating to retirement; contributions and service credit for certain part time teachers; amending Minnesota Statutes 1976, Chapters 354 and 354A, by adding sections.

The bill was read for the first time and referred to the Committee on Education.

Jensen; Sieben, M.; Suss; Stanton and Kalis introduced:

H. F. No. 888, A bill for an act relating to education; authorizing school boards to appoint a student advisory member.

The bill was read for the first time and referred to the Committee on Education.

Johnson, Savelkoul, Sabo, Pehler and Norton introduced:

H. F. No. 889, A bill for an act relating to education; trade schools; exempting certain courses in the arts from regulation by the commissioner of education; amending Minnesota Statutes 1976, Section 141.35.

The bill was read for the first time and referred to the Committee on Education.

Jensen, White, Metzen, Kempe, A., and McDonald introduced:

H. F. No. 890, A bill for an act relating to game and fish; authorizing the trapping of the great horned owl in certain instances; amending Minnesota Statutes 1976, Section 100.29, Subdivision 32.

The bill was read for the first time and referred to the Committee on Environment and Natural Resources.

Fjoslien; Anderson, D.; Wenstrom; Brinkman and Niehaus introduced:

H. F. No. 891, A bill for an act relating to utilities, regulating transmission line routing; providing local control; amending Minnesota Statutes 1976, Section 116C.61, Subdivision 1.

The bill was read for the first time and referred to the Committee on Environment and and Natural Resources.

Savelkoul, Searle and Kalis introduced:

H. F. No. 892, A bill for an act relating to lakes; providing for restoration of Fountain and Albert Lea lakes in Freeborn county; making a grants-in-aid available for improving water quality to provide the state share of a state and local matching funds to an already awarded federal grant; appropriating money.

The bill was read for the first time and referred to the Committee on Environment and Natural Resources.

Kelly, R.; Skoglund and Jude introduced:

H. F. No. 893, A bill for an act relating to safe deposit companies; including credit unions among those businesses that may rent out safe deposit boxes without license or bond therefor; amending Minnesota Statutes 1976, Section 55.06, Subdivision 1.

The bill was read for the first time and referred to the Committee on Financial Institutions and Insurance.

Skoglund, Simoneau and Jude introduced:

H. F. No. 894, A bill for an act relating to credit unions; deposits of public funds; amending Minnesota Statutes 1976, Section 52.04.

The bill was read for the first time and referred to the Committee on Financial Institutions and Insurance.

Jude, Skoglund, Neisen and Fudro introduced:

H. F. No. 895, A bill for an act relating to the deposit of funds held in trust for prearranged funeral plans; amending Minnesota Statutes 1976, Sections 149.12; and 149.13.

The bill was read for the first time and referred to the Committee on Financial Institutions and Insurance.

Jacobs introduced:

H. F. No. 896, A bill for an act relating to employees; participation in group life insurance and group health care plans; prohibiting certain mandatory participation requirements; providing remedies; amending Minnesota Statutes 1976, Section 62E.03, by adding a subdivision; and Chapter 61A, by adding a section.

The bill was read for the first time and referred to the Committee on Financial Institutions and Insurance.

Sherwood; Carlson, D.; Wieser; Kempe, R., and Reding introduced:

H. F. No. 897, A bill for an act relating to arts; providing a rating system for plays performed in live theaters; amending Minnesota Statutes 1976, Section 139.10, by adding a subdivision.

The bill was read for the first time and referred to the Committee on General Legislation and Veterans Affairs.

Wenstrom, Langseth, Beauchamp, Anderson, R., and Evans introduced:

H. F. No. 898, A bill for an act relating to veterans affairs; providing for a study of the need for a veterans facility; appropriating money.

The bill was read for the first time and referred to the Committee on General Legislation and Veterans Affairs.

Arlandson, Voss, Moe, Berg and Searle introduced:

H. F. No. 899, A bill for an act relating to appropriations; converting certain open appropriations for retirement to direct appropriations; abolishing other open appropriations for retirement; appropriating money; amending Minnesota Statutes 1976, Sections 3A.03, Subdivision 2; 3A.04, Subdivisions 3 and 4; 136.81, Subdivision 1; 352.04, Subdivision 5; 352B.25; 352C.03, Subdivision 2; 352C.04, Subdivision 3; 352C.09, Subdivision 2; 353.83; 354.55, Subdivision 5; 354A.12; 355.46, Subdivision 3; 355.50; 490.123, Subdivision 1; Chapter 16A, by adding a section; repealing Minnesota Statutes 1976, Sections 3A.11, Subdivision 3; 352.73, Subdivision 4; 354.43, Subdivision 2; and 490.025, Subdivision 8.

The bill was read for the first time and referred to the Committee on Governmental Operations.

Kroening, Jude, Neisen and Fudro introduced:

H. F. No. 900, A bill for an act relating to state employees; permitting certain wage deductions; amending Minnesota Statutes 1976, Section 10.39, Subdivision 1.

The bill was read for the first time and referred to the Committee on Governmental Operations.

Patton, Wieser, Kroening, Lemke and Kaley introduced:

H. F. No. 901, A bill for an act relating to administrative procedure; requiring state agencies to estimate the economic impact of proposed rules upon agencies and persons affected thereby; providing for the preparation of economic impact statements under certain circumstances; amending Minnesota Statutes 1976, Sections 15.0411, by adding subdivisions; 15.0412, Subdivision 4, and by adding subdivisions.

The bill was read for the first time and referred to the Committee on Governmental Operations.

Sieben, M.; Jaros; St. Onge; Biersdorf and Murphy introduced:

H. F. No. 902, A bill for an act relating to state finance; authorizing payments pursuant to grievance resolutions; amending Minnesota Statutes 1976, Section 16A.17, Subdivision 7.

The bill was read for the first time and referred to the Committee on Governmental Operations.

Wenzel; Sieben, H.; Patton; Lemke and Kaley introduced:

H. F. No. 903, A bill for an act relating to public transportation; making state commuter vans available for use by blind vending operators working on state property; amending Minnesota Statutes 1976, Section 16.756.

The bill was read for the first time and referred to the Committee on Governmental Operations.

Johnson; Sieben, H.; Smogard; Wenstrom and Biersdorf introduced:

H. F. No. 904, A bill for an act relating to public land surveys; creating a state land surveys board and providing for the employment of a state land surveyor; prescribing the powers and duties of the board and the state land surveyor; authorizing the board to contract with the several counties for the preservation and remonumentation of the United States public land survey; providing for the financing thereof; authorizing the several counties to levy an ad valorem tax to pay their share of the cost; prescribing penalties; and appropriating money; amending Minnesota Statutes 1976, Section 287.21.

The bill was read for the first time and referred to the Committee on Governmental Operations.

Simoneau, Skoglund, Patton, Clark and Knickerbocker introduced:

H. F. No. 905, A bill for an act relating to civil service; determining what names may be certified as eligible for certain promotions; amending Minnesota Statutes 1976, Section 43.18, Subdivision 2.

The bill was read for the first time and referred to the Committee on Governmental Operations.

Jacobs, Kostohryz, McDonald, Savelkoul and Rice introduced:

H. F. No. 906, A bill for an act relating to unemployment compensation; providing for the assignment of veterans employment representatives; amending Minnesota Statutes 1976, Section 268.14, by adding a subdivision.

The bill was read for the first time and referred to the Committee on Governmental Operations.

Patton, Beauchamp, Lemke, McEachern and Biersdorf introduced:

H. F. No. 907, A bill for an act relating to public employees; authorizing the deduction of dues for public pension and retirement benefit improvement organizations; amending Minnesota Statutes 1976, Section 181.063.

The bill was read for the first time and referred to the Committee on Governmental Operations.

McCollar, Neisen and George introduced:

H. F. No. 908, A bill for an act relating to the city of White Bear Lake; firemen's service pensions and disability benefits; amending Laws 1971, Chapter 214, Section 1.

The bill was read for the first time and referred to the Committee on Governmental Operations.

Patton, Moe, Biersdorf, Reding and Beauchamp introduced:

H. F. No. 909, A bill for an act relating to retirement; the highway patrolmen's retirement fund; amending Minnesota Statutes 1976, Section 352B.01, by adding a subdivision.

The bill was read for the first time and referred to the Committee on Governmental Operations.

Patton, Samuelson, Biersdorf, Reding and Beauchamp introduced:

H. F. No. 910, A bill for an act relating to retirement; the highway patrolmen's retirement fund; amending Minnesota Statutes 1976, Sections 352B.01, Subdivision 3; 352B.08, Subdivisions 1 and 2; 352B.10; and 352B.11, Subdivision 2.

The bill was read for the first time and referred to the Committee on Governmental Operations.

Kempe, A.; Sieben, H.; Patton; Faricy and Ewald introduced:

H. F. No. 911, A bill for an act relating to workers' compensation insurance; providing for the approval of rates and classifications by the commissioner of insurance after a hearing; providing for a hearing procedure; requiring the commissioner to employ an actuary; requiring the commissioner to assess a fee to the bureau; regulating conflicts of interest; appropriating money; amending Minnesota Statutes 1976, Sections 79.01, Subdivision 1, and by adding subdivisions; 79.07; 79.09; 79.10; 79.11; 79.15; 79.17; 79.21; and Chapter 79, by adding sections.

The bill was read for the first time and referred to the Committee on Governmental Operations.

Clawson, Clark, Pehler, Stanton and Carlson, A., introduced:

H. F. No. 912, A bill for an act relating to public welfare; providing for experimental food stamp programs; appropriating money; amending Minnesota Statutes 1976, Chapter 256, by adding a section.

The bill was read for the first time and referred to the Committee on Health and Welfare.

Jacobs, Clawson, Mangan, Kroening and Sarna introduced:

H. F. No. 913, A bill for an act relating to public welfare; increasing the equity limitation for medical assistance; increasing the cash and liquid asset limitation; amending Minnesota Statutes 1976, Section 256B.06, Subdivision 1.

The bill was read for the first time and referred to the Committee on Health and Welfare.

Suss; Hokanson; Sieben, H.; Vanasek and Jensen introduced:

H. F. No. 914, A bill for an act relating to human services; providing certain services to juveniles; clarifying the authority of the juvenile court; amending Minnesota Statutes 1976, Sections 260.311, Subdivisions 1, 3 and 5; and 402.02, Subdivision 2.

The bill was read for the first time and referred to the Committee on Health and Welfare.

Samuelson, Swanson, McCarron, Dahl and Forsythe introduced:

H. F. No. 915, A bill for an act relating to medical assistance for needy persons; providing for limits on types, costs and frequency of medical services; amending Minnesota Statutes 1976, Section 256B.04, by adding a subdivision.

The bill was read for the first time and referred to the Committee on Health and Welfare.

Dahl; Carlson, L.; Swanson; Clawson and Niehaus introduced:

H. F. No. 916, A bill for an act relating to welfare; child support; authorizing additional procedures in collection of support payments; updating uniform reciprocal enforcement of support act; amending Minnesota Statutes 1976, Sections 256.87, Subdivision 1; 256.872; 256.873; 257.253; 257.254; 257.257; 257.259; 257.261, Subdivision 1; 257.29; 393.07, Subdivision 9; 393.11; 487.19, Subdivision 1; 518.41; 518.42, Subdivisions 2, 5, 7, 8, 9, and by adding subdivisions; 518.45, Subdivisions 2, 4 and 5; 518.46, Subdivisions 2, 3 and 4; 518.48; 518.49; 518.551; and Chapter 518, by adding a section.

The bill was read for the first time and referred to the Committee on Health and Welfare.

Swanson, Sabo, Kvam, Norton and Samuelson introduced:

H. F. No. 917, A bill for an act relating to public welfare; appropriating money for the Vinland National Center.

The bill was read for the first time and referred to the Committee on Health and Welfare.

McCollar, Osthoff, Wynia, Kostohryz and Byrne introduced:

H. F. No. 918, A bill for an act relating to health; providing for treatment of certain indigent patients in St. Paul-Ramsey hospital; appropriating money; amending Minnesota Statutes 1976, Chapter 158, by adding a section.

The bill was read for the first time and referred to the Committee on Health and Welfare.

Samuelson, Voss, Clawson, Wigley and Fugina introduced:

H. F. No. 919, A bill for an act relating to public welfare; providing for eligibility for a daytime activity center for palsied and retarded youth; providing duties for the commissioner of public welfare; amending Minnesota Statutes 1976, Sections 252.23; 252.24, Subdivisions 2, 3 and 4; and 252.26.

The bill was read for the first time and referred to the Committee on Health and Welfare.

Prahl, Enebo, Clark, Skoglund and Anderson, I., introduced:

H. F. No. 920, A bill for an act relating to labor; providing for union notification of a member's injury or death; amending Minnesota Statutes 1976, Chapter 181, by adding a section.

The bill was read for the first time and referred to the Committee on Labor-Management Relations.

St. Onge; McEachern; Carlson, L.; McCarron and Jacobs introduced:

H. F. No. 921, A bill for an act relating to public employees; designating the number of arbitrators to resolve labor dispute; amending Minnesota Statutes 1976, Section 179.72, Subdivision 6.

The bill was read for the first time and referred to the Committee on Labor-Management Relations.

Byrne and McCarron introduced:

H. F. No. 922, A bill for an act relating to labor; authorizing certain payroll deductions; amending Minnesota Statutes 1976, Section 181.06.

The bill was read for the first time and referred to the Committee on Labor-Management Relations.

Simoneau, Enebo, Reding and Clark introduced:

H. F. No. 923, A bill for an act relating to public employees; permitting certain employees to strike; amending Minnesota Statutes 1976, Section 179.64, Subdivision 7.

The bill was read for the first time and referred to the Committee on Labor-Management Relations.

Clawson, Mangan, Johnson, Murphy and Niehaus introduced:

H. F. No. 924, A bill for an act relating to real estate; partition fences; providing for county reimbursement and collection of certain costs in building and repairing partition fences; increasing fence viewer's fees; requiring court proceedings to be in the county in which the land is situated; amending Minnesota Statutes 1976, Sections 344.05; 344.07; 344.12; 344.13; 344.18; and Chapter 344, by adding a section.

The bill was read for the first time and referred to the Committee on Local and Urban Affairs.

Byrne, Nelson, Waldorf, Lehto and McDonald introduced:

H. F. No. 925, A bill for an act relating to zoning; authorizing cities of the first class to regulate the use of adult oriented establishments.

The bill was read for the first time and referred to the Committee on Local and Urban Affairs.

Brandl, Clark, Heinitz, Petrafeso and Berglin introduced:

H. F. No. 926, A bill for an act relating to the county of Hennepin; permitting longer duration contracts for goods and services entered into by the county of Hennepin; amending Laws 1969, Chapter 476, Section 1.

The bill was read for the first time and referred to the Committee on Local and Urban Affairs.

Wynia, Sarna, Rose, Hanson and Faricy introduced:

H. F. No. 927, A bill for an act authorizing the metropolitan council to issue bonds for repair, construction, reconstruction, improvement, and rehabilitation of the Como Park zoo by the City of Saint Paul; amending Minnesota Statutes 1976, Chapter 473, by adding a section.

The bill was read for the first time and referred to the Committee on Local and Urban Affairs.

Petrafeso, Pleasant, Berg, Forsythe and Brandl introduced:

H. F. No. 928, A bill for an act relating to counties; county appropriations for patrol of county highways and roads; eliminating the restriction on the Hennepin county board of commissioners in relation thereto; amending Minnesota Statutes 1976, Section 375.46, Subdivision 1.

The bill was read for the first time and referred to the Committee on Local and Urban Affairs.

Casserly, Nelson, Brandl, Kahn and Clark introduced:

H. F. No. 929, A bill for an act relating to the city of Minneapolis; creating a police review board within the city of Minneapolis; granting the board power to accept and review complaints and make recommendations thereon.

The bill was read for the first time and referred to the Committee on Local and Urban Affairs.

Suss, Abeln, Pleasant, Jensen and Fudro introduced:

H. F. No. 930, A bill for an act relating to the counties of Hennepin and Scott; directing the counties to design and construct a temporary replacement of the Bloomington ferry bridge.

The bill was read for the first time and referred to the Committee on Transportation.

Novak and Byrne introduced:

H. F. No. 931, A bill for an act relating to Ramsey county; inserting the county ditch law into the Ramsey county code; amending Laws 1974, Chapter 435, by adding a section; repealing Laws 1974, Chapter 180.

The bill was read for the first time and referred to the Committee on Local and Urban Affairs.

Waldorf and Osthoff introduced:

H. F. No. 932, A bill for an act relating to Ramsey county; amending the Ramsey county code by deleting an obsolete provision therein relating to the printing of the code; amending Laws 1974, Chapter 435, Section 1.0213.

The bill was read for the first time and referred to the Committee on Local and Urban Affairs.

McCollar introduced:

H. F. No. 933, A bill for an act relating to Ramsey county; amending the Ramsey county code by rearranging certain provisions therein relating to welfare and by deleting obsolete provisions therein relating to welfare; amending Laws 1974, Chapter 435, Sections 1.0204 and 3.13.

The bill was read for the first time and referred to the Committee on Local and Urban Affairs.

Murphy introduced:

H. F. No. 934, A bill for an act relating to the county of Carlton; authorization of certain payments to the city of Cloquet.

The bill was read for the first time and referred to the Committee on Local and Urban Affairs.

Tomlinson, Kostohryz and Rose introduced:

H. F. No. 935, A bill for an act relating to counties; powers of the boards of county commissioners; including the board of county commissioners of Ramsey County among those county boards that may set expense allowances for members of certain boards and agencies; amending Minnesota Statutes 1976, Section 375.47, Subdivision 1.

The bill was read for the first time and referred to the Committee on Local and Urban Affairs.

Wynia, Moe, Waldorf and Rose introduced:

H. F. No. 936, A bill for an act relating to Ramsey county; allowing the county board to set the fees of the clerk of district court, coroner and county recorder; providing for the establishment of a system of fees to be charged for certain services; amending Laws 1974, Chapter 435, by adding sections.

The bill was read for the first time and referred to the Committee on Local and Urban Affairs.

Cohen, Moe and Waldorf introduced:

H. F. No. 937, A bill for an act relating to Ramsey county; deleting obsolete provisions in the Ramsey county code relating to parks and recreation; amending Laws 1974, Chapter 435, Section 1.0205.

The bill was read for the first time and referred to the Committee on Local and Urban Affairs.

Hanson, Osthoff, Rose and Novak introduced:

H. F. No. 938, A bill for an act relating to Ramsey county and the cities of Arden Hills, Roseville, Saint Paul and Shoreview; providing for construction of necessary highway improvements; apportioning costs; prescribing certain limitations; amending Laws 1974, Chapter 435, Section 1.0209, as amended.

The bill was read for the first time and referred to the Committee on Local and Urban Affairs.

Evans, McEachern, Suss, Kempe, A., and Kempe, R., introduced:

H. F. No. 939, A bill for an act relating to taxation; exempting certain interest income from gross income for income tax purposes; amending Minnesota Statutes 1976, Section 290.01, Subdivision 20.

The bill was read for the first time and referred to the Committee on Taxes.

Suss, Stanton, Vanasek, White and Corbid introduced:

H. F. No. 940, A bill for an act relating to taxation; increasing mill rate for tax reduction on homestead owned by family farm corporation or partnership; amending Minnesota Statutes 1976, Section 273.132.

The bill was read for the first time and referred to the Committee on Taxes.

Sarna, Wenzel, Adams, Biersdorf and Osthoff introduced:

H. F. No. 941, A bill for an act relating to taxation; changing the income tax deduction for trade or business expenses to include cost and upkeep of work clothes; amending Minnesota Statutes 1976, Section 290.09, Subdivision 2.

The bill was read for the first time and referred to the Committee on Taxes.

Eckstein, Schulz, Lemke, Peterson and Kvam introduced:

H. F. No. 942, A bill for an act relating to taxation; increasing inheritance tax exemption for adult children, brothers and sisters and certain other heirs of deceased; amending Minnesota Statutes 1976, Section 291.05.

The bill was read for the first time and referred to the Committee on Taxes.

Scheid, Vanasek, Eken, Osthoff and Pehler introduced:

H. F. No. 943, A bill for an act relating to taxation of certain agricultural, recreational, and conservation lands; providing for deferred development contracts; amending Minnesota Statutes 1976, Sections 116A.17, Subdivision 2; 273.111, Subdivisions 1, 2, 4, 8, 9, 11, and 14; repealing Minnesota Statutes 1976, Section 273.111, Subdivisions 3, 6, and 8a.

The bill was read for the first time and referred to the Committee on Taxes.

Scheid, Abeln, Searles, Hokanson and Osthoff introduced:

H. F. No. 944, A bill for an act relating to taxation; providing that improvements to real property used for a homestead not be added to increased valuation of property; amending Minnesota Statutes 1976, Section 273.11, Subdivision 1, and by adding a subdivision.

The bill was read for the first time and referred to the Committee on Taxes.

Fudro, McCarron, Simoneau, Neisen and Sarna introduced:

H. F. No. 945, A bill for an act relating to taxation; reducing penalty for delinquent tax payment in certain cases; amending Minnesota Statutes 1976, Section 279.01.

The bill was read for the first time and referred to the Committee on Taxes.

St. Onge introduced:

H. F. No. 946, A bill for an act relating to the trunk highway system; adding a new route in substitution of an existing route.

The bill was read for the first time and referred to the Committee on Transportation.

Lehto, Begich, Reding, Dean and Osthoff introduced:

H. F. No. 947, A bill for an act relating to railroads; allowing reduced rates for transportation of waste material for reprocessing; amending Minnesota Statutes 1976, Section 218.021, Subdivision 2.

The bill was read for the first time and referred to the Committee on Transportation.

Jensen, Birnstihl, White, Metzen and Suss introduced:

H. F. No. 948, A bill for an act relating to highways; describing the Lakeville Central Scenic Route; amending Minnesota Statutes 1976, Section 161.14, by adding a subdivision.

The bill was read for the first time and referred to the Committee on Transportation.

McCollar and Byrne introduced :

H. F. No. 949, A bill for an act relating to motor vehicles; registration and taxation; deputy registrars; duties and responsibilities; amending Minnesota Statutes 1976, Section 168.33, Subdivision 2.

The bill was read for the first time and referred to the Committee on Transportation.

McCollar, Tomlinson, Beauchamp, Nelson and Pleasant introduced :

H. F. No. 950, A bill for an act relating to highway safety; providing state reimbursement for safety education and driver training courses; imposing a tax; appropriating money.

The bill was read for the first time and referred to the Committee on Transportation.

Mangan; Suss; Nelsen, B.; Nelsen, M.; and Fugina introduced :

H. F. No. 951, A bill for an act relating to education; vocational education; providing programs for certain handicapped and disadvantaged persons; appropriating money.

The bill was read for the first time and referred to the Committee on Education.

Lehto, Jaros, Fugina, Spanish and Berkelman introduced :

H. F. No. 952, A bill for an act relating to courts; sixth judicial district; authorizing the position of domestic relations referee in St. Louis county; amending Minnesota Statutes 1976, Chapter 484, by adding a section.

The bill was read for the first time and referred to the Committee on Governmental Operations.

Lehto, Spanish, Fugina, Begich and Battaglia introduced :

H. F. No. 953, A bill for an act relating to courts; county court districts; judges; prescribing the areas where the county court judges of St. Louis county shall reside, serve in, and be elected from; amending Minnesota Statutes 1976, Section 487.01, Subdivision 5.

The bill was read for the first time and referred to the Committee on Governmental Operations.

Cummiskey introduced:

H. F. No. 954, A bill for an act relating to juries; enacting the uniform juror selection and service act; providing for the selection and service of grand and petit jurors; providing penalties; repealing Minnesota Statutes 1976, Sections 3.081; 192.24; 357.26; 488A.07; 546.09; 593.03; 593.04; 593.05; 593.06; 593.07; 593.09; 593.10; 593.11; 593.12; 593.13; 593.14; 593.20; 628.42; 628.43; 628.44; 628.45; 628.46; 628.47; 628.49; 628.50; 628.51; 628.52; 628.53; and 631.33.

The bill was read for the first time and referred to the Committee on Governmental Operations.

Swanson, Clawson, Wigley, Skoglund and McCarron introduced:

H. F. No. 955, A bill for an act relating to state government; transferring certain functions of the department of public welfare; appropriating money; amending Minnesota Statutes 1976, Sections 246.02, Subdivision 2; 253.015; and 254.05.

The bill was read for the first time and referred to the Committee on Health and Welfare.

Kelly, W.; Langseth; Sabo; Searle and Kempe, A., introduced:

H. F. No. 956, A bill for an act relating to education; providing for scholarships for Spanish-surnamed American students; appropriating money.

The bill was read for the first time and referred to the Committee on Higher Education.

Lehto, Battaglia, Jaros, Begich and Murphy introduced:

H. F. No. 957, A bill for an act relating to St. Louis county; automobile expenses of county commissioners; amending Laws 1959, Chapter 301, Section 1.

The bill was read for the first time and referred to the Committee on Local and Urban Affairs.

HOUSE ADVISORIES

Pursuant to rule 5.3, the following House Advisory was introduced:

Carlson, D.; Biersdorf; Sherwood and Corbid introduced:

H. A. No. 20, A proposal to trespass; committee on environment and natural resources; interim study of trespass law.

The advisory was referred to the Committee on Environment and Natural Resources.

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Mr. Speaker:

I hereby announce the passage by the Senate of the following Senate Files, herewith transmitted:

S. F. Nos. 321, 250 and 332.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

I hereby announce the passage by the Senate of the following Senate Files, herewith transmitted:

S. F. Nos. 170, 107, 296 and 72.

PATRICK E. FLAHAVEN, Secretary of the Senate

FIRST READING OF SENATE BILLS

S. F. No. 321, A bill for an act relating to health; permitting certain nursing homes to require and accept certain payments from residents; amending Minnesota Statutes 1976, Section 256B.48, Subdivision 1.

The bill was read for the first time and referred to the Committee on Health and Welfare.

S. F. No. 250, A bill for an act relating to the Gillette hospital board; board membership; amending Minnesota Statutes 1976, Section 250.05, Subdivision 2.

The bill was read for the first time.

Swanson moved that S. F. No. 250 and H. F. No. 422, now on the Technical Consent Calendar, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 332, A bill for an act relating to taxation; exempting certain square dance admissions from sales taxation; amending Minnesota Statutes 1976, Section 297A.25, Subdivision 1.

The bill was read for the first time and referred to the Committee on Taxes.

S. F. No. 170, A bill for an act relating to political subdivisions; regulating certain interests in contracts by public officials; amending Minnesota Statutes 1976, Section 471.88, Subdivisions 2, 5, and 8.

The bill was read for the first time and referred to the Committee on Local and Urban Affairs.

S. F. No. 107, A bill for an act relating to children; enacting the uniform child custody jurisdiction act; amending Minnesota Statutes 1976, Chapter 518, by adding a section.

The bill was read for the first time.

Faricy moved that S. F. No. 107 and H. F. No. 24, now on General Orders, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 296, A bill for an act relating to medical assistance for needy persons; providing for limits on types, costs and frequency of medical services; amending Minnesota Statutes 1976, Section 256B.04, by adding a subdivision.

The bill was read for the first time and referred to the Committee on Health and Welfare.

S. F. No. 72, A bill for an act relating to natural resources; authorizing the conveyance by the state of certain lands known as Battle Point to Todd county; amending Minnesota Statutes 1976, Section 84.163.

The bill was read for the first time and referred to the Committee on Governmental Operations.

CALENDAR

S. F. No. 200, A bill for an act relating to banking; authorized investments and powers of savings banks; amending Minnesota Statutes 1976, Sections 50.14, Subdivision 5; 50.148; and 50.157.

The bill was read for the third time and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 119 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Abeln	Casserly	Jaros	Munger	Searles
Adams	Clark	Jensen	Murphy	Sherwood
Albrecht	Clawson	Jude	Neisen	Sieben, H.
Anderson, B.	Cohen	Kahn	Nelsen, B.	Sieben, M.
Anderson, D.	Corbid	Kaley	Nelsen, M.	Simoneau
Anderson, G.	Cummiskey	Kelly, R.	Nelson	Skoglund
Anderson, I.	Dahl	Kelly, W.	Niehaus	Smogard
Anderson, R.	Dean	Kempe, A.	Norton	Stoa
Arlandson	Eken	Kempe, R.	Novak	Suss
Battaglia	Ellingson	King	Patton	Swanson
Beauchamp	Enebo	Knickerbocker	Pehler	Vanasek
Begich	Erickson	Kroening	Peterson	Voss
Berg	Esau	Kvam	Petrafeso	Waldorf
Berglin	Evans	Laidig	Pleasant	Welch
Berkelman	Ewald	Langseth	Prahl	Wenstrom
Biersdorf	Faricy	Lehto	Reding	Wenzel
Birnstihl	Fjoslien	Mangan	Rice	White
Brandl	Forsythe	Mann	Rose	Wieser
Braun	Fudro	McCarron	St. Onge	Wigley
Brinkman	George	McCollar	Samuelson	Williamson
Byrne	Gunter	McDonald	Sarna	Wynia
Carlson, A.	Hanson	McEachern	Savelkoul	Zubay
Carlson, D.	Hokanson	Metzen	Scheid	Speaker Sabo
Carlson, L.	Jacobs	Moe	Schulz	

The bill was passed and its title agreed to.

S. F. No. 76 was reported to the House and given its third reading.

There being no objection, S. F. No. 76 was continued on the Calendar until Thursday, March 24, 1977.

H. F. No. 45, A bill for an act relating to environmental protection; prohibiting retail sale of milk in non-returnable, non-refillable plastic containers; prescribing penalties.

The bill was read for the third time and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 116 yeas and 14 nays as follows:

Those who voted in the affirmative were:

Abeln	Berglin	Clark	Ewald	Jacobs
Adams	Berkelman	Clawson	Faricy	Jaros
Anderson, B.	Biersdorf	Cohen	Fjoslien	Jensen
Anderson, D.	Birnstihl	Corbid	Forsythe	Jude
Anderson, G.	Brandl	Cummiskey	Fudro	Kahn
Anderson, I.	Braun	Dahl	Fugina	Kelly, R.
Anderson, R.	Brinkman	Dean	George	Kelly, W.
Arlandson	Byrne	Eken	Gunter	Kempe, A.
Battaglia	Carlson, A.	Ellingson	Hanson	Kempe, R.
Beauchamp	Carlson, D.	Enebo	Haugerud	King
Begich	Carlson, L.	Esau	Heinitz	Knickerbocker
Berg	Casserly	Evans	Hokanson	Kroening

Laidig	Murphy	Pleasant	Sieben, H.	Voss
Langseth	Neisen	Prahl	Sieben, M.	Waldorf
Lehto	Nelsen, B.	Reding	Simoneau	Welch
Mangan	Nelsen, M.	Rice	Skoglund	Wenstrom
Mann	Nelson	Rose	Smogard	Wenzel
McCarron	Niehaus	St. Onge	Spanish	Williamson
McCollar	Norton	Samuelson	Stanton	Wynia
McDonald	Novak	Sarna	Stoa	Speaker Sabo
McEachern	Patton	Savelkoul	Suss	
Metzen	Pehler	Scheid	Swanson	
Moe	Peterson	Searles	Tomlinson	
Munger	Petrafeso	Sherwood	Vanasek	

Those who voted in the negative were:

Albrecht	Johnson	Kvam	Searle	Wigley
Eckstein	Kaley	Lemke	White	Zubay
Erickson	Kalis	Schulz	Wieser	

The bill was passed and its title agreed to.

McCarron and Searles were excused for the remainder of today's session.

H. F. No. 382 was reported to the House and given its third reading.

Sieben, M., moved that H. F. No. 382 be re-referred to the Committee on Health and Welfare.

A roll call was requested and properly seconded.

The question was taken on the motion to re-refer H. F. No. 382 to the Committee on Health and Welfare and the roll was called. There were 42 yeas and 81 nays as follows:

Those who voted in the affirmative were:

Anderson, D.	Dahl	Kelly, W.	Nelsen, M.	Skoglund
Anderson, G.	Dean	Kempe, A.	Niehaus	Swanson
Anderson, R.	Eken	Kempe, R.	Norton	Voss
Battaglia	Erickson	King	Novak	Welch
Begich	Faricy	Kroening	Pehler	Wenzel
Berg	Fugina	Laidig	Petrafeso	Wynia
Birnstihl	Hanson	Langseth	Rice	
Brandl	Kalis	McEachern	Sieben, M.	
Carlson, A.	Kelly, R.	Munger	Simoneau	

Those who voted in the negative were:

Abeln	Berkelman	Clark	Esau	Heinitz
Adams	Biersdorf	Clawson	Evans	Hokanson
Albrecht	Braun	Cohen	Fjoslien	Jacobs
Anderson, B.	Brinkman	Corbid	Forsythe	Jaros
Anderson, I.	Byrne	Cummiskey	Fudro	Jensen
Arlandson	Carlson, D.	Eckstein	George	Johnson
Beauchamp	Carlson, L.	Ellingson	Gunter	Jude
Berglin	Casserly	Enebo	Haugerud	Kahn

Kaley	Metzen	Reding	Spanish	Wieser
Knickerbocker	Moe	Rose	Stanton	Wigley
Kvam	Murphy	St. Onge	Stoa	Williamson
Lehto	Neisen	Samuelson	Suss	Zubay
Lemke	Nelsen, B.	Sarna	Tomlinson	Speaker Sabo
Mangan	Patton	Savelkoul	Vanasek	
Mann	Peterson	Scheid	Waldorf	
McCollar	Pleasant	Sherwood	Wenstrom	
McDonald	Prahl	Smogard	White	

The motion did not prevail.

H. F. No. 382, A bill for an act relating to highway traffic regulations; motorcycle equipment for operators and passengers; noise regulations; amending Minnesota Statutes 1976, Section 169.974, Subdivisions 2 and 4, and by adding a subdivision; and Chapter 169, by adding a section.

The bill was placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 91 yeas and 35 nays as follows:

Those who voted in the affirmative were:

Abeln	Carlson, L.	Jacobs	Neisen	Spanish
Adams	Clark	Jensen	Nelsen, B.	Stanton
Albrecht	Clawson	Johnson	Nelsen, M.	Stoa
Anderson, B.	Cohen	Jude	Niehaus	Suss
Anderson, I.	Corbid	Kahn	Novak	Tomlinson
Anderson, R.	Cummiskey	Kaley	Patton	Vanasek
Arlandson	Dean	Kelly, R.	Peterson	Waldorf
Beauchamp	Eckstein	Kempe, R.	Pleasant	Welch
Begich	Ellingson	King	Prahl	White
Berglin	Enebo	Knickerbocker	Reding	Wieser
Berkelman	Esau	Kroening	Rose	Wigley
Biersdorf	Evans	Kvam	St. Onge	Williamson
Birnstihl	Ewald	Lehto	Samuelson	Wynia
Brandl	Fjoslien	Lemke	Sarna	Zubay
Braun	Fudro	Mangan	Savelkoul	Speaker Sabo
Brinkman	George	Mann	Scheid	
Byrne	Gunter	McDonald	Sherwood	
Carlson, A.	Heinitz	Metzen	Sieben, H.	
Carlson, D.	Hokanson	Moe	Simoneau	

Those who voted in the negative were:

Anderson, D.	Erickson	Kalis	Munger	Sieben, M.
Anderson, G.	Faricy	Kelly, W.	Murphy	Skoglund
Battaglia	Forsythe	Kempe, A.	Nelson	Smogard
Berg	Fugina	Laidig	Norton	Swanson
Cassery	Hanson	Langseth	Pehler	Voss
Dahl	Haugerud	McCollar	Petrafaso	Wenstrom
Eken	Jaros	McEachern	Rice	Wenzel

The bill was passed and its title agreed to.

GENERAL ORDERS

There being no objection, the bills on General Orders for today were continued on General Orders until Monday, March 21, 1977.

MOTIONS AND RESOLUTIONS

Fudro moved that his name be stricken and the name of Fugina be added as an author on H. F. No. 676. The motion prevailed.

Carlson, D., moved that the name of Wenzel be added as an author on H. F. No. 438. The motion prevailed.

Anderson, I., moved that the file and exhibits, with the exception of the findings, conclusions and orders, relating to the election contest of Ronald G. Evans, Contestant, vs. David R. Cumiskey, Contestee, of House District 29A, as reported in the Journal of the House for February 3, 1977, be returned by the Chief Clerk to Richard H. Fasnacht, Clerk of District Court, Blue Earth County, Mankato, Minnesota. The motion prevailed.

Cohen introduced :

House Resolution No. 7, A house resolution congratulating the Highland Park Senior High School basketball team on winning the Region 3AA title.

The resolution was referred to the Committee on Rules and Legislative Administration.

Suss introduced :

House Resolution No. 8, A house resolution congratulating the Prior Lake High School basketball team on winning the state boys High School Basketball Tournament.

The resolution was referred to the Committee on Rules and Legislative Administration.

ADJOURNMENT

Anderson, I., moved that when the House adjourns today it adjourn until 2:00 p.m., Monday, March 21, 1977. The motion prevailed.

Anderson, I., moved that the House adjourn. The motion prevailed, and the Speaker declared the House stands adjourned until 2:00 p.m., Monday, March 21, 1977.

EDWARD A. BURDICK, Chief Clerk, House of Representatives

STATE OF MINNESOTA

SEVENTIETH SESSION - 1977

TWENTY-FIFTH DAY

SAINT PAUL, MINNESOTA, MONDAY, MARCH 21, 1977

The House of Representatives convened at 2:00 p.m. and was called to order by the Speaker.

Prayer was offered by the Chaplain.

The roll was called and the following members were present:

Abeln	Clark	Hokanson	Metzen	Sherwood
Adams	Clawson	Jacobs	Moe	Sieben, H.
Albrecht	Cohen	Jaros	Munger	Sieben, M.
Anderson, B.	Corbid	Jensen	Murphy	Simoneau
Anderson, D.	Cummiskey	Jude	Neisen	Skoglund
Anderson, G.	Dahl	Kahn	Nelsen, B.	Smogard
Anderson, I.	Dean	Kaley	Nelsen, M.	Spanish
Anderson, R.	Den Ouden	Kalis	Nelson	Stanton
Arlandson	Eckstein	Kelly, R.	Niehaus	Stoa
Battaglia	Ellingson	Kelly, W.	Norton	Suss
Beauchamp	Enebo	Kempe, A.	Novak	Swanson
Begich	Erickson	Kempe, R.	Osthoff	Tomlinson
Berg	Esau	King	Patton	Vanasek
Berglin	Evans	Knickerbocker	Pehler	Voss
Berkelman	Ewald	Kostohryz	Peterson	Waldorf
Biersdorf	Faricy	Kvam	Petrafeso	Welch
Birnstihl	Fjoslien	Laidig	Pleasant	Wenstrom
Brandl	Forsythe	Lehto	Prahl	Wenzel
Braun	Friedrich	Lemke	Reding	White
Brinkman	Fudro	Mangan	Rose	Wieser
Byrne	George	Mann	St. Onge	Wigley
Carlson, A.	Gunter	McCarron	Samuelson	Williamson
Carlson, D.	Hanson	McCollar	Sarna	Wynia
Carlson, L.	Haugerud	McDonald	Scheid	Zubay
Cassery	Heintz	McEachern	Schulz	Speaker Sabo

A quorum was present.

Eken, Fugina, Johnson, Kroening, Rice, Savelkoul, Searle and Searles were excused. Langseth was excused until 2:40 p.m.

Speaker Sabo introduced Gaylin Den Ouden, the newly elected member from District 21B, to the members of the House and announced that the oath of office was administered on Friday, March 18, 1977.

The Chief Clerk proceeded to read the Journal of the preceding day. Vanasek moved that further reading of the Journal be dispensed with and that the Journal be approved as corrected by the Chief Clerk. The motion prevailed.

REPORTS OF CHIEF CLERK

Pursuant to Rules of the House, printed copies of H. F. Nos. 422, 105, 598, 705, 7, 56, 75, 129, 148, 168, 169, 256, 319, 374, 521, 672, 777, 90, 247, 300, 326 and 675 and S. F. Nos. 170, 107, 250, 296, 321, 332 and 72 have been placed in the members' files.

S. F. No. 250 and H. F. No. 422, which had been referred to the Chief Clerk for comparison, were examined and found to be identical.

Swanson moved that S. F. No. 250 be substituted for H. F. No. 422 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 107 and H. F. No. 24, which had been referred to the Chief Clerk for comparison, were examined and found to be identical with certain exceptions.

SUSPENSION OF RULES

Faricy moved that the rules be so far suspended that S. F. No. 107 be substituted for H. F. No. 24 and that the House File be indefinitely postponed. The motion prevailed.

PETITIONS AND COMMUNICATIONS

The following report was received and filed in the Chief Clerk's Office: Proposed Capital Budget Fiscal Years 1978 and 1979 presented by the Governor.

The following communication was received:

STATE OF MINNESOTA
OFFICE OF THE SECRETARY OF STATE
ST. PAUL 55155

March 18, 1977

The Honorable Martin O. Sabo
Speaker of the House of Representatives
The Honorable Edward J. Gearty
President of the Senate

I have the honor to inform you that the following enrolled Acts of the 1977 Session of the State Legislature have been received

from the Office of the Governor and are deposited in the Office of the Secretary of State for preservation, pursuant to the State Constitution, Article IV, Section 23:

S.F. No.	H.F. No.	Session Laws Chapter No.	Date Approved 1977	Date Filed 1977
232		4	March 18	March 18

Sincerely,

JOAN ANDERSON GROWE
Secretary of State

REPORTS OF STANDING COMMITTEES

Hanson from the Committee on Commerce and Economic Development to which was referred:

H. F. No. 40, A bill for an act relating to real estate brokers and salespersons; establishing a prelicense educational requirement and a continuing educational requirement; amending Minnesota Statutes 1976, Section 82.22, Subdivision 6, and by adding a subdivision.

Reported the same back with the following amendments:

Page 1, after the enacting clause insert:

"Section 1. Minnesota Statutes 1976, Section 82.20, is amended by adding a subdivision to read:

Subd. 14. [LICENSES; EXTENDING DURATION.] Notwithstanding the provisions of subdivisions 7 and 8, the commissioner may institute a system by rule pursuant to chapter 15 to provide three year licenses from the date of issuance for any license prescribed by this section."

Page 1, line 9, delete "Section 1" and insert "Sec. 2".

Page 1, line 21, after "1976" insert "*and before July 1, 1978*".

Page 2, line 3, delete "*Effective January, 1 1979*" and insert "*After July 1, 1978*".

Page 2, line 6, delete "30" and insert "60".

Page 2, line 8, delete "*January*" and insert "*July*".

Page 2, line 9, delete "1979" and insert "1978".

Page 2, line 12, delete the comma.

Page 2, delete lines 13 to 15.

Page 2, line 16, delete "*date his license was first issued*".

Page 2, line 21, after the comma insert "*its affiliates,*".

Page 2, line 28, delete "*Effective*" and insert "*After*".

Page 2, line 29, delete "1979" and insert "1978".

Page 2, line 29, after "to" insert "*or who have completed*".

Page 3, line 9, delete "1979" and insert "1978".

Page 3, line 9, delete "1980" and insert "1979".

Page 3, line 11, delete "1979" and insert "1978".

Page 3, line 11, delete "1981" and insert "1980".

Page 3, line 13, delete "1979" and insert "1978".

Page 3, line 14, delete "1982" and insert "1981".

Page 3, line 17, after "*commissioner*" insert "*shall adopt rules defining the standards for course and instructor approval, and*".

Page 3, line 17, delete "*and regulations*".

Page 3, after line 18, insert the following:

"Sec. 3. Minnesota Statutes 1976, Section 82.30, Subdivision 1, is amended to read:

82.30 [ADVISORY COUNCIL.] Subdivision 1. There shall be a real estate advisory council of seven members to be appointed by the commissioner of securities. Five members shall be real estate brokers with at least five years experience as licensed real estate brokers in Minnesota and two members shall be public members. They shall meet at the call of the commissioner (,) *on a quarterly basis at publicized sessions and at such other times as the commissioner may deem necessary* and advise and consult with him on all *matters relating to education of licensees, prelicensing requirements, and such other major policy matters relating to the (LICENSING OF REAL ESTATE*

BROKERS IN MINNESOTA) *administration of sections 82.17 to 82.34.* The council shall expire and the terms, compensation, and removal of members shall be as provided in section 15.059.

Sec. 4. Minnesota Statutes 1976, Section 82.34, is amended by adding a subdivision to read:

Subd. 19. The commissioner shall include in the annual report of the commerce commission pursuant to section 45.033, a report on the activities of the real estate education, research and recovery fund; noting the amount of money received by the fund, the amount of money expended and the purposes therefore."

Renumber the sections accordingly.

Further amend the title as follows:

Line 4, after the semicolon insert "authorizing the commissioner to increase license terms;"

Line 5, delete "Section" and insert "Sections 82.20, by adding a subdivision;"

Line 6, before the period insert "; 82.30, Subdivision 1; and 82.34, by adding a subdivision".

With the recommendation that when so amended the bill pass.

The report was adopted.

Hanson from the Committee on Commerce and Economic Development to which was referred:

H. F. No. 156, A bill for an act relating to real property; registration of title thereto; providing for changes in the persons who may register land and in the contents of the application for registration; permitting the registration of appurtenant easements over unregistered land and establishing procedures for such registration; changing the period during which the application shall constitute notice; changing the period for appeal from a final decree and establishing a period for appeal to the supreme court from an order of the district court made after the original registration of land; providing that money judgments may be filed on certificates of title only when the judgment debtor has a registered interest therein; prescribing fees of the registrar for the assurance fund; clarifying the limitation on recovery from the assurance fund; amending Minnesota Statutes 1976, Sections 508.03; 508.04; 508.06; 508.11; 508.23; 508.29; 508.63; 508.74; and 508.78.

Reported the same back with the following amendments:

Pages 10 and 11, delete section 9.

Further amend the title as follows:

Page 1, line 18, delete "clarifying the limitation on".

Page 1, line 19, delete "recovery from the assurance fund;".

Page 1, line 21, after "508.63" delete the semicolon and insert "and".

Page 1, line 21, after "508.74" delete the semicolon.

Page 1, line 22, delete "and 508.78".

With the recommendation that when so amended the bill pass.

The report was adopted.

Hanson from the Committee on Commerce and Economic Development to which was referred:

H. F. No. 242, A bill for an act relating to the department of public service; providing for its proper operation; prescribing certain powers, functions and duties; making certain corrections and improvements; revising procedures for regulation of certain activities; reducing certain fees; increasing certain penalties; amending Minnesota Statutes 1976, Sections 216A.02; 216A.03, Subdivision 5; 216A.05, Subdivision 1; 216A.07; 216B.16, Subdivisions 1 and 2; 216B.53; 231.16; 232.04; 232.06, Subdivision 4; 237.22; 237.29, Subdivision 1; 239.02; 239.07; 239.08; 239.10; 239.12; 239.23; 239.24; and 239.44; repealing Minnesota Statutes 1976, Sections 239.20 and 239.45; and Laws 1975, Chapter 87, Section 5.

Reported the same back with the following amendments:

Pages 3 and 4, delete section 5.

Renumber the sections accordingly.

Page 6, line 25, strike "under oath".

Amend the title as follows:

Page 1, line 10, delete "Subdivisions 1".

Page 1, line 11, delete "and" and insert "Subdivision".

With the recommendation that when so amended the bill pass.

The report was adopted.

Hanson from the Committee on Commerce and Economic Development to which was referred:

H. F. No. 339, A bill for an act relating to transportation construction contracts; providing for small business contracts; amending Minnesota Statutes 1976, Chapter 161, by adding a section.

Reported the same back with the following amendments:

Page 2, line 22, delete "may" and insert "shall" and delete "up to" and insert "at least".

Page 2, line 27, delete "Up to" and insert "Subd. 3. [AWARDS TO MINORITY SMALL BUSINESSES.] At least".

Page 2, line 28, after "awarded" insert ", if possible,".

Page 3, line 1, after the period insert "*Any funds subject to this subdivision which are not awarded according to this subdivision shall be awarded to other small businesses as defined in subdivision 1 (a).*".

Page 3, line 1, before "The" insert "Subd. 4. [AWARDS, LIMITATIONS.]".

Page 3, line 3, delete "this subdivision" and insert "subdivisions 2 and 3".

Page 3, line 8, after "contract" insert "pursuant" and after "to" delete "a".

Page 3, line 9, delete "small business under".

Page 3, line 9, delete "subdivision" and insert "subdivisions".

Page 3, line 9, after "2" insert "and 3".

Renumber the remaining subdivisions in sequence.

With the recommendation that when so amended the bill pass.

The report was adopted.

Hanson from the Committee on Commerce and Economic Development to which was referred:

H. F. No. 681, A bill for an act relating to commerce; providing for state procurement from small business; providing a bonding mechanism for small business; amending Minnesota Statutes 1976, Sections 16.082, by adding a subdivision; and 16.083, Subdivision 2.

Reported the same back with the following amendments:

Page 1, line 11, delete "bonding" and insert "bond".

Page 1, line 11, delete "method of".

Page 1, delete lines 12 to 19 and insert "*bond which designates as principal, guarantor or both a person or persons in addition to the person to whom the contract is proposed for award.*".

With the recommendation that when so amended the bill pass.

The report was adopted.

Hanson from the Committee on Commerce and Economic Development to which was referred:

H. F. No. 772, A bill for an act relating to state contracts; regulating bid and performance bonds for small businesses and minority small businesses; appropriating money; amending Minnesota Statutes 1976, Chapter 574, by adding a section.

Reported the same back with the following amendments:

Page 1, line 18, after "*partially*" delete "*or*".

Page 1, line 19, delete "*wholly*".

Page 2, after line 13 insert "*Subd. 3. [ENCUMBRANCE NOT APPLICABLE.] Agreements of indemnity entered into pursuant to subdivision 1 shall not be subject to encumbrance requirements imposed by other provisions of law.*".

With the recommendation that when so amended the bill pass and be re-referred to the Committee on Appropriations.

The report was adopted.

Munger from the Committee on Environment and Natural Resources to which was referred:

H. F. No. 398, A bill for an act relating to protection of the environment; prohibiting sale of pressurized containers using certain chlorofluorocarbon propellants; prescribing penalties.

Reported the same back with the following amendments:

Page 1, line 16, delete "March" and insert "October".

Page 2, line 6, after "physician," insert "dentist and veterinarian,".

With the recommendation that when so amended the bill pass.

The report was adopted.

SECOND READING OF HOUSE BILLS

H. F. Nos. 40, 156, 242, 339, 681 and 398 were read for the second time.

SECOND READING OF SENATE BILLS

S. F. Nos. 250 and 107 were read for the second time.

INTRODUCTION AND FIRST READING OF HOUSE BILLS

The following House Files were introduced:

Eckstein, Erickson, Peterson, Suss and Stanton introduced:

H. F. No. 958, A bill for an act relating to agriculture; establishing a swine disease research center; appropriating money.

The bill was read for the first time and referred to the Committee on Agriculture.

Arlandson, Hanson, Dahl, Rice and Laidig introduced:

H. F. No. 959, A bill for an act appropriating money for public radio purposes; providing grants for public radio stations serving Minnesota; providing for supervision of grant expenditures.

The bill was read for the first time and referred to the Committee on Appropriations.

Kahn, McCarron, Forsythe, Voss and Norton introduced:

H. F. No. 960, A bill for an act relating to data processing by public bodies; its regulation and control; establishing the Minnesota public data processing board; prescribing its powers and duties; appropriating money; amending Minnesota Statutes 1976, Sections 16.94 and 16.95; repealing Minnesota Statutes 1976, Sections 16.90, Subdivisions 1, 2 and 4; 16.91; and 16.911, Subdivision 2.

The bill was read for the first time and referred to the Committee on Appropriations.

Kahn, Faricy, Norton, Dean and Erickson introduced:

H. F. No. 961, A bill for an act relating to education; data processing; establishing the Minnesota educational computing consortium as a state agency; prescribing powers and duties therefor; repealing Minnesota Statutes 1976, Section 16.93.

The bill was read for the first time and referred to the Committee on Appropriations.

Arlandson, Voss, Dahl, Berg and Searle introduced:

H. F. No. 962, A bill for an act relating to appropriations; abolishing open appropriations for various purposes; providing direct appropriations for debt service and for other purposes previously supported by open appropriations; amending Minnesota Statutes 1976, Sections 16.023; 16A.27; 43.12, Subdivision 11; 84B.07; 136A.08, Subdivisions 1 and 2; 176.183, Subdivision 2; 192.52; 268.06, Subdivision 25; 299D.03, Subdivision 1; 351.11; 352E.02; 481.15, Subdivision 2; and Laws 1973, Chapter 567, Section 7; repealing Minnesota Statutes 1976, Sections 124.23; 136.508; 261.233; 352E.05; 355.31 to 355.39.

The bill was read for the first time and referred to the Committee on Appropriations.

Munger, Norton, Fugina, Carlson, D., and Faricy introduced:

H. F. No. 963, A bill for an act relating to transportation; appropriating money for the operation of Amtrak rail service between the Twin Cities and Duluth.

The bill was read for the first time and referred to the Committee on Appropriations.

Moe, Norton, McCarron, Reding and Biersdorf introduced:

H. F. No. 964, A bill for an act relating to peace officers; establishing the Minnesota peace officers professional standards board; authorizing the board to promulgate standards relating to the conduct of the law enforcement profession; granting the board certain enforcement powers of investigation and action on complaints; appropriating money.

The bill was read for the first time and referred to the Committee on Criminal Justice.

Johnson; Sieben, H.; Smogard; Wenstrom and Biersdorf introduced:

H. F. No. 965, A bill for an act relating to public land surveys; creating a state land surveys board and providing for the employment of a state land surveyor; prescribing the powers and duties of the board and the state land surveyor; authorizing the board to contract with the several counties for the preservation and remonumentation of the United States public land survey; providing for the financing thereof; authorizing the several counties to levy an ad valorem tax to pay their share of the cost; prescribing penalties; and appropriating money; amending Minnesota Statutes 1976, Section 287.21.

The bill was read for the first time and referred to the Committee on Governmental Operations.

Fugina, Murphy, Spanish, Battaglia and Begich introduced:

H. F. No. 966, A bill for an act relating to St. Louis county Independent School District No. 710; providing for separate election districts.

The bill was read for the first time and referred to the Committee on Education.

Stanton; Suss; Carlson, A.; Brandl and Casserly introduced:

H. F. No. 967, A bill for an act relating to education; quality education council; expanding duties and functions; amending Minnesota Statutes 1976, Sections 3.925; 3.926, Subdivision 2; and 3.927.

The bill was read for the first time and referred to the Committee on Education.

Ellingson and Wynia introduced:

H. F. No. 968, A bill for an act relating to the pollution control agency; its powers and duties; prescribing additional enforcement powers with respect to air, land, noise and hazardous waste pollution control; amending Minnesota Statutes 1976, Section 116.07, by adding a subdivision.

The bill was read for the first time and referred to the Committee on Environment and Natural Resources.

Suss, White and McDonald introduced:

H. F. No. 969, A bill for an act relating to hazardous wastes; prohibiting their transportation into this state for disposal; prescribing penalties; amending Minnesota Statutes 1976, Section 116.081, by adding a subdivision.

The bill was read for the first time and referred to the Committee on Environment and Natural Resources.

Biersdorf, Sherwood, Rose, Begich and Munger introduced:

H. F. No. 970, A bill for an act relating to natural resources; amending certain laws concerning minnows; amending Minnesota Statutes 1976, Sections 97.40, Subdivision 27; 97.45, Subdivision 15; 97.55, Subdivision 13; 98.46, Subdivisions 5 and 17; and 101.42, Subdivision 5.

The bill was read for the first time and referred to the Committee on Environment and Natural Resources.

Brinkman, Suss, Wynia and Heinitz introduced:

H. F. No. 971, A bill for an act relating to insurance; providing financial requirements for nonprofit health service plan corporations; amending Minnesota Statutes 1976, Section 62C.09, Subdivision 3.

The bill was read for the first time and referred to the Committee on Financial Institutions and Insurance.

Abeln, Wenzel, McCollar, Williamson and Anderson, G., introduced:

H. F. No. 972, A bill for an act relating to fire and casualty loss insurance companies; termination of agency contracts; requiring certain notice before termination; prescribing civil penalties.

The bill was read for the first time and referred to the Committee on Financial Institutions and Insurance.

McCollar, Abeln, Wenzel, Ewald and Wynia introduced:

H. F. No. 973, A bill for an act relating to insurance agents; requiring one year's notice before termination or nonrenewal of certain agency contracts; prescribing penalties; amending Minnesota Statutes 1976, Section 60A.17, by adding a subdivision.

The bill was read for the first time and referred to the Committee on Financial Institutions and Insurance.

Knickerbocker introduced:

H. F. No. 974, A bill for an act relating to elections; providing for the distribution of public campaign funds; amending Minnesota Statutes 1976, Sections 10A.31, Subdivisions 3, 5, 7, 8 and 10; and 10A.32, Subdivisions 1 and 3; repealing Minnesota Statutes 1976, Sections 10A.30, Subdivision 2; 10A.31, Subdivisions 2, 3a, 6 and 9; and 10A.32, Subdivision 4.

The bill was read for the first time and referred to the Committee on General Legislation and Veterans Affairs.

Beauchamp, Eken, Patton, McEachern and Ewald introduced:

H. F. No. 975, A bill for an act relating to education; state board of education; providing for termination, continuation or reestablishment of the board and for legislative review.

The bill was read for the first time and referred to the Committee on Governmental Operations.

Savelkoul, Laidig, Sieben, M., and Faricy introduced:

H. F. No. 976, A bill for an act relating to courts; increasing mileage allowance for district court judges; amending Minnesota Statutes 1976, Section 484.62.

The bill was read for the first time and referred to the Committee on Governmental Operations.

Lemke; Sieben, H.; Heinitz; Haugerud and Suss introduced:

H. F. No. 977, A bill for an act relating to cosmetology; providing for a change in the compensation for certain board members; amending Minnesota Statutes 1976, Section 155.08.

The bill was read for the first time and referred to the Committee on Governmental Operations.

Wenstrom; Sieben, H.; Corbid; Wenzel and McDonald introduced:

H. F. No. 978, A bill for an act relating to administrative procedures; providing for water resource and conservation hearings to be held in accordance with the administrative procedure act; amending Minnesota Statutes 1976, Sections 105.44, Subdivisions 3, 5, 6, 7 and 8; 105.45; 105.461; and 105.78; repealing Minnesota Statutes 1976, Section 105.47.

The bill was read for the first time and referred to the Committee on Governmental Operations.

Jaros, Spanish, Murphy, Lehto and Berkelman introduced:

H. F. No. 979, A bill for an act relating to state lands; authorizing the conveyance by the state of certain lands in St. Louis county.

The bill was read for the first time and referred to the Committee on Governmental Operations.

Scheid; Carlson, L.; Anderson, B.; Waldorf and Wenstrom introduced:

H. F. No. 980, A bill for an act relating to public health; regulations for the preservation of public health; authorizing the state board of health to regulate the establishment, operation and maintenance of certain non-hospital clinical laboratories; amending Minnesota Statutes 1976, Section 144.12, Subdivision 1.

The bill was read for the first time and referred to the Committee on Health and Welfare.

Carlson, L.; Swanson; Langseth; Berglin and Kvam introduced:

H. F. No. 981, A bill for an act relating to health; health maintenance organizations; requiring health maintenance organizations to permit optometrists to provide services to enrollees; amending Minnesota Statutes 1976, Section 62D.12, by adding a subdivision.

The bill was read for the first time and referred to the Committee on Health and Welfare.

Carlson, L.; Wenstrom; Simoneau; Kaley and Enebo introduced:

H. F. No. 982, A bill for an act relating to labor; prohibiting the use of certain detection devices; providing a penalty.

The bill was read for the first time and referred to the Committee on Labor-Management Relations.

Biersdorf, Sarna, St. Onge, Metzen and Wigley introduced:

H. F. No. 983, A bill for an act relating to occupational safety and health; providing that no penalty be assessed if a violation is corrected within ten days of receipt of notice of the violation; amending Minnesota Statutes 1976, Section 182.661, Subdivision 1.

The bill was read for the first time and referred to the Committee on Labor-Management Relations.

Scheid, Searles, Waldorf and Ellingson introduced:

H. F. No. 984, A bill for an act relating to municipalities; detachment and annexation proceedings; clarifying petition requirements in proceedings involving portions of municipalities surrounded by other municipalities; amending Minnesota Statutes 1976, Section 414.061, Subdivision 4.

The bill was read for the first time and referred to the Committee on Local and Urban Affairs.

Fugina introduced:

H. F. No. 985, A bill for an act relating to special acts passed in accordance with the Constitution, Article XII, Section 2; requiring local approval in certain cases; amending Minnesota Statutes 1976, Sections 645.021 and 645.023, Subdivision 1.

The bill was read for the first time and referred to the Committee on Local and Urban Affairs.

Fugina and Munger introduced:

H. F. No. 986, A bill for an act relating to the port authority of Duluth; expanding the membership of the port authority to nine commissioners.

The bill was read for the first time and referred to the Committee on Local and Urban Affairs.

Berkelman, Lehto, Jaros and Munger introduced:

H. F. No. 987, A bill for an act relating to seaway port authorities; personnel; contracts; authorizing port authorities to employ a certified public accountant to audit the books of the authority and authorizing the state auditor to accept such audits in lieu of his audit; amending Minnesota Statutes 1976, Section 458.18.

The bill was read for the first time and referred to the Committee on Local and Urban Affairs.

Jaros, Lehto, Berkelman and Munger introduced:

H. F. No. 988, A bill for an act relating to the city of Duluth; authorizing the establishment and administration of a city housing finance program and expenditures for the purpose; providing for the issuance of revenue bonds.

The bill was read for the first time and referred to the Committee on Local and Urban Affairs.

Jaros, Lehto and Munger introduced:

H. F. No. 989, A bill for an act relating to port authorities; increasing the compensation of commissioners for attending regular and special meetings; eliminating the annual limitation on such compensation; amending Minnesota Statutes 1976, Section 458.195, Subdivision 3.

The bill was read for the first time and referred to the Committee on Local and Urban Affairs.

Novak, Simoneau and Sieben, M., introduced:

H. F. No. 990, A bill for an act relating to municipal government; increasing the statute of limitations on tort claims brought against a municipality; amending Minnesota Statutes 1976, Section 466.05, Subdivision 1.

The bill was read for the first time and referred to the Committee on Local and Urban Affairs.

Hanson, Cohen and Norton introduced:

H. F. No. 991, A bill for an act relating to tax forfeited land; amending Minnesota Statutes 1976, Section 282.01, Subdivision 1.

The bill was read for the first time and referred to the Committee on Local and Urban Affairs.

Scheid, McCollar, Stoa, Anderson, B., and Jensen introduced:

H. F. No. 992, A bill for an act relating to taxation; altering requirements for income adjusted homestead credit; eliminating local debt exclusion from homestead credit calculation; increasing acreage available for agricultural homesteads and the minimum acreage for agricultural homestead; increasing the agricultural mill rate credit; increasing the distribution of local government aid; appropriating money; amending Minnesota Statutes 1976, Sections 273.13, Subdivisions 6 and 7; 273.132; 290A.03, Subdivisions 6, 8 and 13; 477A.01, Subdivisions 1, 2, 4, 4a and 4b, and by adding a subdivision; and 477A.03; and Laws 1976, Chapter 334, Section 21; repealing Minnesota Statutes 1976, Section 477A.01, Subdivision 3.

The bill was read for the first time and referred to the Committee on Taxes.

Abeln; Tomlinson; Kempe, A.; Pleasant and Jaros introduced:

H. F. No. 993, A bill for an act relating to taxation; providing an alternative tax on liquor in metric containers; authorizing commissioner of revenue to order metric conversion; increasing bonding requirements; defining certain responsibilities of commissioners of public safety and revenue; amending Minnesota Statutes 1976, Sections 299A.02, Subdivision 1; 340.44; 340.47, by adding subdivisions; 340.485, Subdivisions 1 and 2; 340.51; 340.54, Subdivision 1; and 340.55.

The bill was read for the first time and referred to the Committee on Taxes.

Pehler; Evans; Kempe, A.; Kvam and Tomlinson introduced:

H. F. No. 994, A bill for an act relating to taxation; altering income calculation and qualifications for being claimant for income-adjusted homestead credit; amending Minnesota Statutes 1976, Sections 290A.03, Subdivisions 3, 7, and 8; and 290A.05.

The bill was read for the first time and referred to the Committee on Taxes.

Fugina and Begich introduced:

H. F. No. 995, A bill for an act relating to taxation; defining "ton" for certain purposes; amending Minnesota Statutes 1976, Chapter 298, by adding a section.

The bill was read for the first time and referred to the Committee on Taxes.

Rose, Hanson, Johnson, Evans and Pehler introduced:

H. F. No. 996, A bill for an act relating to taxation; providing for the deduction of post secondary educational expenses from gross income for income tax purposes; amending Minnesota Statutes 1976, Section 290.09, by adding a subdivision.

The bill was read for the first time and referred to the Committee on Taxes.

Fugina and Begich introduced:

H. F. No. 997, A bill for an act relating to taxation; providing an increased tax levy for certain school districts containing taconite lands and plants; amending Minnesota Statutes 1976, Section 275.125, Subdivision 9a.

The bill was read for the first time and referred to the Committee on Taxes.

Fugina and Begich introduced:

H. F. No. 998, A bill for an act relating to taxation; providing for an increase tax levy in certain school districts in which taconite is mined or concentrated; amending Minnesota Statutes 1976, Section 275.125, Subdivision 2a.

The bill was read for the first time and referred to the Committee on Taxes.

Jaros, Lehto, Berkelman and Munger introduced:

H. F. No. 999, A bill for an act relating to the city of Duluth; authorizing the imposition of an additional tax on certain sales of food and drink; amending Laws 1973, Chapter 461, Section 1.

The bill was read for the first time and referred to the Committee on Taxes.

Tomlinson; Kempe, A.; Jaros; Skoglund and Pleasant introduced:

H. F. No. 1000, A bill for an act relating to taxation; changing homestead base value for homesteads owned by certain disabled persons; amending Minnesota Statutes 1976, Section 273.122, Subdivision 1.

The bill was read for the first time and referred to the Committee on Taxes.

Berkelman, Ellingson and Novak introduced:

H. F. No. 1001, A bill for an act relating to highway traffic regulations; accidents; requiring certain information to be given; amending Minnesota Statutes 1976, Section 169.09, Subdivision 3.

The bill was read for the first time and referred to the Committee on Transportation.

Cummiskey and Stanton introduced:

H. F. No. 1002, A bill for an act relating to transportation; public transit aid recipients; exempting recipients of aid from certain regulations of the public service commission.

The bill was read for the first time and referred to the Committee on Transportation.

Lemke; Anderson, I.; Sarna; Birnstihl and Fudro introduced:

H. F. No. 1003, A bill for an act relating to motor vehicles; licensing and taxation; providing for biennial payment of the tax assessed on trailers; dimensional specifications for trailer number plates; amending Minnesota Statutes 1976, Sections 168.013, Subdivision 1d; and 168.12.

The bill was read for the first time and referred to the Committee on Transportation.

Moe, Battaglia, Clark and Novak introduced:

H. F. No. 1004, A bill for an act relating to worker's compensation; including legislators in coverage; requiring owners to elect non-coverage; increasing benefit levels; vesting certain benefits; excluding certain employment; regulating attorney's fees; providing for depending surviving spouses; providing for supplemental benefits; altering notice requirements; providing for adjustments to benefit payments; amending Minnesota Statutes 1976, Sections 176.011, Subdivisions 9 and 11a; 176.012; 176.021, Subdivision 3; 176.041, Subdivision 1; 176.051; 176.081, Subdivisions 1 and 2; 176.101; 176.111, Subdivisions 11 and 21; 176.132, Subdivision 1; 176.141; 176.215, by adding a subdivision; 176.221, Subdivision 1; 176.511, Subdivision 3; 176.645; and Chapter 176, by adding a section; repealing Minnesota Statutes 1976, Sections 79.30 and 176.185, Subdivision 8.

The bill was read for the first time and referred to the Committee on Governmental Operations.

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Mr. Speaker:

I hereby announce the passage by the Senate of the following House File, herewith returned, as amended by the Senate, in which amendment the concurrence of the House is respectfully requested:

H. F. No. 38, A bill for an act relating to housing; providing statutory warranties on the sale of new housing; establishing a cause of action for breach of warranty; providing remedies; amending Minnesota Statutes 1976, Section 541.051, by adding a subdivision.

PATRICK E. FLAHAVER, Secretary of the Senate

Sieben, M., moved that the House refuse to concur in the Senate amendments to H. F. No. 38, that the Speaker appoint a Conference Committee of 3 members of the House, and that

the House requests that a like committee be appointed by the Senate to confer on the disagreeing votes of the two Houses. The motion prevailed.

Mr. Speaker :

I hereby announce the passage by the Senate of the following House File, herewith returned :

H. F. No. 511, A bill for an act relating to the state transportation system; correcting conditions of a bond authorization; amending Laws 1976, Chapter 339, Section 3.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker :

I hereby announce the adoption by the Senate of the following Senate Concurrent Resolution, herewith transmitted :

Senate Concurrent Resolution No. 7, A Concurrent Resolution relating to joint rules; providing for joint rules for the Legislature of the State of Minnesota.

PATRICK E. FLAHAVEN, Secretary of the Senate

Senate Concurrent Resolution No. 7 was referred to the Committee on Rules and Legislative Administration.

Mr. Speaker :

I hereby announce the passage by the Senate of the following Senate File, herewith transmitted :

S. F. No. 377.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker :

I hereby announce the passage by the Senate of the following Senate File, herewith transmitted :

S. F. No. 456.

PATRICK E. FLAHAVEN, Secretary of the Senate

FIRST READING OF SENATE BILLS

S. F. No. 377, A bill for an act relating to credit union mergers; clarifying membership for merged credit unions; amending Minnesota Statutes 1976, Section 52.203.

The bill was read for the first time and referred to the Committee on Financial Institutions and Insurance.

S. F. No. 456, A bill for an act relating to elections; allowing municipalities to open polling places at 6:00 a.m.; amending Minnesota Statutes 1976, Section 204A.05, Subdivision 1.

The bill was read for the first time and referred to the Committee on General Legislation and Veterans Affairs.

ANNOUNCEMENT BY THE SPEAKER

The Speaker announced the appointment of the following members of the House to the Conference Committee on H. F. No. 38:

Sieben, M.; Faricy and Pleasant.

CONSENT CALENDAR

H. F. No. 672, A bill for an act relating to insurance; providing for determination of the participation ratio; providing for higher limits of liability coverage and uninsured motorist coverage; amending Minnesota Statutes 1976, Sections 65B.02, Subdivision 7; 65B.06, Subdivision 2; and 65B.49, Subdivision 6.

The bill was read for the third time and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 119 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Abeln	Carlson, L.	George	Laidig	Pehler
Adams	Casserly	Gunter	Lehto	Peterson
Albrecht	Clark	Hanson	Lemke	Petraffeso
Anderson, B.	Clawson	Haugerud	Mangan	Pleasant
Anderson, D.	Cohen	Heinitz	Mann	Prahl
Anderson, G.	Cummiskey	Hokanson	McCarron	Reding
Anderson, I.	Dahl	Jacobs	McCollar	Rose
Anderson, R.	Dean	Jaros	McEachern	St. Onge
Arlandson	Den Ouden	Jensen	Metzen	Samuelson
Battaglia	Eckstein	Jude	Moe	Sarna
Begich	Ellingson	Kahn	Munger	Scheid
Berg	Enebo	Kaley	Murphy	Schulz
Berglin	Erickson	Kalis	Neisen	Sherwood
Berkelman	Esau	Kelly, R.	Nelsen, B.	Sieben, H.
Biersdorf	Evans	Kelly, W.	Nelsen, M.	Sieben, M.
Birnstihl	Ewald	Kempe, A.	Nelson	Simoneau
Brandl	Faricy	Kempe, R.	Njehaus	Skoglund
Brinkman	Fjoslien	King	Norton	Smogard
Byrne	Forsythe	Knickerbocker	Novak	Spanish
Carlson, A.	Friedrich	Kostohryz	Osthoff	Stoa
Carlson, D.	Fudro	Kvam	Patton	Suss

Swanson	Waldorf	Wenzel	Wigley	Zubay
Vanasek	Welch	White	Williamson	Speaker Sabo
Voss	Wenstrom	Wieser	Wynia	

The bill was passed and its title agreed to.

H. F. No. 675, A bill for an act relating to insurance; changing the filing date for annual statements of township mutual companies; changing limitations on property insurable by township mutual companies; changing limitations on investments by township mutual companies; amending Minnesota Statutes 1976, Sections 67A.11, Subdivision 3; 67A.14, Subdivisions 1 and 5; and 67A.23.

The bill was read for the third time and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 121 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Abein	Clark	Jacobs	Moe	Sieben, M.
Adams	Clawson	Jaros	Munger	Simoneau
Albrecht	Cohen	Jensen	Murphy	Skoglund
Anderson, B.	Cummiskey	Jude	Neisen	Smogard
Anderson, D.	Dahl	Kahn	Nelsen, B.	Spanish
Anderson, G.	Dean	Kaley	Nelsen, M.	Stoa
Anderson, I.	Den Ouden	Kalis	Nelson	Suss
Anderson, R.	Eckstein	Kelly, R.	Niehaus	Swanson
Arlandson	Ellingson	Kelly, W.	Norton	Vanasek
Battaglia	Enebo	Kempe, A.	Novak	Voss
Beauchamp	Erickson	Kempe, R.	Osthoff	Waldorf
Begich	Esau	King	Patton	Welch
Berg	Evans	Knickerbocker	Pehler	Wenstrom
Berglin	Ewald	Kostohryz	Peterson	Wenzel
Berkelman	Faricy	Kvam	Petrafeso	White
Biersdorf	Fjoslien	Laidig	Pleasant	Wieser
Birnstihl	Forsythe	Lehto	Prahl	Wigley
Brandl	Friedrich	Lemke	Reding	Williamson
Braun	Fudro	Mangan	Rose	Wynia
Brinkman	George	Mann	St. Onge	Zubay
Byrne	Gunter	McCarron	Sarna	Speaker Sabo
Carlson, A.	Hanson	McCollar	Scheid	
Carlson, D.	Haugerud	McDonald	Schulz	
Carlson, L.	Heinitz	McEachern	Sherwood	
Casserly	Hokanson	Metzen	Sieben, H.	

The bill was passed and its title agreed to.

H. F. No. 300, A bill for an act relating to elections; removing a provision for special hours during which registration locations must be open; amending Minnesota Statutes 1976, Section 201.091, Subdivision 6.

The bill was read for the third time and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 121 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Abeln	Cohen	Jensen	Murphy	Simoneau
Adams	Corbid	Jude	Neisen	Skoglund
Albrecht	Cummiskey	Kahn	Nelsen, B.	Smogard
Anderson, B.	Dahl	Kaley	Nelsen, M.	Spanish
Anderson, D.	Dean	Kalis	Nelson	Stanton
Anderson, G.	Den Ouden	Kelly, R.	Niehaus	Stoa
Anderson, I.	Eckstein	Kelly, W.	Norton	Suss
Anderson, R.	Ellingson	Kempe, A.	Novak	Swanson
Arlandson	Enebo	Kempe, R.	Osthoff	Vanasek
Battaglia	Erickson	King	Patton	Voss
Beauchamp	Esau	Knickerbocker	Pehler	Waldorf
Begich	Ewald	Kostohryz	Peterson	Welch
Berglin	Farcy	Kvam	Petrafeso	Wenstrom
Berkelman	Fjoslien	Laidig	Pleasant	Wenzel
Biersdorf	Forsythe	Lehto	Prahl	White
Birnstihl	Friedrich	Lemke	Reding	Wieser
Braun	Fudro	Mangan	Rose	Wigley
Brinkman	George	Mann	St. Onge	Williamson
Byrne	Gunter	McCarron	Samuelson	Wynia
Carlson, A.	Hanson	McCollar	Sarna	Zubay
Carlson, D.	Haugerud	McDonald	Scheid	Speaker Sabo
Carlson, L.	Heinitz	McEachern	Schulz	
Casserly	Hokanson	Metzen	Sherwood	
Clark	Jacobs	Moe	Sieben, H.	
Clawson	Jaros	Munger	Sieben, M.	

The bill was passed and its title agreed to.

H. F. No. 56, A bill for an act relating to children; providing visitation rights to minor children in certain cases; amending Minnesota Statutes 1976, Section 257.022, Subdivision 2.

The bill was read for the third time and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 123 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Abeln	Biersdorf	Dahl	George	Kempe, A.
Adams	Birnstihl	Dean	Gunter	Kempe, R.
Albrecht	Brandl	Den Ouden	Hanson	King
Anderson, B.	Braun	Eckstein	Haugerud	Knickerbocker
Anderson, D.	Brinkman	Ellingson	Heinitz	Kostohryz
Anderson, G.	Byrne	Enebo	Hokanson	Kvam
Anderson, I.	Carlson, A.	Erickson	Jacobs	Laidig
Anderson, R.	Carlson, D.	Esau	Jaros	Lehto
Arlandson	Carlson, L.	Evans	Jensen	Lemke
Battaglia	Casserly	Ewald	Jude	Mangan
Beauchamp	Clark	Farcy	Kahn	Mann
Begich	Clawson	Fjoslien	Kaley	McCarron
Berg	Cohen	Forsythe	Kalis	McCollar
Berglin	Corbid	Friedrich	Kelly, R.	McDonald
Berkelman	Cummiskey	Fudro	Kelly, W.	Metzen

Moe	Osthoff	Samuelson	Spanish	Wenzel
Munger	Patton	Sarna	Stanton	White
Murphy	Pehler	Scheid	Stoa	Wieser
Neisen	Peterson	Schulz	Suss	Wigley
Nelsen, B.	Petrafeso	Sherwood	Swanson	Williamson
Nelsen, M.	Pleasant	Sieben, H.	Vanasek	Wynia
Nelson	Prahl	Sieben, M.	Voss	Zubay
Niehaus	Reding	Simoneau	Waldorf	Speaker Sabo
Norton	Rose	Skoglund	Welch	
Novak	St. Onge	Smogard	Wenstrom	

The bill was passed and its title agreed to.

H. F. No. 168, A bill for an act relating to Yellow Medicine county; authorizing participation in a mental health services program outside its region.

The bill was read for the third time and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 124 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Abeln	Clark	Hokanson	Metzen	Sherwood
Adams	Clawson	Jacobs	Moe	Sieben, H.
Albrecht	Cohen	Jaros	Munger	Sieben, M.
Anderson, B.	Corbid	Jensen	Murphy	Simoneau
Anderson, D.	Cummiskey	Jude	Neisen	Skoglund
Anderson, G.	Dahl	Kahn	Nelsen, B.	Smogard
Anderson, I.	Dean	Kaley	Nelsen, M.	Spanish
Anderson, R.	Den Ouden	Kalis	Nelson	Stanton
Arlandson	Eckstein	Kelly, R.	Niehaus	Stoa
Battaglia	Ellingson	Kelly, W.	Norton	Suss
Beauchamp	Enebo	Kempe, A.	Novak	Swanson
Begich	Erickson	Kempe, R.	Osthoff	Vanasek
Berg	Esau	King	Patton	Voss
Berglin	Evans	Knickerbocker	Pehler	Waldorf
Berkelman	Ewald	Kostohryz	Peterson	Welch
Biersdorf	Faricy	Kvam	Petrafeso	Wenstrom
Birnstihl	Fjoslien	Laidig	Pleasant	Wenzel
Brandl	Forsythe	Lehto	Prahl	White
Braun	Friedrich	Lemke	Reding	Wieser
Brinkman	Fudro	Mangan	Rose	Wigley
Byrne	George	Mann	St. Onge	Williamson
Carlson, A.	Gunter	McCarron	Samuelson	Wynia
Carlson, D.	Hanson	McCollar	Sarna	Zubay
Carlson, L.	Haugerud	McDonald	Scheid	Speaker Sabo
Casserly	Heinitz	McEachern	Schulz	

The bill was passed and its title agreed to.

H. F. No. 319, A bill for an act relating to daytime activity centers; renaming them developmental achievement centers; making the necessary revisions in Minnesota Statutes; amending Minnesota Statutes 1976, Sections 123.39, Subdivision 13; 252.21; 252.22; 252.23; 252.24; 252.25; and 252.26.

The bill was read for the third time and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 115 yeas and 6 nays as follows:

Those who voted in the affirmative were:

Abeln	Casserly	Haugerud	McCollar	Sarna
Adams	Clark	Heinitz	McEachern	Scheid
Albrecht	Clawson	Hokanson	Metzen	Schulz
Anderson, B.	Cohen	Jacobs	Moe	Sherwood
Anderson, D.	Corbid	Jaros	Munger	Sieben, H.
Anderson, G.	Cummiskey	Jensen	Murphy	Sieben, M.
Anderson, I.	Dahl	Jude	Neisen	Skoglund
Anderson, R.	Dean	Kahn	Nelsen, B.	Smogard
Arlandson	Den Ouden	Kaley	Nelsen, M.	Spanish
Battaglia	Eckstein	Kalis	Nelson	Stanton
Beauchamp	Ellingson	Kelly, R.	Niehaus	Stoa
Begich	Erickson	Kelly, W.	Norton	Suss
Berg	Esau	Kempe, A.	Novak	Swanson
Berglin	Evans	Kempe, R.	Osthoff	Voss
Berkelman	Ewald	King	Patton	Waldorf
Birnstihl	Farley	Knickerbocker	Peterson	Welch
Brandl	Fjoslien	Kostohryz	Petrafero	Wenstrom
Braun	Forsythe	Kvam	Pleasant	Wenzel
Brinkman	Friedrich	Laidig	Prahl	Wieser
Byrne	Fudro	Lehto	Reding	Wigley
Carlson, A.	George	Lemke	Rose	Williamson
Carlson, D.	Gunter	Mangan	St. Onge	Wynia
Carlson, L.	Hanson	Mann	Samuelson	Zubay

Those who voted in the negative were:

Biersdorf	McDonald	Vanasek	White	Speaker Sabo
Enebo				

The bill was passed and its title agreed to.

H. F. No. 148, A bill for an act relating to the city of Minneapolis; selection of supervisor of license inspection for the Minneapolis police department; establishing minimum qualifications; amending Laws 1961, Chapter 108, Section 2, as amended.

The bill was read for the third time and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 123 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Abeln	Anderson, D.	Arlandson	Berg	Birnstihl
Adams	Anderson, G.	Battaglia	Berglin	Brandl
Albrecht	Anderson, I.	Beauchamp	Berkelman	Braun
Anderson, B.	Anderson, R.	Begich	Biersdorf	Brinkman

Byrne	Forsythe	Knickerbocker	Norton	Smogard
Carlson, A.	Friedrich	Kostohryz	Novak	Spanish
Carlson, D.	Fudro	Kvam	Osthoff	Stanton
Carlson, L.	George	Laidig	Patton	Stoa
Casserly	Gunter	Lehto	Pehler	Suss
Clark	Hanson	Lemke	Peterson	Swanson
Clawson	Haugerud	Mangan	Petrafeso	Vanasek
Cohen	Heinitz	Mann	Pleasant	Voss
Corbid	Hokanson	McCarron	Prahl	Waldorf
Cummiskey	Jacobs	McCollar	Reding	Welch
Dahl	Jaros	McDonald	Rose	Wenstrom
Dean	Jensen	McEachern	St. Onge	Wenzel
Den Ouden	Jude	Metzen	Samuelson	White
Eckstein	Kahn	Moe	Sarna	Wieser
Ellingson	Kaley	Munger	Scheid	Wigley
Enebo	Kalis	Murphy	Schulz	Williamson
Esau	Kelly, R.	Neisen	Sherwood	Wynia
Evans	Kelly, W.	Nelsen, B.	Sieben, H.	Zubay
Ewald	Kempe, A.	Nelsen, M.	Sieben, M.	Speaker Sabo
Faricy	Kempe, R.	Nelson	Simoneau	
Fjoslien	King	Niehaus	Skoglund	

The bill was passed and its title agreed to.

Anderson, R., was excused at 2:30 p.m. McCarron was excused between the hours of 3:25 and 4:30 p.m. and Ewald was excused at 4:00 p.m.

GENERAL ORDERS

Pursuant to rules of the House, the House resolved itself into the Committee of the Whole, with Sabo in the Chair, for the consideration of bills pending on General Orders of the Day. After some time spent therein the Committee arose.

REPORT OF COMMITTEE OF THE WHOLE

The Speaker resumed the Chair, whereupon the following proceedings of the Committee as kept by the Chief Clerk were reported to the House:

H. F. Nos. 57, 166, 439, 231, 562, 621, 261, 262, 301, 636 and 229 which it recommended to pass.

S. F. Nos. 183, 107 and 21 which it recommended to pass.

H. F. Nos. 82 and 332 which it recommended progress.

S. F. No. 201 which it recommended progress.

H. F. No. 531 which it recommended to pass with the following amendment offered by Carlson, D.:

Page 1, line 16, delete "drought" and insert "weather".

Further, amend the title on line 3 by striking "drought" and inserting "federal disaster".

H. F. No. 586 which it recommended to pass with the following amendment offered by Kelly, W.:

Page 5, line 21, delete "or" and insert a comma.

Page 5, line 22, after "number" insert ", or business identification number".

H. F. No. 188 which it recommended to pass with the following amendment offered by Kempe, A.:

Page 1, line 14, after "vacated" insert "*for the defendant has not within 15 days of such forfeiture secured from the court the reinstatement of the trial*".

On the motion of Anderson, I., the report of the Committee of the Whole was adopted.

ROLL CALLS IN COMMITTEE OF THE WHOLE

Pursuant to rule 1.6, the following roll calls were taken in the Committee of the Whole:

Peterson moved to amend H. F. No. 562 as follows:

Page 1, line 8, delete "manufacturer" and insert "Minnesota dealer".

Page 1, line 11, delete "delivery" and insert "sale".

Page 1, line 12, delete "dealer, or at or prior to the introduction date of".

Page 1, line 13, delete.

Page 1, line 14, delete "introduction date,".

Page 1, line 12, after "Minnesota" insert "purchaser,".

Page 1, line 15, delete "manufacturer" and insert "Minnesota dealer".

The question was taken on the adoption of the amendment and the roll was called. There were 45 yeas and 64 nays as follows:

Those who voted in the affirmative were:

Albrecht	Eckstein	Heinitz	McDonald	Schulz
Anderson, B.	Erickson	Kaley	Murphy	Smogard
Carlson, A.	Esau	Kempe, A.	Nelsen, B.	Suss
Carlson, D.	Evans	Kempe, R.	Niehaus	Tomlinson
Clawson	Ewald	King	Peterson	Wenstrom
Cohen	Fjoslien	Laidig	Pleasant	White
Cummiskey	Forsythe	Langseth	Reding	Wieser
Dean	Friedrich	Mangan	Rose	Wigley
Den Ouden	Haugerud	Mann	Samuelson	Zubay

Those who voted in the negative were:

Abeln	Brinkman	Jacobs	Munger	Sieben, M.
Adams	Byrne	Jaros	Neisen	Skoglund
Anderson, D.	Carlson, L.	Jensen	Nelsen, M.	Stanton
Anderson, G.	Casserly	Kahn	Nelson	Stoa
Anderson, I.	Clark	Kelly, R.	Novak	Swanson
Arlandson	Ellingson	Kelly, W.	Osthoff	Vanasek
Battaglia	Enebo	Kostohryz	Pehler	Voss
Beauchamp	Faricy	Kvam	Petrafeso	Waldorf
Begich	Fudro	Lehto	Prahl	Welch
Berglin	George	McCarron	Sarna	Wenzel
Berkelman	Gunter	McCollar	Scheid	Wynia
Brandl	Hanson	Metzen	Sherwood	Speaker Sabo
Braun	Hokanson	Moe	Sieben, H.	

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

Nelsen, B., moved to amend H. F. No. 562 as follows:

Page 1, line 9, strike "9,000" and insert "6,000".

Page 2, line 4, strike "9,000" and insert "6,000".

The question was taken on the adoption of the amendment and the roll was called. There were 36 yeas and 79 nays as follows:

Those who voted in the affirmative were:

Albrecht	Esau	Kaley	Niehaus	Wenzel
Anderson, D.	Evans	Knickerbocker	Patton	Wieser
Anderson, G.	Ewald	Kvam	Peterson	Wigley
Biersdorf	Fjoslien	Laidig	Reding	Zubay
Carlson, D.	Forsythe	Langseth	Rose	
Corbid	Friedrich	Mann	Samuelson	
Den Ouden	Gunter	McDonald	Smogard	
Erickson	Haugerud	Nelsen, B.	Wenstrom	

Those who voted in the negative were:

Abeln	Berglin	Cohen	Hokanson	Kempe, A.
Adams	Berkelman	Dean	Jacobs	Kempe, R.
Anderson, B.	Birnstihl	Eckstein	Jaros	King
Anderson, I.	Braun	Ellingson	Jensen	Kostohryz
Arlandson	Byrne	Enebo	Jude	Lehto
Battaglia	Carlson, L.	Faricy	Kahn	Lemke
Beauchamp	Casserly	Fudro	Kalis	Mangan
Begich	Clark	George	Kelly, R.	McCarron
Berg	Clawson	Hanson	Kelly, W.	McCollar

Metzen	Norton	Scheid	Stanton	Waldorf
Moe	Novak	Schulz	Stoa	Welch
Munger	Osthoff	Sherwood	Suss	White
Murphy	Pehler	Sieben, H.	Swanson	Williamson
Neisen	Petrafeso	Sieben, M.	Tomlinson	Wynia
Nelsen, M.	Prahl	Simoneau	Vanasek	Speaker Sabo
Nelson	Sarna	Skoglund	Voss	

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

The question was taken on the Osthoff motion to re-refer H. F. No. 229 to the Committee on General Legislation and Veterans Affairs and the roll was called. There were 11 yeas and 97 nays as follows:

Those who voted in the affirmative were:

Anderson, G.	Eckstein	Jensen	McCollar	St. Onge
Begich	Fjoslien	Kostohryz	Osthoff	Williamson
Birnstihl				

Those who voted in the negative were:

Abeln	Dahl	Kahn	Neisen	Smogard
Adams	Dean	Kaley	Nelsen, M.	Stanton
Anderson, B.	Den Ouden	Kelly, R.	Nelson	Stoa
Anderson, D.	Ellingson	Kelly, W.	Niehaus	Suss
Anderson, R.	Enebo	Kempe, A.	Norton	Swanson
Arlandson	Erickson	Kempe, R.	Novak	Tomlinson
Battaglia	Esau	King	Patton	Vanasek
Beauchamp	Evans	Knickerbocker	Pehler	Voss
Berkelman	Faricy	Laidig	Peterson	Waldorf
Brandl	Forsythe	Langseth	Petrafeso	Welch
Braun	Friedrich	Lehto	Pleasant	Wenstrom
Byrne	Fudro	Lemke	Rose	Wenzel
Carlson, A.	George	Mangan	Samuelson	White
Carlson, D.	Gunter	Mann	Sarna	Wieser
Carlson, L.	Hanson	McCarron	Scheid	Wynia
Casserly	Haugerud	McDonald	Schulz	Zubay
Clark	Hokanson	McEachern	Sherwood	Speaker Sabo
Clawson	Jacobs	Metzen	Sieben, H.	
Corbid	Jaros	Moe	Sieben, M.	
Cummiskey	Jude	Munger	Skoglund	

The motion did not prevail.

MOTIONS AND RESOLUTIONS

Sieben, M., moved that the name of Sarna be added as an author on H. F. No. 56. The motion prevailed.

Carlson, A., moved that the name of Berkelman be added as chief author; the name of Carlson, A., be shown as second author; and the names of Casserly, Pehler and Wenstrom be added as authors on H. F. No. 35. The motion prevailed.

Carlson, A., moved that the name of Berkelman be added as chief author; the name of Carlson, A., be shown as second author; and the names of Wenstrom, Evans, and Pehler be added as authors on H. F. No. 36. The motion prevailed.

Stoa introduced:

House Resolution No. 9, A house resolution congratulating the Winona Cotter High School basketball team on winning the state boys High School Basketball Tournament.

The resolution was referred to the Committee on Rules and Legislative Administration.

Kaley, Zubay, Friedrich and Lemke introduced:

House Resolution No. 10, A house resolution congratulating the Rochester John Marshall High School hockey team on winning the state High School Hockey Tournament.

The resolution was referred to the Committee on Rules and Legislative Administration.

ANNOUNCEMENT BY THE SPEAKER

The Speaker announced the following changes in House Standing Committee assignments:

Environment and Natural Resources: strike the name of Cohen.

Governmental Operations: add the name of Cohen.

Commerce and Economic Development: add the name of Den Ouden.

Education: add the name of Den Ouden.

Transportation: add the name of Den Ouden.

ADJOURNMENT

Anderson, I., moved that when the House adjourns today it adjourn until 2:00 p.m., Thursday, March 24, 1977. The motion prevailed.

Anderson, I., moved that the House adjourn. The motion prevailed, and the Speaker declared the House stands adjourned until 2:00 p.m., Thursday, March 24, 1977.

EDWARD A. BURDICK, Chief Clerk, House of Representatives

STATE OF MINNESOTA
SEVENTIETH SESSION - 1977

TWENTY-SIXTH DAY

SAINT PAUL, MINNESOTA, THURSDAY, MARCH 24, 1977

The House of Representatives convened at 2:00 p.m. and was called to order by the Speaker.

Prayer was offered by the Chaplain.

The roll was called and the following members were present:

Abeln	Cohen	Jensen	Munger	Sherwood
Adams	Corbid	Johnson	Murphy	Sieben, H.
Albrecht	Cummiskey	Jude	Neisen	Sieben, M.
Anderson, B.	Dahl	Kahn	Nelsen, B.	Simoneau
Anderson, D.	Dean	Kaley	Nelsen, M.	Skoglund
Anderson, G.	Den Ouden	Kalis	Nelson	Smogard
Anderson, I.	Eckstein	Kelly, R.	Niehaus	Spanish
Anderson, R.	Eken	Kelly, W.	Norton	Stanton
Arlandson	Ellingson	Kempe, A.	Novak	Stoa
Battaglia	Enebo	Kempe, R.	Osthoff	Suss
Beauchamp	Erickson	King	Patton	Swanson
Begich	Esau	Knickerbocker	Pehler	Tomlinson
Berg	Evans	Kostohryz	Peterson	Vanasek
Berglin	Ewald	Kroening	Petrafeso	Waldorf
Berkelman	Faricy	Kvam	Pleasant	Welch
Biersdorf	Fjoslien	Laidig	Prahl	Wenstrom
Birnstihl	Forsythe	Langseth	Reding	Wenzel
Brandl	Friedrich	Lehto	Rice	White
Braun	Fudro	Lemke	Rose	Wieser
Brinkman	Fugina	Mangan	St. Onge	Wigley
Byrne	George	Mann	Samuelson	Williamson
Carlson, A.	Gunter	McCarron	Sarna	Wynia
Carlson, D.	Hanson	McCollar	Savelkoul	Zubay
Carlson, L.	Heinitz	McDonald	Scheid	Speaker Sabo
Casserly	Hokanson	McEachern	Schulz	
Clark	Jacobs	Metzen	Searle	
Clawson	Jaros	Moe	Searles	

A quorum was present.

Haugerud and Voss were excused.

The Chief Clerk proceeded to read the Journal of the preceding day. Kalis moved that further reading of the Journal be dispensed with and that the Journal be approved as corrected by the Chief Clerk. The motion prevailed.

REPORTS OF CHIEF CLERK

Pursuant to Rules of the House, printed copies of H. F. Nos. 40, 156, 188, 339, 398, 531, 586, 681 and 242 and S. F. Nos. 377 and 456 have been placed in the members' files.

PETITIONS AND COMMUNICATIONS

The following reports were received and filed in the Chief Clerk's Office: Past Effort 1970-1977 Future Directions 1978-1981, Minnesota Department of Corrections; Report to the Governor and the Legislature, Liquor Control Division of the Department of Public Safety; Report to Legislature by Court Administrator pursuant to Minnesota Statutes 626A.17, Subdivision 3; 1977-1979 Biennial Report, Minnesota Housing Finance Agency; Energy Conservation Report on Standing Pilot Lights, Minnesota Energy Agency; Organizing the Regional Community, Southwestern Minnesota Regional Development Commission; and Report of the Joint Legislative Commission for the Review of Administrative Rules.

The following communication was received:

STATE OF MINNESOTA
OFFICE OF THE GOVERNOR
SAINT PAUL

March 24, 1977

The Honorable Martin Sabo
Speaker of the House

Sir:

I have the honor to inform you that I received, approved, signed and deposited in the Office of the Secretary of State the following House File:

H. F. No. 511, An act relating to the state transportation system; correcting conditions of a bond authorization.

Sincerely,

RUDY PERPICH
Governor

REPORTS OF STANDING COMMITTEES

Norton from the Committee on Appropriations to which was referred:

H. F. No. 384, A bill for an act relating to interim claims against the state; appropriating moneys for the payment thereof.

Reported the same back with the following amendments:

Page 3 after line 12 add a new section to read:

"Sec. 4. Subdivision 1. There is appropriated from the general fund in the state treasury the sums of money set forth in this section to the persons named therein in full payment of claims against the state for adjusted compensation arising from World War II and Korean conflict service.

Subd. 2. [WORLD WAR II SERVICES.] Robert S. Hudson, 1269 McLean Avenue, Saint Paul, Minnesota, 55106\$345.00

Howard D. Hall, 630 Cedar Avenue So., Apt. 807, Minneapolis, Minnesota, 55416\$315.00

Max F. Woodfall, 1810 So. Washington, Minneapolis, Minnesota, 55454\$400.00

Subd. 3. [KOREAN CONFLICT.] Roxanne R. Bergquist, Beneficiary of Robert W. Clark, 1211 Willow Drive, Olathe, Kansas, 66061\$120.00

James C. Birch, Beneficiary of Elden M. Fraetis, 4085 Foss Road, Saint Paul, Minnesota, 55112\$191.25

Joyce M. Nelson, Beneficiary of Elden M. Fraetis, 395 Hall Avenue, Apt. #2, Saint Paul, Minnesota, 55107 ...\$191.25

Rex R. Gilman, 630 Pine Street, Room 209, Klamath Falls, Oregon, 97601\$ 82.50

Darold H. Hoefker, 131 West George, Saint Paul, Minnesota, 55107\$165.00

Stanislaus L. Huber, 7596 Macomb Street, Grosseile, Michigan, 48138\$165.00

Richard M. Oren, P.O. Box 284, Lake Hubert, Minnesota, 56459\$ 82.50

Ross W. Erdman, 1954 South Stern Avenue, Tucson, Arizona, 85711\$200.00".

Renumber the sections.

With the recommendation that when so amended the bill pass.

The report was adopted.

Moe from the Committee on Criminal Justice to which was referred:

H. F. No. 11, A bill for an act relating to the administration of criminal justice; establishing a contingent fund to be used by law enforcement agencies for the purchase of narcotics and contraband; appropriating money.

Reported the same back with the following amendments:

Strike everything after the enacting clause and insert:

“Section 1. [CONTINGENT FUND FOR PURCHASE OF CONTRABAND AND CONTROLLED SUBSTANCES.] Subdivision 1. The commissioner of finance shall make monies available to law enforcement agencies out of the contingent fund hereby established and hereinafter referred to as the law enforcement contingent fund which consists of money in the state treasury appropriated for the purpose of investigation of cross jurisdictional criminal activity.

Subd. 2. Law enforcement agencies may use up to \$250,000 from the law enforcement contingent fund for criminal investigatory activity relating to possession and sale of controlled substances, including purchases of drugs and acquisition of information.

Subd. 3. Law enforcement agencies may use up to \$250,000 from the law enforcement contingent fund for criminal investigatory activity relating to receiving or selling of stolen goods, including purchases of contraband and information.

Subd. 4. Application for funds shall be made to the attorney general describing the intended criminal investigation under subdivision 2 or 3 and the estimated amount of money required for the purposes set out in this section. A report shall be made to the attorney general at the conclusion of the investigation for which funds are allocated stating: (a) the number of persons arrested, (b) the nature of the charges filed against them, (c) the nature and value of controlled substances or contraband purchased and or seized, and (d) the amount of fund money paid to informants during the investigation. Unused funds shall be returned to the law enforcement contingent fund by the reporting agency.

Subd. 5. Application to the attorney general from the law enforcement agencies shall be maintained as confidential records. Reports to the attorney general at the conclusion of the investigation funded under this section shall be public records.

Subd. 6. For the purposes of this section, "law enforcement agency" includes county sheriffs or the chief administrative officer of city police departments or their designees.

Sec. 2. [APPROPRIATION.] The sum of \$500,000 is appropriated to the law enforcement contingent fund from the general fund for the purposes of this act for the biennium beginning July 1, 1977. This appropriation shall not lapse until July 1, 1979, notwithstanding Minnesota Statutes, Section 16A.28, or other law relating to the lapse of an appropriation."

With the recommendation that when so amended the bill pass and be re-referred to the Committee on Appropriations.

The report was adopted.

Moe from the Committee on Criminal Justice to which was referred:

H. F. No. 441, A bill for an act relating to public safety; bureau of criminal apprehension; providing for identification data of persons convicted of certain crimes; prohibiting fingerprint records and other identifying data of juvenile offenders from being forwarded to the bureau of criminal apprehension except under certain circumstances; appropriating money; amending Minnesota Statutes 1976, Sections 299C.10; and 299C.11.

Reported the same back with the following amendments:

Amend the title:

Page 1, line 4, after "persons" insert "arrested for or".

With the recommendation that when so amended the bill pass and be re-referred to the Committee on Appropriations.

The report was adopted.

Moe from the Committee on Criminal Justice to which was referred:

H. F. No. 442, A bill for an act relating to children; damage done by a child; altering amount of parental liability; amending Minnesota Statutes 1976, Section 540.18, Subdivision 1.

Reported the same back with the recommendation that the bill pass.

The report was adopted.

Moe from the Committee on Criminal Justice to which was referred:

H. F. No. 728, A bill for an act relating to corrections; prescribing duties of the commissioner for parole and probation; authorizing disposition of juvenile offenders; classifying data; authorizing certain investigations; authorizing accounts of funds of inmates; clarifying procedures for withdrawal from community corrections programs; amending Minnesota Statutes 1976, Sections 242.09; 242.10; 242.15; 242.18; 242.31; 242.46, Subdivision 3; 243.23; 401.08, Subdivision 1; 401.13; and 401.16; repealing Minnesota Statutes 1976, Sections 242.01; 242.02; 242.03; 242.12; 242.13; 242.16; 242.17; 242.19, Subdivision 1; 242.25; 242.26; 242.27; 242.28; 242.29; 242.30; 242.33; 242.34; 242.35; 242.36; 242.38; and 242.46, Subdivisions 1 and 2.

Reported the same back with the following amendments:

Page 1, line 25, delete "(AUTHORITY)" and insert "(BOARD)".

Page 1, line 27, after "by" insert "this".

Page 1, line 27, delete "242".

Page 1, line 28, strike "they".

Page 2, line 3, delete "(AUTHORITY)" and insert "(BOARD)".

Page 2, line 4, before "terms" insert "the".

Page 2, line 4, strike "as".

Page 2, line 4, strike "may direct" and insert "directs".

Page 2, line 11, delete "(AUTHORITY)" and insert "(BOARD)" in both places it appears.

Page 2, line 12, delete "(AUTHORITY)" and insert "(BOARD)".

Page 2, line 13, delete "(AUTHORITY)" and insert "(BOARD)".

Page 2, line 15, delete "(AUTHORITY)" and insert "(BOARD)".

Page 2, line 17, delete "(AUTHORITY)" and insert "(BOARD)".

Page 2, line 19, delete “(AUTHORITY)” and insert “(BOARD)”.

Page 2, line 27, strike “such” and insert “this”.

Pages 2 and 3, delete all of section 3 and insert a new section 3 to read:

“Sec. 3. Minnesota Statutes 1976, Section 242.14, is amended to read:

242.14 [PLACEMENT IN PENAL INSTITUTION PROHIBITED.] The (BOARD) *commissioner of corrections* shall not have power by virtue of any commitment to (IT) *him* by a juvenile court, as authorized by section 260.185, to place (SUCH) *a child committed to him* in (ANY) *a penal institution.*”.

Page 3, line 10, delete “(AUTHORITY)” and insert “(BOARD)”.

Page 3, line 11, delete “(AUTHORITY)” and insert “(BOARD)”.

Page 3, line 17, strike “such” and insert “the”.

Page 3, line 17, strike “as”.

Page 3, line 18, strike “shall determine” and insert “*determines*”.

Page 3, line 19, after “(OF)” and before “(CHAPTER)” insert “(THIS)”.

Page 3, line 19, delete “(242)”.

Page 3, line 20, delete “(AUTHORITY)” and insert “(BOARD)”.

Page 3, line 31, delete “authority” and insert “board”.

Pages 4 and 5, delete all of section 5 and insert:

“Sec. 5. Minnesota Statutes 1976, Section 242.31, is amended to read:

242.31 [RESTORATION OF CIVIL RIGHTS.] *Subdivision 1.* Whenever a person *who has been* committed to the (BOARD) *commissioner of corrections* upon conviction of a crime *following reference for prosecution under the provisions of section 260.125* is finally discharged from (ITS) *his* control

(OTHER THAN BY EXPIRATION OF THE MAXIMUM TERM OF COMMITMENT AS PROVIDED IN THIS CHAPTER, OR BY TERMINATION OF ITS CONTROL UNDER THE PROVISIONS OF SECTION 242.27, SUCH) *by order of the Minnesota corrections board, that discharge shall* (, WHEN SO ORDERED BY THE BOARD,) restore (SUCH) *that person to all civil rights and, if so ordered by the Minnesota corrections board, also shall have the effect of setting aside the conviction* (AND), nullifying the same and of purging (SUCH) *that person thereof. The Minnesota corrections board shall file a copy of the order with the district court of the county in which the conviction occurred, whereupon the court shall order the conviction set aside.*

Subd. 2. Whenever a person described in subdivision 1 has been placed on probation by the court pursuant to section (242.13) 609.135 and, after satisfactory fulfillment thereof, is discharged (THEREFROM) from probation, the court (,) shall issue an order of discharge pursuant to section 609.165. On application of the defendant or on its own motion and after notice to the county attorney, the court in its discretion may (LIKEWISE SO) also order that the defendant's conviction be set aside with the same effect as such an order under subdivision 1.

(SUCH) *These orders restore the defendant to his civil rights and purge and free (HIM) the defendant from all penalties and disabilities arising from (SUCH) his conviction and it shall not thereafter be used against him, except in a criminal prosecution for a subsequent offense if otherwise admissible therein.*

Subd. 3. The Minnesota corrections board shall file a copy thereof with the district court of the county in which the conviction occurred, whereupon the court shall order the conviction set aside and all records pertinent to the conviction sealed. These records shall only be reopened in the case of a judicial criminal proceeding thereafter instituted.

The term "records" shall include but is not limited to all matters, files, documents and papers incident to the arrest, indictment, information, trial, appeal dismissal and discharge, which relate to the conviction for which the order was issued."

Page 5, line 15, delete "(MINNESOTA)".

Page 5, line 15, delete "(AUTHORITY)" and insert "(BOARD)".

Page 6, line 2, strike "is authorized and empowered to" and insert "may".

Page 6, line 4, strike "of such" and insert "the".

Page 6, line 4, strike "as".

Page 6, line 5, strike "may deem" and insert "deems".

Page 6, line 8, strike ", provided that such" and insert a period.

Page 6, line 11, strike "Such" and insert "These".

Page 6, line 14, strike "shall".

Page 6, line 15, strike "determine" and insert "determines".

Page 7, after line 7, insert new sections to read:

"Sec. 8. Minnesota Statutes 1976, Section 260.311, Subdivision 5, is amended to read:

Subd. 5. [REIMBURSEMENT OF COUNTIES.] In order to reimburse the counties for the cost which they assume under Laws 1959, Chapter 698, of providing probation and parole services to wards of the *commissioner of corrections and the Minnesota corrections board* and to aid the counties in achieving the purposes of this section, the commissioner of corrections shall annually, from funds appropriated for that purpose, pay 50 percent of (SUCH) *the costs of probation officers' salaries* to all counties of not more than 200,000 population. Nothing herein shall be deemed to invalidate any payments to counties made pursuant to this section before the effective date of Laws 1963, Chapter 694. (REIMBURSEMENT SHALL BE MADE ONLY FOR PROBATION OFFICERS' SALARY COSTS.) Salary costs include fringe benefits, but only to the extent that fringe benefits do not exceed those provided for state civil service employees. *On or before October 30 of each year each county or group of counties shall submit to the commissioner of corrections an estimate of its costs hereunder. Reimbursement shall be made on the basis of the estimate or actual expenditures incurred, whichever is less.* Salary costs shall not be reimbursed unless county probation officers are paid salaries commensurate with the salaries paid to comparable positions in the classified service of the state civil service. The salary range to which each county probation officer is assigned shall be determined by the judge of juvenile court based on the officer's length of service and performance. The judge of juvenile court shall annually assign each county probation officer to a position on the salary scale commensurate with the officer's experience, tenure, and responsibilities. The judge shall file with the county auditor an order setting each county probation officer's salary. Time spent by a county probation officer as a court referee shall not qualify for reimbursement. Reimbursement shall be prorated if the appropriation is insufficient.

Sec. 9. Minnesota Statutes 1976, Section 401.02, is amended by adding subdivisions to read:

Subd. 3. Any county or group of counties which have qualified for participation in the community corrections subsidy program provided by this chapter may reorganize its administrative structure, including but not limited to court services and probation, to conform with the requirements of subdivision 1 notwithstanding any inconsistent general or special law.

Subd. 4. Probation officers serving the district courts of counties participating in the subsidy program established by this chapter may, without order or warrant, when it appears necessary to prevent escape or enforce discipline, take and detain a probationer or parolee and bring him before the court or the Minnesota corrections board respectively, for appropriate action by the court or the board.

Sec. 10. Minnesota Statutes 1976, Section 401.04, is amended to read:

401.04 [ACQUISITION OF PROPERTY; SELECTION OF ADMINISTRATIVE STRUCTURE; EMPLOYEES.] Any county or group of counties electing to come within the provisions of sections 401.01 to 401.16 may (a) acquire by any lawful means, including purchase, lease or transfer of custodial control, the lands, buildings and equipment necessary and incident to the accomplishment of the purposes of sections 401.01 to 401.16, (b) determine and establish the administrative structure best suited to the efficient administration and delivery of the correctional services described in section 401.01, and (c) employ a director and such other officers, employees and agents as deemed necessary to carry out the provisions of sections 401.01 to 401.16. To the extent that participating counties shall assume and take over state correctional services presently provided in such counties, employment shall be given to those state officers, employees and agents thus displaced; if hired by a county, such employment shall, to the extent possible and notwithstanding the provisions of any other law or ordinance to the contrary, be deemed a transfer in grade with all of the benefits enjoyed by such officer, employee or agent while in the service of the state.

State employees displaced by county participation in the subsidy program provided by this chapter are on layoff status and, if not hired by a participating county as provided herein, may exercise their rights under layoff procedures established by law or union agreement whichever is applicable."

Renumber the sections in sequence.

Page 7, line 17, strike "(1)".

Page 7, line 19, delete "Two".

Page 7, delete lines 20 and 21.

Page 7, line 22, delete the new language and strike the semicolon.

Renumber the clauses that follow in sequence.

Page 8, after line 7, insert:

“(a) two representatives of law enforcement agencies or their designees, at least one of whom shall be from an agency headed by an elected official;”

Reletter the clauses that follow in sequence.

Page 10, line 1, after “242.13;” insert “242.15;”.

Further amend the title:

Page 1, line 2, after the semicolon insert “prescribing powers of probation officers; providing for reimbursement to counties for probation services;”.

Page 1, line 4, delete “classifying”.

Page 1, line 5, delete “data” and insert “authorizing the sealing of criminal records”.

Page 1, line 7, after “clarifying” insert “powers of counties under and”.

Page 1, line 9, delete “242.15” and insert “242.14”.

Page 1, line 10, after “243.23;” insert “260.311, Subdivision 5; 401.02, by adding subdivisions; 401.04;”.

Page 1, line 13, after “242.13;” insert “242.15;”.

With the recommendation that when so amended the bill pass.

The report was adopted.

Moe from the Committee on Criminal Justice to which was referred:

H. F. No. 800, A bill for an act relating to crimes; regulating the transfer of pistols; requiring a waiting period for pistol transfers; requiring police checks of pistol transferees; prohibiting transfers of pistols to certain persons; prescribing penalties; amending Minnesota Statutes 1976, Section 624.712, by adding a subdivision; and Chapter 624, by adding a section.

Reported the same back with the following amendments:

Page 1, after line 11, add a new section to read:

"Section 1. Minnesota Statutes 1976, Section 609.135, Subdivision 1, is amended to read:

609.135 [STAY OF IMPOSITION OR EXECUTION OF SENTENCE.] Subdivision 1. Except when a sentence of life imprisonment is required by law, or when a person is convicted of one of the crimes specified under section 609.11, subdivision 1, and had in his possession a firearm or used another dangerous weapon, any court, including a justice of the peace to the extent otherwise authorized by law, may stay imposition or execution of sentence and place the defendant on probation with or without supervision and on such terms as the court may prescribe. The court may order the supervision to be under the probation officer of the court, or, if there is none and the conviction is for a felony, by the commissioner of corrections, or in any case by some other suitable and consenting person."

Renumber the sections that follow in sequence.

Page 4, line 32, after the period insert "*On review, the court shall be limited to a determination of whether the proposed transferee is in fact a person prohibited from possessing a pistol by section 624.713.*"

Further amend the title:

Page 1, line 7, delete "Section" and insert "Sections 609.135, Subdivision 1;"

With the recommendation that when so amended the bill pass and be re-referred to the Committee on Appropriations.

The report was adopted.

Sieben, H., from the Committee on Governmental Operations to which was referred:

H. F. No. 126, A bill for an act relating to retirement; additional employer contributions to amortize the deficit in the teachers' retirement fund; amending Minnesota Statutes 1976, Section 354.42, Subdivision 5.

Reported the same back with the following amendments:

Page 1, line 10, after "Subd. 5." strike the old language and delete the new.

Page 1, lines 11, 12, and 13, strike the old language and delete the new.

Page 1, line 14, strike "July 1," and delete "1977".

With the recommendation that when so amended the bill pass and be re-referred to the Committee on Appropriations.

The report was adopted.

Sieben, H., from the Committee on Governmental Operations to which was referred:

H. F. No. 142, A bill for an act relating to public employees; providing for an automatic pay increase to state employees who pass the certified professional secretary examination.

Reported the same back with the recommendation that the bill pass and be re-referred to the Committee on Appropriations.

The report was adopted.

Sieben, H., from the Committee on Governmental Operations to which was referred:

H. F. No. 307, A bill for an act relating to retirement; correcting outdated references in the teachers retirement law; amending Minnesota Statutes 1976, Sections 354.05, Subdivision 25; 354.41, Subdivision 3; 354.49, Subdivision 1; 354.53, Subdivision 1; 354.55, Subdivisions 6, 15, and 18; and 354.58.

Reported the same back with the recommendation that the bill pass and be placed on the Consent Calendar.

The report was adopted.

Sieben, H., from the Committee on Governmental Operations to which was referred:

H. F. No. 315, A bill for an act relating to state government; state zoological board; providing for an ex officio member of the board from the county board of Dakota county; amending Minnesota Statutes 1976, Section 85A.01, Subdivision 1.

Reported the same back with the following amendments:

Page 1, line 17, delete "*county commissioner of Dakota county*" and insert "*person*".

Page 1, line 18, strike "ex officio".

Page 1, line 19, strike "but shall not have a vote".

Further amend the title.

Line 3, delete "an ex officio member of the".

Line 4, delete "board from the county board of Dakota county" and insert "a member designated by the Dakota county board".

With the recommendation that when so amended the bill pass.

The report was adopted.

Swanson from the Committee on Health and Welfare to which was referred:

H. F. No. 366, A bill for an act relating to women; establishing pilot programs to provide emergency shelter and support services to battered women; providing funds to establish community education programs about battered women; providing for data collection; appropriating money.

Reported the same back with the following amendments:

Page 1, line 14, delete "in the home".

Page 2, line 1, before "means" delete "Director" and insert "Commissioner".

Page 2, line 1, after "the" and before "of" delete "director" and insert "commissioner".

Page 2, line 2, delete "state planning agency" and insert "department of corrections".

Page 2, line 4, delete "director" and insert "commissioner".

Page 2, line 12, delete "rural area of the state" and insert "location accessible to a predominately rural population".

Page 2, line 14, delete "director" and insert "commissioner".

Page 2, line 17, delete "director" and insert "commissioner".

Page 2, line 25, delete "and" and insert "(d) evidence of the participation of the local law enforcement agencies, local boards or departments of health, and other interested agencies or groups in the development of the application; and".

Page 2, line 26, delete "(d)" and insert "(e)".

Page 2, line 31, delete "director" and insert "commissioner".

Page 2, line 32, delete "In developing an".

Page 3, delete lines 1 to 5.

Page 3, line 8, delete "director" and insert "commissioner".

Page 3, line 9, delete "the development and implementation of community".

Page 3, line 10, delete "education" and insert "educational".

Page 3, line 10, after "public" insert "and professional".

Page 3, line 12, delete "director" and insert "commissioner".

Page 3, line 12, delete "a community".

Page 3, line 13, delete "education" and insert "an educational".

Page 3, line 14, delete "director" and insert "commissioner".

Page 3, line 15, delete "a community".

Page 3, line 16, delete "education" and insert "an educational".

Page 3, line 16, delete "director" and insert "commissioner".

Page 3, line 17, delete "community education" and insert "educational".

Page 3, line 19, delete "DIRECTOR" and insert "COMMISSIONER".

Page 3, line 19, after "the" delete "director" and insert "commissioner".

Page 3, delete lines 27 to 29.

Reletter the subsequent clauses.

Page 4, line 6, after "7" insert ", including emergency rules".

Page 4, delete lines 10 to 32.

Page 5, delete lines 1 to 3.

Renumber the subsequent sections.

Page 5, line 4, delete "director" and insert "commissioner".

Page 5, line 5, delete "from the list of applicants".

Page 5, delete line 6.

Page 5, line 7, delete "section 4, subdivision 3, clause (a)".

Page 5, line 12, delete "director" and insert "commissioner".

Page 5, line 14, delete "director" and insert "commissioner".

Page 5, line 18, delete "in the home".

Page 5, line 20, delete "director" and insert "commissioner".

Page 5, line 23, delete "[HOSPITALS; LAW ENFORCEMENT AGENCIES.]" and insert "[MANDATORY DATA COLLECTION.]".

Page 5, line 25, after "144.58" insert ", every physician licensed to practice in this state, every public health nurse,".

Page 5, line 27, delete "director" and insert "commissioner".

Page 5, line 28, delete "director" and insert "commissioner".

Page 5, line 31, delete "director" and insert "commissioner".

Page 5, line 32, delete "this".

Page 6, line 1, delete "act" and insert "sections 1 to 5".

Page 6, line 1, delete "no more than".

Page 6, line 1, delete "may" and insert "shall".

Page 6, line 2, delete "community education" and insert "educational".

Page 6, line 4, delete "director" and insert "commissioner".

Page 6, line 4, delete "state".

Page 6, line 5, delete "planning" and insert "the department of corrections".

Page 6, line 6, delete "This act shall be" and insert "Sections 1 to 5 are effective the day following the final enactment. Section 6 is".

Further amend the title:

Page 1, line 5, delete "community education" and insert "and to promote educational".

With the recommendation that when so amended the bill pass and be re-referred to the Committee on Appropriations.

The report was adopted.

Swanson from the Committee on Health and Welfare to which was referred:

H. F. No. 418, A bill for an act relating to public welfare; exempting licensed hospitals from day care licensing requirements; amending Minnesota Statutes 1976, Section 245.791.

Reported the same back with the recommendation that the bill pass and be placed on the Consent Calendar.

The report was adopted.

Berg from the Committee on Local and Urban Affairs to which was referred:

H. F. No. 215, A bill for an act relating to shade tree disease control; providing for municipal shade tree removal and reforestation programs; providing an appropriation; amending Minnesota Statutes 1976, Sections 18.023, Subdivisions 1, 1a, 2, 3a, 4, 7 and 11, and adding subdivisions; and 275.50, by adding a subdivision; repealing Minnesota Statutes 1976, Section 18.023, Subdivision 6.

Reported the same back with the following amendments:

Strike everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 1976, Section 18.023, Subdivision 1, is amended to read:

18.023 [SHADE TREE DISEASE CONTROL.] Subdivision 1. [DEFINITIONS.] As used in subdivisions 1 to 12 the terms defined in this subdivision shall have the meanings given them.

(a) "Metropolitan area" means the area comprising the counties of Hennepin, Ramsey, Anoka, Dakota, Washington, Scott and Carver.

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

(c) "Municipality" means any *home rule charter or statutory* city or any town exercising municipal powers pursuant to section 368.01, or any general or special law, located in the metropolitan area; or any special park district as organized under chapter 398(.) ; or any special purpose park (DISTRICT) *and recreation board* organized under the city charter of a city of the first class located in the metropolitan area(.) ; or any county in the metropolitan area for the purposes of county owned property or any portion of a county located outside the geographic boundaries of a city or town exercising municipal powers; and any municipality or county located outside the metropolitan area (WHICH MAKES REQUEST TO AND HAS CONSENT OF THE COMMISSIONER TO COME WITHIN THE PROVISIONS OF THIS SECTION) *with an approved disease control program.*

(d) "Shade tree disease" means Dutch elm disease or oak wilt disease.

(e) "Wood utilization or disposal system" means (A SYSTEM) *facilities, equipment or systems* used for the removal and disposal of diseased shade trees which includes the collection, transportation, processing or storage of wood and which aids in the recovery of materials or energy from wood.

((F) "SUBSIDY PROGRAM" MEANS A MUNICIPAL PROGRAM OF FINANCIAL ASSISTANCE TO PRIVATE PROPERTY OWNERS FOR THE REMOVAL OF DISEASED ELM AND OR OAK SHADE TREES.)

((G)) (f) "Approved disease control program" means the municipal plan as approved by the commissioner to control shade tree disease.

((H)) (g) "Disease control area" means an area approved by the commissioner within which a municipality will conduct (A SHADE TREE) *an approved disease control program.*

(h) "Sanitation" means the *identification, inspection, disruption of a common root system, girdling, trimming, removal and disposal of dead or diseased wood of elm or oak shade trees, including subsidies for trees removed pursuant to subdivision 4, on public or private property within a disease control area.*

(i) "Reforestation" means the *replacement of shade trees removed from public property as part of an approved disease control program. For purposes of this clause, "public property" shall include private property within five feet of the boulevard or street terrace in any city which has enacted an ordinance on or before January 1, 1977, that prohibits or requires a permit for the planting of trees in the public right of way.*

Sec. 2. Minnesota Statutes 1976, Section 18.023, Subdivision 1a, is amended to read:

Subd. 1a. [METROPOLITAN SHADE TREE DISEASE CONTROL PROGRAM; PURPOSE.] The legislature finds that an epidemic of Dutch elm disease and oak wilt disease is occurring in Minnesota which threatens the natural environment. Immediate action is therefore necessary to provide funds to assist local units of government in the implementation of shade tree disease control programs by *conducting sanitation and reforestation programs*, expanding diseased wood destruction programs, increasing public awareness of shade tree disease, accelerating training of tree inspectors and research for disease prevention and subsidizing private property owners for the removal of diseased elm and oak trees.

Sec. 3. Minnesota Statutes 1976, Section 18.023, Subdivision 2, is amended to read:

Subd. 2. [COMMISSIONER TO ADOPT RULES.] The commissioner shall adopt and (FROM TIME TO TIME) may amend(,) rules (AND REGULATIONS) relating to shade tree disease control in (THE METROPOLITAN AREA IN ACCORDANCE WITH SECTIONS 15.0411 TO 15.0422) *any municipality, as defined in subdivision 1.* (SUCH) The rules (AND REGULATIONS) shall prescribe control measures to be used to prevent the spread of shade tree diseases and shall include the following: (a) A definition of shade tree, (b) qualifications for tree inspectors, (c) methods of identifying diseased shade trees, (d) procedures for giving reasonable notice of inspection of private real property, (e) measures for the (TREATMENT AND) removal of any shade tree which may contribute to the spread of shade tree disease, and *for reforestation of disease control areas*, (f) *approved methods of treatment of shade trees*, (g) *criteria for priority designation areas in an approved disease control program*, and (h) (SUCH) any other matters (AS SHALL BE) determined (TO BE) necessary by the commissioner to prevent the spread of shade tree disease and enforce the provisions of this section. (IN ACCORDANCE WITH THE RULES AND REGULATIONS ADOPTED BY THE COMMISSIONER, AND) *After reasonable notice of inspection (HAVING BEEN GIVEN TO THE) an owner of the real property (, DISEASED SHADE TREES SHALL BE REMOVED OR TREATED BY THE OWNER OF THE REAL PROPERTY) on which (SUCH) a diseased shade (TREES ARE) tree is located shall remove or treat the tree within (A) the period of time (AS MAY BE) and in the manner established by the commissioner. (IN THE CASE OF THE EXPENSE OF REMOVING OR TREATING DISEASED SHADE TREES LOCATED ON STREET TERRACES OR BOULEVARDS, NOT MORE THAN 50 PERCENT OF SUCH EXPENSE MAY BE ASSESSED TO THE ABUTTING PROPERTIES BY THE MUNICIPALITY*

WHICH EXPENSE SHALL BECOME A LIEN ON THE PROPERTY. TREES WHICH ARE NOT REMOVED OR TREATED SHALL BE DECLARED A PUBLIC NUISANCE AND REMOVED BY THE MUNICIPALITY WHICH MAY ASSESS THE TOTAL EXPENSE OR ANY PART THEREOF TO THE PROPERTY WHICH EXPENSE SHALL BECOME A LIEN ON THE PROPERTY.) *Diseased shade trees which are not removed or treated in compliance with the commissioner's rules shall be declared a public nuisance and removed or treated by approved methods by the municipality which may assess the total expense or any part thereof to the property and the expense shall become a lien on the property. A municipality may assess not more than 50 percent of the expense of treating with an approved method or removing diseased shade trees located on street terraces or boulevards to the abutting properties and the assessment shall become a lien on the property.*

Sec. 4. Minnesota Statutes 1976, Section 18.023, Subdivision 3a, is amended to read:

Subd. 3a. [GRANTS TO MUNICIPALITIES.] (a) The commissioner may, in the name of the state and within the limit of appropriations provided, make grants-in-aid to a municipality with an approved (SHADE TREE) disease control program for the partial funding of municipal (SUBSIDY PROGRAMS FOR THE REMOVAL OF DISEASED SHADE TREES BY OWNERS OF RESIDENTIAL PROPERTY PURSUANT TO SUBDIVISION 4) *sanitation and reforestation programs.* The commissioner may make grants-in-aid to any (CITY OF MORE THAN 80,000 POPULATION OR ANY SPECIAL PURPOSE PARK DISTRICT ORGANIZED UNDER THE CHARTER OF A CITY OF THE FIRST CLASS OR ANY NON-PROFIT CORPORATION SERVING A CITY OF THE FIRST CLASS OR ANY COUNTY HAVING A DISEASE CONTROL PROGRAM APPROVED BY THE COMMISSIONER) *home rule charter or statutory city of more than 40,000 population or any special purpose park and recreation board organized under a charter of a city of the first class or any non-profit corporation serving a city of the first class or any county having an approved disease control program for the acquisition or implementation of a wood utilization or disposal (FACILITIES OR EQUIPMENT OR THE IMPLEMENTATION OF WOOD UTILIZATION OR DISPOSAL SYSTEMS) system.*

(b) The commissioner shall promulgate rules for the administration of grants authorized by this subdivision. The rules shall establish and contain as a minimum:

(1) Procedures for grant applications;

(2) Conditions and procedures for the administration of grants;

(3) Criteria of eligibility for grants including, but not limited to, those specified in this subdivision; and

(4) Such other matters as the commissioner may find necessary to the proper administration of the grant program.

(c) Grants-in-aid payments for wood utilization and disposal (FACILITIES, EQUIPMENT AND) systems (AND GRANTS FOR PUBLIC SUBSIDY PROGRAMS) made by the commissioner pursuant to this subdivision shall not exceed 50 percent of the total cost of the (FACILITY EQUIPMENT OR) system (OR MUNICIPAL SUBSIDY PROGRAM, OR BOTH). Grants to any municipality for sanitation shall not exceed 50 percent of sanitation costs approved by the commissioner. Grants to municipalities for reforestation shall not exceed the lesser of 50 percent of the cost or \$40 multiplied by the number of trees planted pursuant to the reforestation program and shall be limited to the planting of trees on public property; provided that notwithstanding any other limitation a reforestation grant to any home rule charter or statutory city or town of not more than 1,000 population according to the 1970 census may include up to 90 percent of the cost of the first 50 trees planted on public property as replacement trees. For the purposes of this subdivision, "cost" shall not include either any amount assessed as a special assessment on the value of a gift or dedication of trees required by a municipal ordinance.

(d) Based upon estimates submitted by the municipality to the commissioner, which shall state the estimated costs of sanitation and reforestation in the succeeding quarter under an approved program, the commissioner shall direct quarterly advance payments to be made by the state to the municipality commencing March 1, 1977. The commissioner shall direct adjustment of any overestimate in a succeeding quarter. A municipality may elect to receive the proceeds of its sanitation and reforestation grants on a periodic cost reimbursement basis.

((D)) (e) A (MUNICIPALITY) city, or county outside the metropolitan area or any municipality, as defined in subdivision 1, (WHICH HAS RECEIVED THE CONSENT OF THE COMMISSIONER TO COME WITHIN THE PROVISIONS OF LAWS 1975, CHAPTER 253 MAY RECEIVE GRANTS AUTHORIZED BY THIS SUBDIVISION, AND) may submit an application for a grant authorized by this subdivision concurrently with its request for (INCLUSION) approval of a disease control program.

Sec. 5. Minnesota Statutes 1976, Section 18.023, Subdivision 4, is amended to read:

Subd. 4. [SUBSIDIES TO PRIVATE PROPERTY OWNERS.] ((A)) A municipality may provide subsidies to owners of private residential property (OWNERS) and to cemeteries,

however organized, for the *approved* treatment or removal of diseased shade trees (PROVIDED, HOWEVER, THAT THE COST TO THE MUNICIPALITY FOR PROVIDING SUCH SUBSIDIES SHALL BE WITHIN THE LIMITATIONS SET FORTH IN SECTIONS 275.50 TO 275.56).

((B)) Notwithstanding any law to the contrary, an owner of property on which shade trees are located may contract with a municipality to provide protection against the cost of *approved* treatment or removal of diseased shade trees or shade trees that will contribute to the spread of shade tree diseases. Under such contracts, the municipality shall pay for the removal or *approved* treatment under such terms and conditions as may be determined by the governing body of the municipality.

Sec. 6. Minnesota Statutes 1976, Section 18.023, Subdivision 7, is amended to read:

Subd. 7. [FINANCING.] (a) A municipality may collect the amount assessed against the property *under subdivision 2* as a special assessment and may issue obligations as provided in section 429.101, subdivision 1, provided that a municipality as its option make any assessment levied payable with interest in installments not to exceed five years from the date of the assessment.

(b) After a contract for the (REMOVAL OR) *sanitation or approved* treatment of trees on private property has been let, or the work commenced, the municipality may issue obligations to defray the expense of any such work financed by special assessments imposed upon private property. Section 429.091 shall apply to such obligations with the following modifications:

(1) Such obligations shall be payable not more than five years from the date of issuance; and

(2) No election shall be required.

Obligations issued under the provisions of this clause shall not be considered bonded indebtedness for the purposes of section 273.13, subdivisions 6 and 7. The certificates shall not be included in the net debt of the issuing municipality.

Sec. 7. Minnesota Statutes 1976, Section 18.023, Subdivision 8, is amended to read:

Subd. 8. [DEPOSIT OF PROCEEDS IN SEPARATE FUND.] The proceeds of any tax levied, assessments and interest collected, or any *bonds or certificates of indebtedness* issued under (SUBDIVISIONS 6 AND) *subdivision 7 and section 11 of this act, and any grants received under subdivision 3a*, shall be deposited in the municipal treasury in a separate

fund and expended only for the purposes authorized by this section.

Sec. 8. Minnesota Statutes 1976, Section 18.023, is amended by adding a subdivision to read:

Subd. 10a. The commissioner may establish experimental programs for sanitation or treatment of shade tree diseases. The commissioner may make grants to municipalities, or enter into contracts with municipal, state or federal agencies in connection with experimental shade tree programs including research to assist municipalities in establishing priority designation areas in an approved disease control program.

Sec. 9. Minnesota Statutes 1976, Section 18.023, Subdivision 11, is amended to read:

Subd. 11. [REPORT TO THE LEGISLATURE.] On or before January 31 of each (SUCCEEDING) year, the commissioner shall report to the legislature on the preceding year's (PLANS AND) approved disease control programs (WHICH HAVE BEEN IMPLEMENTED FOR SHADE TREE DISEASES IN THE METROPOLITAN AREA) and any experimental programs conducted pursuant to subdivision 10a.

Sec. 10. Minnesota Statutes 1976, Section 275.50, is amended by adding a subdivision to read:

Subd. 6. The cost to a governmental unit of implementing section 18.023, including sanitation and reforestation, as defined in section 18.023, subdivision 1, is a special levy and is not subject to tax levy limitations including those contained in sections 275.50 to 275.56 and in Laws 1969, Chapter 593, as amended by Laws 1974, Chapter 108, commencing with the levy made in 1976, payable in 1977. A governmental subdivision may make a supplementary levy in 1977, payable in 1978, for all costs of implementing section 18.023 incurred in calendar year 1977 for which a levy was not made in 1976, payable in 1977. For the purpose of calculating the tax levy limit base under section 275.51, for levy year 1977, taxes payable in 1978, there shall be subtracted from the levy limit base of any governmental subdivision an amount equal to 112 percent of the amount levied under section 18.023 in levy year 1974, taxes payable 1975, and included in the levy limit base of the governmental subdivision as a result of Laws 1975, Chapter 437.

Sec. 11. Notwithstanding any other law to the contrary, the procedures and rules set forth in the order of the commissioner of agriculture dated and filed with the secretary of state, by and given a document number by the secretary of state, shall be valid and enforceable rules of the commissioner of agriculture for purposes of Minnesota Statutes, Sec-

tions 15.0411 to 15.0422, without further act or deed of the commissioner, with respect to grants to municipalities for reforestation and sanitation during the period between the day following final enactment of this act and either September 1, 1977, or the effective date of the amended rules to be promulgated pursuant to section 3 of this act, whichever occurs first.

Sec. 12. [APPROPRIATIONS.] Subdivision 1. There is appropriated from the general fund to the commissioner of agriculture the following amounts for the following purposes, for the period from January 1, 1977, to June 30, 1979:

(a) For grants for sanitation programs pursuant to Minnesota Statutes, Section 18.023, Subdivision 3a,\$24,687,500

(b) For grants for reforestation programs pursuant to Minnesota Statutes, Section 18.023, Subdivision 3a,\$ 7,312,500

(c) For grants-in-aid for wood utilization and disposal systems pursuant to Minnesota Statutes, Section 18.023, Subdivision 3a,\$ 700,000

(d) For public information\$ 250,000

(e) For experimental programs pursuant to Minnesota Statutes, Section 18.023, Subdivision 10a, ..\$ 337,000

(f) For administration\$ 300,000

Subd. 2. There is appropriated from the general fund to the university of Minnesota the following amounts for the following purposes, for the period from January 1, 1977, to June 30, 1979:

(a) For research by the agricultural experimental station, pursuant to Minnesota Statutes, Section 18.023, Subdivision 10,\$ 120,000

(b) For continuing education and training by the agricultural extension service, pursuant to Minnesota Statutes, Section 18.023, Subdivision 10,\$ 300,000

Subd. 3. The sum of \$1,000,000 is appropriated from the general fund to the commissioner of natural resources for the expenses of sanitation of diseased shade trees on lands which the commissioner administers within 1,000 feet of any municipality with an approved disease control program and within camp sites, picnic areas, waysides and parking areas.

This appropriation is in lieu of all other appropriations to the commissioner of natural resources for the same purposes for the period from January 1, 1977, to June 30, 1979.

Subd. 4. The appropriations in this section shall expire July 1, 1979, notwithstanding section 16A.28 or other law.

Sec. 13. [REPEALER.] *Minnesota Statutes 1976, Section 18.023, Subdivision 6, is repealed.*

Sec. 14. [EFFECTIVE DATE.] *This act is effective January 1, 1977."*

Amend the title as follows:

Line 2, delete "providing" and insert "authorizing grants".

Line 4, delete "providing an appropriation" and insert "authorizing a shade tree disease control research program; appropriating money".

Line 6, after "7" insert ", 8".

Line 7, delete "subdivisions" and insert "a subdivision".

With the recommendation that when so amended the bill pass and be re-referred to the Committee on Taxes.

The report was adopted.

Berg from the Committee on Local and Urban Affairs to which was referred:

H. F. No. 771, A bill for an act relating to metropolitan government; providing for sports facilities; establishing a sports commission; providing financing; providing a tax on the sales of certain intoxicating and fermented malt beverages in the metropolitan area; prohibiting certain restrictive agreements relating to the telecasting of games; increasing the levy limitation base for the city of Bloomington; regulating facilities location; repealing Minnesota Statutes 1976, Section 340.11, Subdivision 11a.

Reported the same back with the following amendments:

Page 2, after line 9, insert a new subdivision to read:

"Subd. 7. "Multipurpose sports facility" means a sports facility suitable for university or major league professional baseball, football, and soccer."

Renumber the following subdivision.

Page 2, line 10, after "facility" insert "or "sports facilities" ".

Page 2, line 11, delete "multipurpose".

Page 2, line 11, after "stadium" delete the comma and insert "or stadiums".

Page 2, line 12, delete "and" and insert "or".

Page 2, line 12, after "baseball" delete the comma and insert "or for university or major league professional".

Page 2, line 12, after "football" delete the comma.

Page 2, line 13, after the comma insert "or for both, together".

Page 3, line 6, after "appointed" insert "from outside the metropolitan area".

Page 3, line 8, delete ", except the chairman".

Page 3, line 9, delete everything before the period.

Page 4, line 31, delete "a".

Page 4, line 31, delete "facility" and insert "facilities".

Page 4, line 31, after "constructed" insert "or remodeled".

Page 5, line 1, after "constructed" insert "or remodeled".

Page 5, line 12, delete "90" and insert "180".

Page 5, line 15, delete "90" and insert "180".

Page 5, line 20, delete "30" and insert "180".

Page 6, line 12, delete "sports facility".

Page 6, line 13, after "project" insert "to build or remodel sports facilities".

Page 8, line 14, delete "A" and insert "Each".

Page 12, line 21, after "constructed" insert "or remodeled".

Page 13, line 22, delete "a" and insert "new or remodeled".

Page 13, line 23, delete "facility" and insert "facilities".

Page 13, line 26, delete "for a covered sports".

Page 13, delete line 27.

Page 13, line 28, delete "approximately 65,000 persons at" and insert "and".

Page 13, line 31, delete "alternative".

Page 14, line 4, delete "location" and insert "alternative".

Page 14, line 27, delete "alternative" and "for the".

Page 14, line 28, delete "facility".

Page 15, line 4, delete "a sports facility at each location" and insert "the sports facilities and locations".

Page 15, line 9, delete "the".

Page 15, line 10, delete "of the sports facility".

Page 15, line 11, after "construct" insert "or remodel".

Page 15, line 12, after "facility" insert "or facilities".

Page 15, line 17, after "of" delete "the facility" and insert "its facilities".

Page 15, line 19, after "commission" and before the period insert ", the feasibility of funding a portion of the total cost through a grant or grants from the federal government, and the feasibility of constructing a waste facility, or a solar energy system, to provide energy for heating and ventilating the sports facility".

Page 15, line 20, delete "a new sports facility" and insert "facilities".

Page 15, line 22, delete "new sports facility" and insert "facilities".

Page 15, line 24, delete "facility" and insert "sports facilities".

Page 15, line 28, after "on" delete "the".

Page 15, line 28, delete "of the".

Page 15, line 29, delete "sports facility".

Page 16, line 3, delete "a".

Page 16, line 3, delete "facility constructed" and insert "facilities".

Page 16, line 25, before "The" insert "If the commission's proposal and the construction contracts referred to in clause (g) of this subdivision provide for the construction of a covered multipurpose sports facility or for remodeling and covering the existing metropolitan stadium,".

Page 16, line 27, delete everything after "to".

Page 16, delete line 28.

Page 16, line 29, delete everything before the period and insert "\$58,000,000".

Page 16, line 29, after "If" insert "the commission's proposal and".

Page 16, line 30, delete "referred to in clause (g) of this subdivision".

Page 16, line 31, delete "covered" and insert "cover on a proposed new multipurpose".

Page 17, line 2, delete everything after "amount".

Page 17, line 3, delete "subdivision 1, clause (a),".

Page 17, line 3, delete "\$45,000,000" and insert "\$48,000,000".

Page 17, line 3, after the period insert "If the commission's proposal and the construction contracts provide for the construction of a new sports facility for football and soccer and for remodeling the existing metropolitan stadium for baseball, the principal amount shall be limited to \$35,000,000. If the commission's proposal and the construction contracts provide for the reconstruction and remodeling of the existing metropolitan stadium as an uncovered multipurpose sports facility, the principal amount shall be limited to \$25,000,000. The bonds issued pursuant to subdivision 1, clause (a), shall bear an average annual rate of interest, including discount, not in excess of seven and one-half percent.".

Page 17, line 6, delete "a".

Page 17, line 6, delete "facility" and insert "facilities for baseball and for football and soccer,".

Page 17, line 7, after the period insert "No more than \$3,000,000 of the proceeds may be used for land acquisition, clearance, relocation and legal costs referred to in clauses (d) and (e) of this subdivision.".

Page 17, line 8, delete "of a sports facility".

Page 17, line 13, delete "the sports facility" and insert "its sports facilities".

Page 17, line 20, delete "sports facility" and insert "commission's sports facilities".

Page 17, line 31, delete "sports facility" and insert "facilities used by the defaulting organization".

Page 18, line 13, after "construct" insert "or remodel".

Page 18, line 14, after "and" insert "to".

Page 18, line 14, delete "stadium structure" and insert "sports facilities proposed by the commission".

Page 18, line 16, after "excluding" insert ", except as otherwise provided in this subdivision,".

Page 18, line 20, after "council" and before the comma insert "except as provided in this subdivision".

Page 18, line 22, after "of" delete "the" and insert "any proposed".

Page 18, line 22, delete "facility" and insert "facilities".

Page 18, line 32, after "costs" insert ", except as provided in this subdivision,".

Page 19, line 2, delete "the" and insert "any proposed".

Page 19, line 2, delete "facility" and insert "facilities".

Page 19, line 11, delete "the" and insert "its".

Page 19, line 11, delete "facility" and insert "facilities".

Page 19, line 13, after "facility" insert "or facilities".

Page 19, line 17, after "facility" insert "or facilities".

Page 19, line 19, after "facility" insert "or facilities".

Page 19, line 22, after "facility" insert "or facilities".

Page 19, line 25, delete the semicolon.

Page 19, line 26, delete everything before "revenues" and insert ", unless the proposed facility is a covered multipurpose sports facility, in which case the aforementioned".

Page 19, line 27, delete "will be in" and insert "need only be an".

Page 22, line 30, delete "a".

Page 22, line 31, delete "facility" and insert "facilities".

Page 22, line 31, after "constructed" insert "or remodeled".

Page 23, line 32, delete "a new".

Page 23, line 32, delete "facility" and insert "facilities".

Page 24, line 23, delete "a".

Page 24, line 23, delete "facility" and insert "facilities".

Page 24, line 24, after "constructed" insert "or remodeled".

Page 24, line 27, delete "facility" and insert "facilities".

With the recommendation that when so amended the bill pass and be re-referred to the Committee on Taxes.

The report was adopted.

Lemke from the Committee on Transportation to which was referred:

H. F. No. 76, A bill for an act relating to highways; providing for the removal of trees, shrubs and other obstructions within highway limits; amending Minnesota Statutes 1976, Sections 160.22, Subdivision 8; and 160.27, Subdivision 6; repealing Minnesota Statutes 1976, Section 160.22, Subdivision 7.

Reported the same back with the following amendments:

Page 1, line 17, after "serving" insert "written".

Page 2, after line 18, insert:

"Sec. 4. [EFFECTIVE DATE.] *This act is effective on the day following its final enactment.*".

With the recommendation that when so amended the bill pass.

The report was adopted.

Lemke from the Committee on Transportation to which was referred:

H. F. No. 558, A bill for an act relating to snowmobiles; providing for operation on certain highways; amending Minnesota Statutes 1976, Section 84.87, Subdivision 3.

Reported the same back with the recommendation that the bill pass.

The report was adopted.

Lemke from the Committee on Transportation to which was referred:

H. F. No. 661, A bill for an act relating to highway traffic regulations; exempting trucks engaged in hauling hay from certain weight restrictions during a specified period of time.

Reported the same back with the following amendments:

Page 1, line 10, delete "truck" and insert "five axle vehicle".

With the recommendation that when so amended the bill pass and be placed on the Consent Calendar.

The report was adopted.

Fudro from the Committee on Transportation to which was referred:

H. F. No. 733, A bill for an act relating to the state transportation system; authorizing the issuance of state bonds pursuant to Minnesota Statutes 1976, Section 174.51 and Article XI of the Constitution for the design, construction and reconstruction of bridges and bridge approaches; appropriating money.

Reported the same back with the following amendments:

Strike everything after the enacting clause and insert:

"Section 1. [TRUNK HIGHWAY BONDS; ISSUANCE AND SALE.] The commissioner of finance is authorized and directed, upon request of the commissioner of transportation, to issue and sell Minnesota trunk highway bonds under the provisions of Minnesota Statutes, Sections 167.50 to 167.52, and of the Minnesota Constitution, Article XI, Sections 4 to 7, and Article XIV, Section 11, at such times and in such amounts as may be requested by the commissioner of transportation. Bonds issued pursuant to this section are authorized in an aggregate principal amount of \$50,000,000. The proceeds of such bonds shall be appropriated to the trunk highway fund and shall be deposited in a separate bridge construction account.

Sec. 2. [STATE TRANSPORTATION BONDS; ISSUANCE AND SALE.] The commissioner of finance is authorized upon the request of the commissioner of transportation to sell and issue Minnesota state transportation bonds for the purposes provided in Minnesota Statutes, Section 174.51, Subdivision 1, in the aggregate principal amount of \$50,000,000 in the manner and upon the conditions prescribed in Minnesota Statutes, Section 174.51, and in Article XI of the Constitution. The proceeds of the bonds, except as provided in Minnesota Statutes, Section 174.51, Subdivision 5, are appropriated to the Minnesota state transportation fund for expenditure in accordance with section 3, subdivision 2, and Minnesota Statutes, Section 174.50.

Sec. 3. [APPROPRIATION.] Subdivision 1. The sum of \$50,000,000, or so much thereof as is determined to be needed, is appropriated from the separate bridge construction account in the trunk highway fund created pursuant to section 1, for the biennium ending June 30, 1979, for the design, construction and reconstruction of key bridges and bridge approaches on the trunk highway system including interstate routes. Any money appropriated under this subdivision shall be expended in accordance with the requirements for expenditure of money from the Minnesota state transportation fund for trunk highway bridges as those requirements are provided in section 174.50 and in rules promulgated pursuant to that section.

Subd. 2. The sum of \$50,000,000 or so much thereof as is determined to be needed, is appropriated from the Minnesota state transportation fund to the department of transportation for the biennium ending June 30, 1979, for disbursement in the form of grants to political subdivisions by the commissioner of transportation for the design, construction and reconstruction of key bridges on the following road systems:

- (a) County highway systems\$27,000,000
- (b) Municipal street systems 8,000,000
- (c) Township road systems 15,000,000

Sec. 4. [EFFECTIVE DATE.] This act is effective July 1, 1977."

And further amend the title by striking it in its entirety and inserting:

"A bill for an act relating to the state transportation system; authorizing the issuance and sale of Minnesota trunk highway bonds under the provisions of Minnesota Constitution, Article XI, Sections 4 to 7, and Article XIV, Section 11, and authorizing the expenditure of the proceeds thereof for trunk highway bridges and approaches; authorizing the issuance and sale of

Minnesota state transportation bonds under the provisions of Minnesota Constitution, Article XI, and authorizing the expenditure thereof for grants to political subdivisions for design, construction and reconstruction of certain bridges; appropriating money.”.

With the recommendation that when so amended the bill pass and be re-referred to the Committee on Appropriations.

The report was adopted.

Lemke from the Committee on Transportation to which was referred:

H. F. No. 817, A bill for an act relating to highway traffic regulations; weight limitations; providing that weight increases for haulers of raw and unfinished forest products shall be statewide during certain periods; amending Minnesota Statutes 1976, Section 169.83, Subdivision 1.

Reported the same back with the recommendation that the bill pass.

The report was adopted.

Lemke from the Committee on Transportation to which was referred:

H. F. No. 930, A bill for an act relating to the counties of Hennepin and Scott; directing the counties to design and construct a temporary replacement of the Bloomington ferry bridge.

Reported the same back with the following amendments:

Strike everything after the enacting clause and insert:

“Section 1. [BLOOMINGTON FERRY BRIDGE; LEGISLATIVE FINDINGS.] The legislature finds that the reconstruction and replacement of the existing deficient superstructure of the Bloomington ferry bridge on Hennepin county state-aid highway No. 18 and Scott county state-aid highway No. 18 over the Minnesota river, to provide safe and convenient travel for citizens of the state who must cross the Minnesota river between Shakopee and interstate highway marked No. 35W, is of an emergency nature.

Sec. 2. [HENNEPIN AND SCOTT COUNTIES; DESIGN, RECONSTRUCTION AND REPLACEMENT OF BLOOMINGTON FERRY BRIDGE.] The legislature directs the counties

of Hennepin and Scott to reconstruct and replace the deficient superstructure of the Bloomington ferry bridge to meet the minimum width requirements of Minnesota Statutes, Section 165.04, but such bridge shall not be required to conform to any minimum width requirements contained in any rules of the commissioner of transportation promulgated pursuant to Minnesota Statutes, Section 162.02.

Sec. 3. [BRIDGE LOADING.] Notwithstanding any minimum loading restrictions contained in any rules of the commissioner of transportation promulgated pursuant to Minnesota Statutes, Section 162.02, the bridge shall be designed to accommodate an H-15 loading, as defined in the American Association of State Highway and Transportation Officials' standard specifications for highway bridge design. The counties shall prohibit any vehicle or combination of vehicles exceeding this design loading from using the bridge.

Sec. 4. [STATE AGENCIES TO COOPERATE.] All state agencies shall fully cooperate with the counties in expediting the reconstruction and replacement of the bridge.

Sec. 5. [BRIDGE TO BE TEMPORARY.] It is the intent of the legislature that the bridge directed by this act to be reconstructed and replaced be of a temporary nature to be in service, except in the event of an emergency, for a period of from eight to ten years following its completion.

Sec. 6. [EFFECTIVE DATE.] This act is effective the day following its final enactment."

With the recommendation that when so amended the bill pass and be placed on the Consent Calendar.

The report was adopted.

SECOND READING OF HOUSE BILLS

H. F. Nos. 384, 442, 728, 307, 315, 418, 76, 558, 661, 817 and 930 were read for the second time.

INTRODUCTION AND FIRST READING OF HOUSE BILLS

The following House Files were introduced:

Lemke, Mann and Braun introduced:

H. F. No. 1005, A bill for an act relating to agriculture; dairy products; grade A pasteurized milk; increasing certification fees; amending Minnesota Statutes 1976, Section 32.394, Subdivisions 8 and 8a.

The bill was read for the first time and referred to the Committee on Agriculture.

King, Mann, Nelsen, B., and Gunter introduced:

H. F. No. 1006, A bill for an act relating to agriculture; transferring certain functions relating to county agricultural societies from the state auditor and the commissioner of finance to the commissioner of agriculture; providing for the reimbursement of expenses of the commissioner of agriculture incurred in examining the records and accounts of county agricultural societies and certain other agricultural related societies or associations; amending Minnesota Statutes 1976, Sections 17.07; 38.02, Subdivisions 1, 2 and 3; 38.04; and 38.13.

The bill was read for the first time and referred to the Committee on Agriculture.

Kvam, Sarna, Osthoff, Vanasek and Pleasant introduced:

H. F. No. 1007, A bill for an act relating to public safety; state highway patrol; financing the highway patrol activities from the general fund; appropriating money; amending Minnesota Statutes 1976, Sections 299D.02, Subdivision 1; 299D.03, Subdivisions 2, 4, and 5; 299D.04; 299D.05, Subdivision 3; and Chapter 299D, by adding a section.

The bill was read for the first time and referred to the Committee on Appropriations.

Reding and Haugerud introduced:

H. F. No. 1008, A bill for an act appropriating money annually to the regents of the university of Minnesota for research by the Hormel Institute, a division of the university at Austin, Minnesota.

The bill was read for the first time and referred to the Committee on Appropriations.

Nelsen, M.; Beauchamp; Friedrich; Murphy and Anderson, G., introduced:

H. F. No. 1009, A bill for an act relating to economic development; changing certain requirements for loan eligibility through the Minnesota area redevelopment administration; amending Minnesota Statutes 1976, Section 472.11, by adding subdivisions.

The bill was read for the first time and referred to the Committee on Commerce and Economic Development.

Casserly; Stanton; Sieben, H.; Metzen and Nelsen, M., introduced:

H. F. No. 1010, A bill for an act relating to real estate; permitting certain detainer actions to be done by nonattorneys; providing that the automatic lease renewal prohibition shall apply only to leases over three months in duration; amending Minnesota Statutes 1976, Sections 481.02, Subdivision 3; and 504.21.

The bill was read for the first time and referred to the Committee on Commerce and Economic Development.

Dean, Fudro, Berg, Sarna and Hanson introduced:

H. F. No. 1011, A bill for an act relating to public safety; modifying requirements of gas containers; amending Minnesota Statutes 1976, Section 299F.40.

The bill was read for the first time and referred to the Committee on Commerce and Economic Development.

Berglin, Clark, Sabo, Norton and Jaros introduced:

H. F. No. 1012, A bill for an act relating to housing; providing for eligibility of cooperatives to receive loans and mortgages; authorizing the agency to enter into multifamily housing rehabilitation agreements with local governmental units; establishing a program of technical assistance to multifamily housing applicants proposing participation in ownership and management by residents; amending Minnesota Statutes 1976, Sections 462A.-03, Subdivision 13; 462A.05, Subdivision 5; and 462A.07, by adding subdivisions.

The bill was read for the first time and referred to the Committee on Commerce and Economic Development.

Neisen, Simoneau, Murphy, Voss and Biersdorf introduced:

H. F. No. 1013, A bill for an act relating to commerce; revising permissible finance charges on open and credit sales; amending Minnesota Statutes 1976, Section 334.16.

The bill was read for the first time and referred to the Committee on Commerce and Economic Development.

Lemke, Novak, Biersdorf, Stoa and Clark introduced:

H. F. No. 1014, A bill for an act relating to telephone companies; requiring telephone companies engaged in certain operations to receive a permit from the public service commission; requiring the companies to notify the public service commission before terminating or suspending operation; providing for a hearing; permitting the public service commission to issue orders and rules.

The bill was read for the first time and referred to the Committee on Commerce and Economic Development.

Wynia, Casserly, Jaros and Pehler introduced:

H. F. No. 1015, A bill for an act relating to human rights; clarifying the scope of sex discrimination; providing for an appeal by the commissioner; providing for a civil action without filing with the department; amending Minnesota Statutes 1976, Sections 363.01, by adding a subdivision; 363.05, Subdivision 1; 363.072, Subdivision 1; and 363.14, by adding a subdivision.

The bill was read for the first time and referred to the Committee on Commerce and Economic Development.

St. Onge, Fudro, Ewald, Neisen and Enebo introduced:

H. F. No. 1016, A bill for an act relating to health; regulating plumbers and water conditioning contractors; amending Minnesota Statutes 1976, Sections 326.38; 326.40; 326.60, Subdivision 1; 326.65; and Chapter 326, by adding a section; repealing Minnesota Statutes 1976, Section 326.45.

The bill was read for the first time and referred to the Committee on Commerce and Economic Development.

Arlandson; Nelsen, M.; Adams; Ewald and Sieben, M., introduced:

H. F. No. 1017, A bill for an act relating to consumer protection; regulating invention development services; prescribing contract terms and disclosures to customers; defining terms; requiring invention developers to file a bond; providing penalties.

The bill was read for the first time and referred to the Committee on Commerce and Economic Development.

Lemke and Schulz introduced:

H. F. No. 1018, A bill for an act relating to corrections; reimbursement to counties for probation and parole services provided by them to wards of the state; amending Minnesota Statutes 1976, Section 260.311, Subdivision 5.

The bill was read for the first time and referred to the Committee on Criminal Justice.

Kahn and Sabo introduced:

H. F. No. 1019, A bill for an act relating to the university of Minnesota; conferring university of Minnesota peace officers with limited powers of arrest; governing the operation and parking of vehicles upon property owned, leased or occupied by the regents of the university of Minnesota; amending Minnesota Statutes 1976, Section 137.12; 169.123, Subdivision 1; 169.965, Subdivision 1; 626.05, Subdivision 2; 626A.01, Subdivision 7; and Chapter 626, by adding a section.

The bill was read for the first time and referred to the Committee on Criminal Justice.

Kempe, A.; Moe; Cohen and McCarron introduced:

H. F. No. 1020, A bill for an act relating to crimes and corrections; directing the supreme court to promulgate sentencing guide lines; providing mandatory minimum sentences for felonies; amending Minnesota Statutes 1976, Sections 609.095; 609.11, Subdivision 1; 609.115, Subdivision 1; 609.12, Subdivision 1; and 609.135, by adding a subdivision; repealing Minnesota Statutes 1976, Section 609.115, Subdivision 2.

The bill was read for the first time and referred to the Committee on Criminal Justice.

Nelson, Arlandson and Moe introduced:

H. F. No. 1021, A bill for an act relating to crimes; authorizing a court to impose as a condition of release for a person charged with a criminal offense a bail procedure that provides for a ten percent deposit.

The bill was read for the first time and referred to the Committee on Criminal Justice.

Nelson, Novak, Lehto and Laidig introduced:

H. F. No. 1022, A bill for an act relating to the juveniles; providing for a hearing to determine detrimental relationships involving children; providing for a penalty for those engaging children in detrimental relationships; amending Minnesota Statutes 1976, Chapters 260, by adding a section; and 609, by adding a section.

The bill was read for the first time and referred to the Committee on Criminal Justice.

White introduced:

H. F. No. 1023, A bill for an act relating to Independent School District No. 195; authorizing an additional levy for a community recreation program; amending Minnesota Statutes 1976, Section 275.125, Subdivision 8.

The bill was read for the first time and referred to the Committee on Education.

Osthoff, Enebo, Fudro, Anderson, I., and Biersdorf introduced:

H. F. No. 1024, A bill for an act relating to the environment; clarifying the burden of proof in environmental rights actions; providing that economic considerations shall receive due consideration; amending Minnesota Statutes 1976, Sections 116B.04; and 116B.09, Subdivision 2.

The bill was read for the first time and referred to the Committee on Environment and Natural Resources.

Fjoslien; Anderson, G.; Nelsen, B.; Mann and Kelly, W., introduced:

H. F. No. 1025, A bill for an act relating to drainage ditches; requiring removal of certain obstructions on state lands; amending Minnesota Statutes 1976, Section 106.491.

The bill was read for the first time and referred to the Committee on Environment and Natural Resources.

Nelsen, M.; Kroening; Gunter; Sarna and Braun introduced:

H. F. No. 1026, A bill for an act relating to game and fish; migratory waterfowl hunting hours; amending Minnesota Statutes 1976, Section 100.27, by adding a subdivision.

The bill was read for the first time and referred to the Committee on Environment and Natural Resources.

Osthoff, Haugerud, Stoa, Anderson, I., and Biersdorf introduced:

H. F. No. 1027, A bill for an act relating to the environment; environmental impact statements; requiring petitioners initiating environmental impact statements to be adult residents or property owners in affected areas; exempting private actions of only local significance; providing that economic considerations be given due consideration; amending Minnesota Statutes 1976, Section 116D.04, Subdivisions 3, 5 and 6.

The bill was read for the first time and referred to the Committee on Environment and Natural Resources.

Sieben, H., introduced:

H. F. No. 1028, A bill for an act relating to the establishment of a power plant site and transmission line route selection authority in the environmental quality board; appropriating money; providing penalties; amending Minnesota Statutes 1976, Sections 116C.52, Subdivision 3, and by adding subdivisions; 116C.53; 116C.54; 116C.55, Subdivisions 2 and 3; 116C.57; 116C.58; 116C.59, Subdivision 1; 116C.61, Subdivisions 2 and 3; 116C.64; 116C.69; and Chapter 116C, by adding a section; repealing Minnesota Statutes 1976, Sections 116C.55, Subdivision 1; and 116C.56.

The bill was read for the first time and referred to the Committee on Environment and Natural Resources.

George, Brinkman, Wenzel, Anderson, G., and Anderson, R., introduced:

H. F. No. 1029, A bill for an act relating to mortgages; authorizing appointment of a receiver upon foreclosure and upon a showing that a mortgagor has breached certain covenants in the mortgage; amending Minnesota Statutes 1976, Sections 559.17; and 576.01.

The bill was read for the first time and referred to the Committee on Financial Institutions and Insurance.

Swanson, Norton, Rice, Sabo and Brinkman introduced:

H. F. No. 1030, A bill for an act relating to health care plans; requiring minimum anticipated loss ratios for certain insurance plans; eliminating certain open enrollment requirements for non-profit health service plans; revising the Minnesota comprehensive health insurance act of 1976; making necessary improvements and corrections; further prescribing the powers and duties of the commissioner of insurance; amending Minnesota Statutes 1976, Section 62A.02, Subdivision 3; 62D.10, Subdivision 1; 62E.02, Subdivisions 2, 8, 11 and 21; 62E.03, Subdivision 2; 62E.04, Subdivision 4; 62E.06; 62E.09; 62E.10, Subdivisions 1 and 3; 62E.11, Subdivision 5; 62E.13, Subdivisions 2 and 4; and 62E.14, Subdivision 1.

The bill was read for the first time and referred to the Committee on Financial Institutions and Insurance.

Nelsen, M., and Abeln introduced:

H. F. No. 1031, A bill for an act relating to insurance companies; prescribing penalties for violation of certain filing requirements; amending Minnesota Statutes 1976, Chapter 72A, by adding a section; repealing Minnesota Statutes 1976, Section 72A.06.

The bill was read for the first time and referred to the Committee on Financial Institutions and Insurance.

Osthoff introduced:

H. F. No. 1032, A bill for an act relating to elections; precinct boundaries; including annexed area in adjacent precinct; amending Minnesota Statutes 1976, Section 204A.06, Subdivision 1; repealing Minnesota Statutes 1976, Section 204A.06, Subdivision 2.

The bill was read for the first time and referred to the Committee on General Legislation and Veterans Affairs.

McCarron; Osthoff; Anderson, I.; Rice and Lehto introduced:

H. F. No. 1033, A bill for an act relating to elections; providing for elections to fill vacancies in the United States senate; amending Minnesota Statutes 1976, Chapter 202A, by adding a section; repealing Minnesota Statutes 1976, Section 202A.72.

The bill was read for the first time and referred to the Committee on General Legislation and Veterans Affairs.

Patton introduced:

H. F. No. 1034, A bill for an act relating to retirement; purchase of service credit by certain state employees or former employees; amending Minnesota Statutes 1976, Section 352.021, Subdivision 3.

The bill was read for the first time and referred to the Committee on Governmental Operations.

Nelson, Petrafeso, Skoglund, Clark and Dean introduced:

H. F. No. 1035, A bill for an act relating to eminent domain; court appointed commissioners; disqualifying certain attorneys from acting as a commissioner; amending Minnesota Statutes 1976, Section 117.075.

The bill was read for the first time and referred to the Committee on Governmental Operations.

Metzen, Kroening, Jacobs, Osthoff and Sieben, H., introduced:

H. F. No. 1036, A bill for an act relating to the operation of state government; requiring a reevaluation of state department budgets and programs every two years following zero-based budgeting; providing for investigation by legislative staff.

The bill was read for the first time and referred to the Committee on Governmental Operations.

Casserly; Norton; Cummiskey; Sieben, H.; and Dean introduced:

H. F. No. 1037, A bill for an act relating to the attorney general; creating an office of bond counsel; restricting the use of private bond counsels by state agencies and political subdivisions; prescribing duties; appropriating money.

The bill was read for the first time and referred to the Committee on Governmental Operations.

Wieser introduced:

H. F. No. 1038, A bill for an act relating to state lands; authorizing the commissioner of natural resources to convey the interests of the state in certain lands in Houston county.

The bill was read for the first time and referred to the Committee on Governmental Operations.

Arlandson, Nelson, Abeln, Swanson and Petrafeso introduced:

H. F. No. 1039, A bill for an act relating to public welfare; providing pre-trial proceedings and hearings to determine paternity of illegitimate children; requiring a notice to be given a father when a mother intends to relinquish a child for purposes of adoption; enacting the uniform parentage act; revising Minnesota Statutes to conform with the uniform parentage act; amending Minnesota Statutes 1976, Sections 144.159; 144.167; 144.171, Subdivision 2; 257.025; 257.175; 257.28; 259.24, Subdivisions 1 and 2; 259.25, Subdivision 1; 259.26, Subdivision 1; 259.29; 260.111, Subdivision 2; 525.172; and 525.173; repealing Minnesota Statutes 1976, Sections 144.177; 257.251; 257.252; 257.253; 257.254; 257.255; 257.256; 257.257; 257.258; 257.259; 257.261; 257.262; 257.263; 257.264; 257.27; 257.29; 257.30; 257.31; 257.33; 259.261; and 517.19.

The bill was read for the first time and referred to the Committee on Governmental Operations.

King, Welch and Laidig introduced:

H. F. No. 1040, A bill for an act relating to finance; deleting obsolete provisions; changing and clarifying cross-references; codifying certain provisions formerly in session laws; appropriating money; amending Minnesota Statutes 1976, Sections 12.24, Subdivision 2; 15.50, Subdivision 5; 16.172; 16.80, Subdivision 1; 16A.17, Subdivision 9; 18.69; 43.43, Subdivision 2; 121.48, Subdivision 2; 124.212, Subdivision 19; 136.11, Subdivision 5; 136.144; 136.37; 136.55, Subdivision 2; and Chapter 243, by adding a section; repealing Minnesota Statutes 1976, Sections 16.026, Subdivision 5; and 16A.05; and Laws 1945, Chapter 575, Sections 19 and 21.

The bill was read for the first time and referred to the Committee on Governmental Operations.

Berglin, Sieben, H., and Adams introduced:

H. F. No. 1041, A bill for an act relating to unemployment compensation; changing total disqualification based on receipt of social security benefits; amending Minnesota Statutes 1976, Section 268.03, Subdivisions 3 and 4.

The bill was read for the first time and referred to the Committee on Governmental Operations.

Patton, Moe, Beauchamp, Hanson and Reding introduced:

H. F. No. 1042, A bill for an act relating to retirement; election of trustees to the public employees retirement association board of trustees; amending Minnesota Statutes 1976, Section 353.03, Subdivision 1; repealing Minnesota Statutes 1976, Section 353.03, Subdivision 2a.

The bill was read for the first time and referred to the Committee on Governmental Operations.

Patton, Moe, Beauchamp and Biersdorf introduced:

H. F. No. 1043, A bill for an act relating to retirement; computation of average salary for certain unclassified state employees.

The bill was read for the first time and referred to the Committee on Governmental Operations.

Patton, Reding, Beauchamp, Hanson and Biersdorf introduced:

H. F. No. 1044, A bill for an act relating to the public employees retirement association; increasing contributions; reducing penalty for early retirement; increasing interest on refunds; eliminating augmentation of deferred annuities; transferring the required reserves for a deferred annuity to the Minnesota adjustable fixed benefit fund; eligibility for proportionate annuities; amending Minnesota Statutes 1976, Sections 353.27, Subdivision 2; 353.30, Subdivisions 1, 1b, and 3; 353.31, by adding subdivisions; 353.32, Subdivision 1; 353.34, Subdivision 2; 353.65, Subdivisions 2 and 3; 353.657, by adding a subdivision; and 353.71, Subdivision 2; and 356.32, Subdivision 1.

The bill was read for the first time and referred to the Committee on Governmental Operations.

Patton; Moe; Sieben, H.; Casserly and McCarron introduced:

H. F. No. 1045, A bill for an act relating to the legislature; exempting legislators from jury duty during the term of office, and exempting officers and employees of the legislature from jury duty during their period of employment; amending Minnesota Statutes 1976, Section 3.081.

The bill was read for the first time and referred to the Committee on Governmental Operations.

Patton introduced:

H. F. No. 1046, A bill for an act relating to retirement; firemen's and police relief associations in cities of the first class; membership of new police officers and firefighters in the public employees police and fire fund; contributions and refunds.

The bill was read for the first time and referred to the Committee on Governmental Operations.

Patton introduced:

H. F. No. 1047, A bill for an act relating to retirement; St. Paul teachers retirement fund association; benefits and contributions; establishment of a coordinated program; amending Minnesota Statutes 1976, Chapter 355, by adding sections.

The bill was read for the first time and referred to the Committee on Governmental Operations.

McEachern; Kempe, R.; St. Onge; Dahl and Peterson introduced:

H. F. No. 1048, A bill for an act relating to libraries; requiring distribution of certain state publications to county and regional libraries; amending Minnesota Statutes 1976, Sections 15.051, Subdivision 4; 15.047, Subdivision 2; and 648.39, by adding a subdivision.

The bill was read for the first time and referred to the Committee on Governmental Operations.

Pehler, McCarron, Forsythe, Clawson and Anderson, B., introduced:

H. F. No. 1049, A bill for an act relating to public welfare; medical assistance for the needy; guidelines for nursing home costs; allowing certain costs not directly related to patient care; amending Minnesota Statutes 1976, Section 256B.47, Subdivision 2.

The bill was read for the first time and referred to the Committee on Health and Welfare.

Swanson, Petrafeso, Abeln and Dahl introduced :

H. F. No. 1050, A bill for an act relating to nursing homes; clarifying requirements for administration and inspections; changing provisions for reimbursement of expenses for interest on capital indebtedness; deleting certain provisions and adding new provisions on investment allowance; providing an annual cost settlement; appropriating money; amending Minnesota Statutes 1976, Sections 144A.05; 144A.10, Subdivisions 2 and 5; 256B.27, by adding a subdivision; 256B.44, Subdivision 3; 256B.45; 256B.47, Subdivision 1; and Chapter 256B, by adding a section.

The bill was read for the first time and referred to the Committee on Health and Welfare.

Berglin, Clawson, Clark, Carlson, D., and Dahl introduced :

H. F. No. 1051, A bill for an act relating to public welfare; aid to families with dependent children, medical assistance, and supplemental aid; altering eligibility criteria; amending Minnesota Statutes 1976, Sections 256.73, Subdivision 2; 256B.06, Subdivision 1; and 256D.37, Subdivision 2.

The bill was read for the first time and referred to the Committee on Health and Welfare.

Dahl, Hokanson, Petrafeso, Swanson and Heinitz introduced :

H. F. No. 1052, A bill for an act relating to human services; providing grants to plan and organize human services programs; requiring notification of affected state agencies; requiring certain membership on advisory councils; promulgating rules; amending Minnesota Statutes 1976, Sections 402.01, by adding a subdivision; 402.02, Subdivisions 1 and 2; 402.03; 402.04, Subdivision 1; 402.05; and 402.06; repealing Minnesota Statutes 1976, Sections 402.08 and 402.09.

The bill was read for the first time and referred to the Committee on Health and Welfare.

Wenstrom; McCollar; Nelsen, M.; Carlson, L.; and Kvam introduced :

H. F. No. 1053, A bill for an act relating to the practice of chiropractic; prescribing academic requirements for licensure, grounds for disciplinary action, and penalties; amending Minnesota Statutes 1976, Sections 148.06, Subdivision 1; and 148.10, Subdivision 1, and by adding a subdivision.

The bill was read for the first time and referred to the Committee on Health and Welfare.

Brandl, Welch, Rice, Kaley and Berkelman introduced:

H. F. No. 1054, A bill for an act relating to welfare; aid to families with dependent children; changing certain eligibility qualifications; amending Minnesota Statutes 1976, Sections 256.73, Subdivisions 1, 2, 4, and by adding subdivisions; and 256.79.

The bill was read for the first time and referred to the Committee on Health and Welfare.

Abeln; Carlson, L.; Neisen; McCollar and Kempe, R., introduced:

H. F. No. 1055, A bill for an act relating to health care; providing expense protection for the services of interpreters for the deaf or mute in certain medical situations; amending Minnesota Statutes 1976, Chapters 62A and 62D by adding sections; and Section 62C.14, by adding a subdivision.

The bill was read for the first time and referred to the Committee on Health and Welfare.

Carlson, L.; Anderson, B.; Scheid; Wenstrom and Kaley introduced:

H. F. No. 1056, A bill for an act relating to health; prohibiting the operation of professional nursing business without a license; amending Minnesota Statutes 1976, Sections 148.281, by adding a subdivision; and 319A.02, Subdivision 2.

The bill was read for the first time and referred to the Committee on Health and Welfare.

Swanson; Carlson, L.; Wenstrom; Kaley and Munger introduced:

H. F. No. 1057, A bill for an act relating to health; developing standards for safe drinking water; providing penalties; defining terms; amending Minnesota Statutes 1976, Section 115.71, Subdivision 7; and 144.12, Subdivision 1.

The bill was read for the first time and referred to the Committee on Health and Welfare.

Fugina, Williamson, Begich, Rice and Kroening introduced :

H. F. No. 1058, A bill for an act relating to the organization and operation of state government ; education ; changing the membership of the higher education coordinating board ; prescribing additional duties for the board ; appropriating money ; amending Minnesota Statutes 1976, Sections 136A.02, Subdivisions 1, 1a, and 2 ; 136A.04 ; 136A.05 ; and 136A.07.

The bill was read for the first time and referred to the Committee on Higher Education.

Fugina, Williamson, St. Onge, Stanton and Beauchamp introduced :

H. F. No. 1059, A bill for an act relating to education ; authorizing the higher education coordinating board and regional consortium to cooperate in the development of health education programs ; appropriating money.

The bill was read for the first time and referred to the Committee on Higher Education.

Kalis, Mann, Fugina, Anderson, G., and Kaley introduced :

H. F. No. 1060, A bill for an act relating to education ; loans to medical students ; changing requirements for loan forgiveness and limitations on loan amounts ; amending Minnesota Statutes 1976, Section 147.30.

The bill was read for the first time and referred to the Committee on Higher Education.

Pehler, Stanton, Clawson, Pleasant and Jaros introduced :

H. F. No. 1061, A bill for an act relating to migrant labor ; providing contract requirements ; providing for the recruiting of migrant workers ; prescribing penalties ; providing for private causes of action ; appropriating funds.

The bill was read for the first time and referred to the Committee on Labor-Management Relations.

Waldorf, Kostohryz and Kelly, R., introduced :

H. F. No. 1062, A bill for an act relating to Ramsey county ; providing state assistance for the retention and treatment of stormwater flowing into Lake Phalen ; appropriating money.

The bill was read for the first time and referred to the Committee on Local and Urban Affairs.

Nelsen, M., introduced:

H. F. No. 1063, A bill for an act relating to the city of Mora; authorizing the issuance of electric revenue refunding bonds.

The bill was read for the first time and referred to the Committee on Local and Urban Affairs.

Erickson, Stanton, Birnstihl, Braun and Den Ouden introduced:

H. F. No. 1064, A bill for an act relating to public water and sewer improvements; authorizing inclusion of cities in sewer and water districts; allowing certain special assessments; providing an accounting system; amending Minnesota Statutes 1976, Sections 116A.01, Subdivisions 1, 1a, 2, 4, and by adding a subdivision; 116A.02, by adding a subdivision; 116A.09; 116A.11, Subdivision 4; 116A.16; 116A.17, Subdivision 2; 116A.20, Subdivisions 2 and 6; 116A.24, Subdivisions 2 and 3, and by adding a subdivision; and Chapter 116A, by adding a section.

The bill was read for the first time and referred to the Committee on Local and Urban Affairs.

Fugina introduced:

H. F. No. 1065, A bill for an act relating to St. Louis county; fees for tax search certificate; amending Laws 1955, Chapter 633, Section 1, Subdivision 2.

The bill was read for the first time and referred to the Committee on Local and Urban Affairs.

McEachern introduced:

H. F. No. 1066, A bill for an act relating to public indebtedness; regulating the sale of securities by municipalities subject to reverse repurchase agreements; providing penalties for misconduct of municipal officers in the execution of agreements; amending Minnesota Statutes 1976, Section 475.51, by adding a subdivision; and Chapter 475, by adding a section.

The bill was read for the first time and referred to the Committee on Local and Urban Affairs.

Cassery, Forsythe, Brinkman, Wynia and Jaros introduced:

H. F. No. 1067, A bill for an act relating to taxation; providing income tax deduction for travel expenses for medical purposes; amending Minnesota Statutes 1976, Section 290.09, Subdivision 10.

The bill was read for the first time and referred to the Committee on Taxes.

Kahn and Sabo introduced:

H. F. No. 1068, A bill for an act relating to taxation; extending income adjusted homestead credit to certain residents of government property; amending Minnesota Statutes 1976, Section 290A.03, Subdivision 8.

The bill was read for the first time and referred to the Committee on Taxes.

Anderson, I.; Berglin; Corbid; Braun and Carlson, D., introduced:

H. F. No. 1069, A bill for an act relating to taxation; exempting certain residential utilities from the sales tax; amending Minnesota Statutes 1976, Section 297A.25, Subdivision 1.

The bill was read for the first time and referred to the Committee on Taxes.

Kvam, Eckstein, Sarna, Wigley and Jude introduced:

H. F. No. 1070, A bill for an act relating to taxation; allocating the proceeds of the motor vehicle excise tax between the general fund and the highway user tax distribution fund; amending Minnesota Statutes 1976, Sections 168.27, Subdivision 16; 297B.035, Subdivision 2; and 297B.09.

The bill was read for the first time and referred to the Committee on Taxes.

Sieben, H., introduced:

H. F. No. 1071, A bill for an act relating to taxation; providing for a credit against income taxes for taxpayers hiring previously unemployed workers; amending Minnesota Statutes 1976, Section 290.06, by adding a subdivision.

The bill was read for the first time and referred to the Committee on Taxes.

Tomlinson, Eken, Berg, Johnson and Savelkoul introduced:

H. F. No. 1072, A bill for an act relating to taxation; increasing certain income tax credits; simplifying certain deductions; changing the definition of gross income; providing for a minimum tax on preference income; amending Minnesota Statutes 1976, Sections 290.01, Subdivision 20; 290.06, Subdivision 3c; 290.09, Subdivisions 4, 5, 10 and 15; 290.21, Subdivision 3; Chapter 290, by adding sections; repealing Minnesota Statutes 1976, Sections 290.08, Subdivision 6; 290.09, Subdivisions 26 and 27; 290.971 and 290.972.

The bill was read for the first time and referred to the Committee on Taxes.

Skoglund, Jensen, Clark, Jaros and Forsythe introduced:

H. F. No. 1073, A bill for an act relating to highway traffic regulation; authorizing the issuance of limited driver's licenses for drivers whose licenses have been suspended or revoked; amending Minnesota Statutes 1976, Section 171.30, Subdivision 1.

The bill was read for the first time and referred to the Committee on Transportation.

Samuelson, Fudro, Sarna, Lemke and Biersdorf introduced:

H. F. No. 1074, A bill for an act relating to motor vehicle and highway noise control; requiring the commissioner of transportation to implement noise abatement measures; prohibiting construction of acoustical barriers except where required on federal aid highways; requiring the commissioner of public safety to cooperate in noise abatement measures; requiring a study and report concerning motor vehicle source noise enforcement devices and methods; increasing the complement of the state patrol; appropriating money; amending Minnesota Statutes 1976, Chapter 161, by adding a section; repealing Minnesota Statutes 1976, Section 161.125.

The bill was read for the first time and referred to the Committee on Transportation.

Osthoff, Hanson, Hokanson, Metzen and Biersdorf introduced:

H. F. No. 1075, A bill for an act relating to motor vehicles; requiring turn signals on motorcycles, motor scooters and bicycles with motor attached; amending Minnesota Statutes 1976, Section 169.57, Subdivision 2.

The bill was read for the first time and referred to the Committee on Transportation.

Lemke, Kvam, Metzen, Birnstihl and Jensen introduced:

H. F. No. 1076, A bill for an act relating to highway traffic regulations; prescribing the width of vehicles; amending Minnesota Statutes 1976, Section 169.80, Subdivision 2.

The bill was read for the first time and referred to the Committee on Transportation.

HOUSE ADVISORIES

Pursuant to rule 5.3, the following House Advisory was introduced:

Hokanson, Zubay, Mangan, Nelson and Sieben, H., introduced:

H. A. No. 21, A proposal to create a select committee to report findings and recommendations on child abuse.

The advisory was referred to the Committee on Health and Welfare.

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Mr. Speaker:

I hereby announce the passage by the Senate of the following House File, herewith returned:

H. F. No. 260, A bill for an act relating to the military; abolishing the naval militia and deleting references thereto; correcting other terminology; amending Minnesota Statutes 1976, Sections 190.05, Subdivision 3; 190.06, Subdivision 2; 191.09; 192.26, Subdivision 1; 193.141, Subdivision 1; 193.142; 193.143; 193.1431; 193.145; and 193.36, Subdivision 1; repealing Minnesota Statutes 1976, Chapter 194.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

I hereby announce the passage by the Senate of the following Senate Files, herewith transmitted:

S. F. Nos. 74, 78, 86 and 380.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

I hereby announce the passage by the Senate of the following Senate Files, herewith transmitted:

S. F. Nos. 267 and 305.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

I hereby announce the passage by the Senate of the following Senate Files, herewith transmitted:

S. F. Nos. 26 and 114.

PATRICK E. FLAHAVEN, Secretary of the Senate

FIRST READING OF SENATE BILLS

S. F. No. 74, A bill for an act relating to agriculture; potato grading; application; repealing Minnesota Statutes 1976, Section 30.101.

The bill was read for the first time and referred to the Committee on Agriculture.

S. F. No. 78, A bill for an act relating to public indebtedness; investment of debt service funds; amending Minnesota Statutes 1976, Section 475.66, Subdivisions 1 and 2.

The bill was read for the first time and referred to the Committee on Local and Urban Affairs.

S. F. No. 86, A bill for an act relating to real property; registration of title thereto; providing for changes in the persons who may register land and in the contents of the application for registration; permitting the registration of appurtenant easements over unregistered land and establishing procedures for such registration; changing the period during which the application shall constitute notice; changing the period for appeal from a final decree and establishing a period for appeal to the supreme court from an order of the district court made after the original registration of land; providing that money judgments may be filed on certificates of title only when the judgment debtor has a registered interest therein; prescribing fees of the registrar for the assurance fund; amending Minnesota Statutes 1976, Sections 508.03; 508.04; 508.06; 508.11; 508.23; 508.29; 508.63; and 508.74.

The bill was read for the first time.

Berg moved that S. F. No. 86 and H. F. No. 156, now on General Orders, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 380, A bill for an act relating to courts; lapse of causes of action arising outside the state; amending Minnesota Statutes 1976, Section 541.14.

The bill was read for the first time and referred to the Committee on Governmental Operations.

S. F. No. 267, A bill for an act relating to taxation; defining "common carrier" for certain purposes in connection with the sales and use tax; amending Minnesota Statutes 1976, Section 297A.211, Subdivision 1.

The bill was read for the first time.

Schulz moved that S. F. No. 267 and H. F. No. 374, now on General Orders, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 305, A bill for an act relating to intoxicating liquor; expiration date of municipal licenses; amending Minnesota Statutes 1976, Section 340.11, Subdivision 16.

The bill was read for the first time and referred to the Committee on Local and Urban Affairs.

S. F. No. 26, A bill for an act relating to game and fish; extending seasons for taking of certain fish; amending Minnesota Statutes 1976, Section 101.41, Subdivisions 2 and 4.

The bill was read for the first time and referred to the Committee on Environment and Natural Resources.

S. F. No. 114, A bill for an act relating to highways; requiring a hearing by a county board prior to the adoption of a resolution revoking a county highway that would revert to a town; amending Minnesota Statutes 1976, Section 163.11, by adding a subdivision.

The bill was read for the first time and referred to the Committee on Transportation.

REPORTS FROM THE COMMITTEE ON RULES AND
LEGISLATIVE ADMINISTRATION

Anderson, I., from the Committee on Rules and Legislative Administration to which was referred:

Senate Concurrent Resolution No. 7, A senate concurrent resolution relating to joint rules; providing for joint rules for the Legislature of the State of Minnesota.

Reported the same back with the following amendments:

Page 1, after line 9, insert the following:

“TABLE OF CONTENTS

ARTICLE I: JOINT CONVENTIONS

- 1.01 How Governed
- 1.02 President's Duties
- 1.03 President's Right to Vote
- 1.04 Stating Questions
- 1.05 Order of Debate
- 1.06 Calling Member to Order
- 1.07 Call of the Convention
- 1.08 Elections
- 1.09 No Smoking
- 1.10 Parliamentary Procedure

ARTICLE II: BILLS

- 2.01 Form
- 2.02 Appropriating Money
- 2.03 Deadlines
- 2.04 Amending Bills Originating in other House
- 2.05 Receding From Position

2.06 Conference Committees

2.07 Enrollment and Signature

ARTICLE III: GENERAL PROVISIONS

3.01 Suspension of Joint Rules

3.02 Odd Year Session Adjournment

3.03 Interim Committee and Commission Reports".

Page 4, line 4, delete "OF BILLS".

Page 6, line 14, delete "administrative" and insert "administrative".

Page 7, line 5, after the semicolon, insert "and".

Page 8, line 1, delete "or" and insert "(c) reports of the Committee on Rules and Administration in the Senate or the Committee on Rules and Legislative Administration in the House; or".

Page 8, line 2, delete "(c)" and insert "(d)".

Page 9, line 23, delete "practicable" and insert "practical".

Page 11, line 4, after the semicolon, insert "and".

With the recommendation that when so amended the resolution be adopted.

The report was adopted.

Anderson, I., moved that Senate Concurrent Resolution No. 7, providing Joint Rules for the 70th session of the Minnesota Legislature, be now adopted.

Savelkoul moved to amend Senate Concurrent Resolution No. 7, the unofficial engrossment, as follows:

Page 10, after line 15, insert:

"A state building or facility requiring state bonding to fund its construction shall not be included in a conference committee report unless the building or facility was included in the bill passed by each house."

A roll call was requested and properly seconded.

Kempe, A., moved to amend the Savelkoul amendment to Senate Concurrent Resolution No. 7, the unofficial engrossment, as follows:

Line 1, after "A state" insert "capitol annex", after "building" delete "or facility".

Line 3, after "building" delete "or facility".

A roll call was requested and properly seconded.

The question was taken on the Kempe, A., amendment to the Savelkoul amendment and the roll was called. There were 39 yeas and 89 nays as follows:

Those who voted in the affirmative were:

Adams	Dean	Heinitz	McCarron	Sarna
Albrecht	Den Ouden	Jude	McCollar	Savelkoul
Anderson, B.	Erickson	Kelly, R.	Metzen	Stanton
Anderson, D.	Esau	Kempe, A.	Nelsen, B.	Waldorf
Biersdorf	Ewald	Kempe, R.	Niehaus	Wieser
Carlson, A.	Faricy	Knickerbocker	Osthoff	Wigley
Carlson, D.	Fjoslien	Kvam	Peterson	Wynia
Cohen	Friedrich	Laidig	Rose	

Those who voted in the negative were:

Abeln	Clark	Jensen	Neisen	Sieben, H.
Anderson, G.	Clawson	Johnson	Nelsen, M.	Sieben, M.
Anderson, I.	Corbid	Kahn	Nelson	Simoneau
Anderson, R.	Cummiskey	Kaley	Norton	Skoglund
Arlandson	Dahl	Kalis	Novak	Smogard
Battaglia	Eckstein	King	Patton	Stoa
Beauchamp	Eken	Kostohryz	Pehler	Suss
Begich	Ellingson	Kroening	Petraleso	Swanson
Berg	Enebo	Langseth	Pleasant	Tomlinson
Berglin	Evans	Lehto	Prahl	Vanasek
Berkelman	Forsythe	Lemke	Reding	Welch
Birnstihl	Fudro	Mangan	Rice	Wenstrom
Brandl	Fugina	Mann	Samuelson	Wenzel
Braun	George	McDonald	Scheid	White
Brinkman	Gunter	McEachern	Schulz	Williamson
Byrne	Hokanson	Moe	Searle	Zubay
Carlson, L.	Jacobs	Munger	Searles	Speaker Sabo
Cassery	Jaros	Murphy	Sherwood	

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

Savelkoul moved to amend the Savelkoul amendment to Senate Concurrent Resolution No. 7, the unofficial engrossment, as follows:

Page 4, delete "each" and insert "one".

A roll call was requested and properly seconded.

The question was taken on the Savelkoul amendment to the Savelkoul amendment and the roll was called. There were 72 yeas and 55 nays as follows:

Those who voted in the affirmative were:

Abeln	Dean	Jude	Nelsen, B.	Sieben, M.
Adams	Den Ouden	Kaley	Nelson	Smogard
Albrecht	Eckstein	Kalis	Niehaus	Stoa
Anderson, B.	Erickson	Kempe, A.	Novak	Tomlinson
Anderson, D.	Esau	Kempe, R.	Osthoff	Waldorf
Anderson, R.	Evans	King	Peterson	Welch
Beauchamp	Ewald	Knickerbocker	Petrafeso	White
Berg	Faricy	Kostohryz	Pleasant	Wieser
Biersdorf	Fjoslien	Kvam	Rose	Wigley
Brandl	Forsythe	Laidig	Samuelson	Williamson
Byrne	Friedrich	Mann	Sarna	Wynia
Carlson, A.	George	McCarron	Savelkoul	Zubay
Carlson, D.	Heinitz	McCollar	Searle	
Cohen	Hokanson	McDonald	Searles	
Corbid	Johnson	Metzen	Sherwood	

Those who voted in the negative were:

Anderson, G.	Cassery	Jacobs	McEachern	Schulz
Anderson, I.	Clark	Jaros	Moe	Sieben, H.
Arlandson	Clawson	Jensen	Munger	Simoneau
Battaglia	Cummiskey	Kahn	Murphy	Skoglund
Begich	Dahl	Kelly, R.	Neisen	Stanton
Berglin	Eken	Kelly, W.	Nelsen, M.	Suss
Berkelman	Ellingson	Kroening	Norton	Swanson
Birnstihl	Enebo	Langseth	Pehler	Vanasek
Braun	Fudro	Lehto	Prahl	Wenstrom
Brinkman	Fugina	Lemke	Rice	Wenzel
Carlson, L.	Gunter	Mangan	Scheid	Speaker Sabo

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

CALL OF THE HOUSE

On the motion of Carlson, A., and on the demand of 10 members, a call of the House was ordered. The following members answered to their names:

Abeln	Cohen	Jensen	Munger	Sherwood
Adams	Corbid	Johnson	Murphy	Sieben, H.
Albrecht	Cummiskey	Jude	Neisen	Sieben, M.
Anderson, B.	Dahl	Kahn	Nelsen, B.	Simoneau
Anderson, D.	Dean	Kaley	Nelsen, M.	Skoglund
Anderson, G.	Den Ouden	Kalis	Nelson	Smogard
Anderson, I.	Eckstein	Kelly, R.	Niehhaus	Spanish
Anderson, R.	Eken	Kelly, W.	Norton	Stanton
Arlandson	Ellingson	Kempe, A.	Novak	Stoa
Battaglia	Enebo	Kempe, R.	Osthoff	Suss
Beauchamp	Erickson	King	Patton	Swanson
Begich	Esau	Knickerbocker	Pehler	Tomlinson
Berg	Evans	Kostohryz	Peterson	Vanasek
Berglin	Ewald	Kroening	Petrafeso	Waldorf
Berkelman	Faricy	Kvam	Pleasant	Welch
Biersdorf	Fjoslien	Laidig	Prahl	Wenstrom
Birnstihl	Forsythe	Langseth	Reding	Wenzel
Brandl	Friedrich	Lehto	Rice	White
Braun	Fudro	Lemke	Rose	Wieser
Brinkman	Fugina	Mangan	St. Onge	Wigley
Byrne	George	Mann	Samuelson	Williamson
Carlson, A.	Gunter	McCarron	Sarna	Wynia
Carlson, D.	Hanson	McCollar	Savelkoul	Zubay
Carlson, L.	Heinitz	McDonald	Scheid	Speaker Sabo
Casserly	Hokanson	McEachern	Schulz	
Clark	Jacobs	Metzen	Searle	
Clawson	Jaros	Moe	Searles	

The question recurred on the Savelkoul amendment, as amended, and the roll was called. There were 63 yeas and 69 nays as follows:

Those who voted in the affirmative were:

Abeln	Den Ouden	Kaley	Nelsen, B.	Searles
Adams	Eckstein	Kelly, R.	Niehhaus	Sherwood
Albrecht	Erickson	Kempe, A.	Novak	Stoa
Anderson, B.	Esau	Kempe, R.	Osthoff	Suss
Anderson, R.	Evans	Knickerbocker	Peterson	Tomlinson
Biersdorf	Ewald	Kostohryz	Pleasant	Waldorf
Byrne	Faricy	Kvam	Prahl	Welch
Carlson, A.	Fjoslien	Laidig	Rose	Wieser
Carlson, D.	Forsythe	Mangan	Samuelson	Wigley
Clawson	Friedrich	McCarron	Sarna	Wynia
Cohen	Heinitz	McCollar	Savelkoul	Zubay
Corbid	Hokanson	McDonald	Scheid	
Dean	Jude	Metzen	Searle	

Those who voted in the negative were:

Anderson, D.	Braun	George	Langseth	Patton
Anderson, G.	Brinkman	Gunter	Lehto	Pehler
Anderson, I.	Carlson, L.	Hanson	Lemke	Petrafeso
Arlandson	Casserly	Jacobs	Mann	Reding
Battaglia	Clark	Jaros	McEachern	Rice
Beauchamp	Cummiskey	Jensen	Moe	St. Onge
Begich	Dahl	Johnson	Munger	Schulz
Berg	Eken	Kahn	Murphy	Sieben, H.
Berglin	Ellingson	Kalis	Neisen	Sieben, M.
Berkelman	Enebo	Kelly, W.	Nelsen, M.	Simoneau
Birnstihl	Fudro	King	Nelson	Skoglund
Brandl	Fugina	Kroening	Norton	Smogard

Spanish
Stanton

Swanson
Vanasek

Wenstrom
Wenzel

White
Williamson

Speaker Sabo

The motion did not prevail and the amendment, as amended, was not adopted.

The question recurred on the motion of Anderson, I., to adopt Senate Concurrent Resolution No. 7 providing Joint Rules for the 70th Session of the Legislature. The motion prevailed and Senate Concurrent Resolution No. 7 providing for Joint Rules was adopted.

The Joint Rules for the 70th Session of the Legislature, as amended by the House, read as follows:

JOINT RULES OF THE SENATE AND HOUSE OF REPRESENTATIVES

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ARTICLE I: JOINT CONVENTIONS

HOW GOVERNED

Rule 1.01. The Speaker of the House shall preside at all Conventions of the two houses of the Legislature and shall call the members to order. The Chief Clerk of the House shall be the Secretary and the Sergeant at Arms of the House shall be the Sergeant at Arms of the Convention.

PRESIDENT'S DUTIES

Rule 1.02. The President of the Convention shall preserve order and decorum. He may speak on all points of order in preference to other members and shall decide questions of order, subject to an appeal to the Convention by any member. He shall rise to put a question but may state it while seated.

PRESIDENT'S RIGHT TO VOTE

Rule 1.03. The President shall have the right to vote in all cases except appeals from his decisions. He shall vote last on all questions.

STATING QUESTIONS

Rule 1.04. Questions shall be put to the Convention in the following form: "As many as are of the opinion that (the question) shall pass, say 'Aye.'" After an affirmative vote is expressed the nays shall be called as follows: "As many as are of the contrary opinion, say 'No.'" If the President is in doubt or a division is called, those in the affirmative shall rise first and those in the negative afterward.

ORDER OF DEBATE

Rule 1.05. When any member wishes to speak to the Convention on any matter, he shall rise and respectfully address the President, and not speak further until recognized. He shall confine himself to the question under debate and avoid personal remarks. When two or more members rise at the same time, the President shall designate the member to speak first. No member shall speak more than twice on the same question without permission of the Convention.

CALLING MEMBER TO ORDER

Rule 1.06. If any member of the Joint Convention is called to order for offensive words in debate, the member calling him to order shall report the words to which exception is taken and the Secretary shall record them. No member may be called to order for any language used in debate if exception is not taken before any other member has spoken or any other business has taken place. A member called to order shall immediately sit down unless another member moves to permit him to explain. In any case, the Joint Convention, if appealed to, shall decide without debate. Only if the decision is in favor of the member called to order shall he be at liberty to proceed.

CALL OF THE CONVENTION

Rule 1.07. Five members may demand a call of the Convention at any time except after voting has commenced. When such a call is demanded, the doors shall be closed, the roll shall be called, the absent members shall be sent for, and no member may be permitted to leave the Chamber, unless excused by the President, until the call is lifted. Proceedings under the roll call may be suspended by a majority vote of all the members of the Convention. A call of the Convention may be lifted by a majority vote of all the members of the Convention.

ELECTIONS

Rule 1.08. In all elections by the Joint Convention, members shall vote viva voce and the roll of Senate members shall be called first. Whenever there is an election of any officer in Joint Convention, the result shall be certified by the President of the Senate and the Speaker of the House and announced by them to their respective houses. The result shall be entered on the Journal of each house and communicated to the Governor by the Secretary of the Convention.

NO SMOKING

Rule 1.09. No person is permitted to smoke in the Chamber or in the gallery during a Joint Convention.

PARLIAMENTARY PROCEDURE

Rule 1.10. The Rules of the House shall be the Rules of the Joint Convention of both houses in all cases in which the foregoing rules are not applicable.

ARTICLE II: BILLS

FORM

Rule 2.01. The title of each bill shall clearly state its subject and briefly state its purpose. When a bill amends or repeals an existing act, the title shall refer to the chapter, section or subdivision.

Reference shall be made to Minnesota Statutes for the provisions appearing therein unless reference to previous session laws is required for some special reason.

Bills shall refer to Minnesota Statutes as follows:

“Minnesota Statutes _____, Section _____”

Bills shall refer to the session laws as follows:

“Laws _____, Chapter _____, Section _____”

A bill for the amendment of a statute shall contain the full text of the section or subdivision to be amended as it appears in the latest edition of Minnesota Statutes unless it has been amended at a later session, in which event it shall contain the full text as amended.

The words and characters constituting the amending matter shall be inserted in the proper place in the text and underscored. The words and characters to be eliminated by the amendment shall be stricken by drawing a line through them. The text of a new section or subdivision shall also be underscored when a bill amends an existing chapter or section by adding a new section or subdivision. In the omnibus appropriation bills required by Joint Rule 2.02, sections making an appropriation or transfer and not amending a statute or session law need not have new material underscored. Before a committee favorably reports upon a bill, the chairman of the committee shall see that the bill conforms to this rule. Printed bills shall be in the same form. When a bill is printed in the Journal, the new matter shall be in italics or underscored and the matter to be eliminated shall be capitalized and in parentheses or stricken by drawing a line through it. A bill drafted by the Revisor of Statutes for the purposes of correcting errors in Minnesota Statutes need not comply with the provisions of this paragraph if the bill is labeled “REVISOR’S BILL” immediately below the title, and if there is at-

tached thereto a memorandum of information explaining the reasons for the bill.

If the bill is for an original law and not for an amendment of an existing law, the sections and subdivisions shall be arranged, subdivided, and numbered in like manner as Minnesota Statutes. If such a bill assigns to the sections thereof headnotes or identification by the decimal system of numbering used in Minnesota Statutes, such headnotes and decimal identification may be submitted by standing committee chairmen to the Revisor of Statutes for examination. Any such headnotes shall be capital letters enclosed in brackets, and shall be subject to the provisions of Minnesota Statutes, Section 648.36.

All numbers in titles shall be expressed in figures. All numbers of section or chapter of law shall be in figures. In the body of a bill numbers in excess of ten shall be in figures, except for a special reason they may be written, but when written they shall not be followed by numbers or parentheses.

APPROPRIATING MONEY

Rule 2.02. The same bill shall not appropriate public money or property to more than one local or private purpose.

No clause appropriating money for a local or private purpose shall be contained in a bill appropriating money for the State government or public institutions. All resolutions authorizing the issuing of abstracts by the Secretary of the Senate or the Chief Clerk of the House for the payment of money shall be upon the call of "yeas" and "nays."

At least twenty calendar days prior to the adjournment of the Legislature, the Committee on Finance of the Senate and the Committee on Appropriations of the House shall report to their respective houses, unless directed by concurrent resolution to report different appropriation bills, eight separate appropriation bills as follows:

(a) A bill appropriating money for the general administrative and judicial expenses of the State government for the succeeding two fiscal years including salaries, office expenses and supplies and other necessary expenses connected therewith;

(b) A bill covering all appropriations relating to public welfare, health and corrections for the support and maintenance of all State penal and charitable institutions, and other institutions of the State except educational for the two succeeding fiscal years;

(c) A bill appropriating money for the support and maintenance of all State educational institutions for the two succeeding fiscal years;

(d) A bill covering all appropriations providing for the payment of claims against the State of Minnesota which may have been allowed by the Finance Committee of the Senate or the Appropriations Committee of the House;

(e) A bill covering all appropriations made for semi-state activities;

(f) A bill covering all appropriations for construction and major rehabilitation of public buildings to be financed by issuance of bonds;

(g) A bill covering all appropriations for maintenance, repair, and minor rehabilitation and construction of public buildings; and

(h) A bill covering appropriations for the department of transportation.

No other appropriations shall be contained in any of said bills but all other appropriations shall be contained in separate bills.

DEADLINES

Rule 2.03. In 1977, committee reports on bills favorably acted upon by a committee in the house of origin after Friday, April 22 and committee reports on bills originating in the other house favorably acted upon by a committee after Friday, May 6 shall be referred in the Senate to the Committee on Rules and Administration, and in the House of Representatives to the Committee on Rules and Legislative Administration for disposition. Referral is not required when a committee after April 22 and by May 6 acts on a bill that is a companion to a bill that has met the April 22 deadline in the other house. This rule does not apply to the Senate committees on Finance and on Taxes and Tax Laws, and the House Committees on Appropriations and on Taxes.

Conference committees on the major appropriation bills specified in Joint Rule 2.02 shall have their reports on the members' desks by Thursday, May 19, 1977.

After Friday, May 20 in the first year of the biennium, neither house shall act on bills other than those contained in:

(a) reports of conference committees;

(b) messages from the other house;

(c) reports of the Committee on Rules and Administration in the Senate or the Committee on Rules and Legislative Administration in the House; or

- (d) messages from the governor.

AMENDING BILLS ORIGINATING IN OTHER HOUSE

Rule 2.04. Either house shall have the power to amend any bill, memorial, or resolution passed by the other house.

RECEDING FROM POSITION

Rule 2.05. Prior to a conference committee on any matter, either house may recede from its position on any difference existing between the two houses. In order to recede, and if the matter is not in the possession of a house, that house shall request return of the matter from the other house. To recede, a majority of a house shall govern, except in cases otherwise provided in the Constitution. If the question is put and lost, it shall not be put again on the same day. A reconsideration of the question shall in all respects be regulated by the rules of that house.

CONFERENCE COMMITTEES

Rule 2.06. In all cases of disagreement between the Senate and House on amendments adopted by either house to a bill, memorial or resolution passed by the other house, a Conference Committee consisting of not less than three members nor more than five members from each house may be requested by either house. The other house shall appoint a similar committee.

The manner of procedure shall be as follows: The house of origin passes a bill and transmits it to the other body. If the other body adopts an amendment to the bill and passes it as amended, it shall return the bill with a record of its actions to the house of origin. If the house of origin refuses to concur in the amendment, it shall ask for a conference committee, appoint such a committee on its part, and transmit the bill with a record of its action to the other house. If the other house adheres to its amendment, it shall appoint a like committee and return the bill to the house of origin.

At an agreed upon hour the conference committee shall meet. The members from each house shall state to the members from the other house, orally or in writing, the reason for their respective positions. The members shall confer thereon and shall report to their respective houses the agreement they have reached, or, if none, the fact of a disagreement. Within seven calendar days after the appointment of a conference committee, and every seven calendar days thereafter until such time as the conference committee is discharged, the conference committee shall report its progress to each house. If an agreement is reported, the house of origin shall act first upon the report. If the report is adopted and repassed as amended by the conference committee by the house of origin, the report, the bill and a record of its action shall be transmitted to the other house.

All Conference Committees shall be open to the public. Meetings of Conference Committees shall be announced as far in advance as practical.

Except on the last two days on which a bill may be passed in any year, a written copy of a report of a Conference Committee shall be placed on the desk of each member of a house twelve hours before action on the report by that house. If the report has been reprinted in the Journal of either house for a preceding day and is available to the members, the Journal copy shall serve as the written report.

ENROLLMENT AND SIGNATURE

Rule 2.07. After a bill or memorial has been passed by both houses, it shall be carefully and properly enrolled by the Revisor of Statutes under the direction of the Secretary of the Senate for a matter originating in the Senate or the Chief Clerk of the House for a matter originating in the House. The Revisor of Statutes shall obtain the signatures and certificates of the proper officers to the enrolled copy of the bill or memorial and present it to the Governor for his approval.

A bill or memorial may be prepared for presentation to the Governor on good quality paper approximately 8½" x 13" in size and may be produced by means of a copying machine. An enrolled bill shall be labeled "An Act" and it shall be identical to the bill passed by the Legislature. An enrolled bill which is amendatory of any existing law or constitutional provision shall indicate deletions and additions in the manner provided in Rule 2.01 for printed bills.

ARTICLE III: GENERAL PROVISIONS

SUSPENSION OF JOINT RULES

Rule 3.01. Either house may suspend the Joint Rules of the Senate and House by a vote of two-thirds of its members.

ODD YEAR SESSION ADJOURNMENT

Rule 3.02. Adjournment of the regular session in any odd-numbered year to a date certain in the following year shall be equivalent to daily adjournment, except that upon adjournment in any odd-numbered year to a date certain in the following year:

(a) any bill being considered by a conference committee shall be returned to the house of origin, laid on the table, and the conference committee shall be discharged;

(b) any bill referred to the Committee on Rules and Administration in the Senate or the Committee on Rules and Legisla-

tive Administration in the House pursuant to Joint Rule 2.03 shall be returned to the standing committee to which it was last previously referred; and

(c) any bill returned by the Governor to the house of origin with his objections following such adjournment shall be laid on the table.

INTERIM COMMITTEE AND COMMISSION REPORTS

Rule 3.03. Except as otherwise provided by law, the report of any interim committee or commission to the Legislature shall be submitted on paper 8½" x 11" in size, punched on the left edge to fit a standard size three ring binder intended for that size paper. A brief summary of the recommendations of the commission or committee shall appear first and be clearly separated from its findings, discussions, and exhibits. If the report contains legislative recommendations, a copy of any proposed legislation, particularly if extensive in character, shall if possible be attached as an exhibit at the end of the report.

Novak and Wigley were excused for the remainder of today's session.

Anderson, I., for the Committee on Rules and Legislative Administration, offered the following report and moved its adoption:

Be It Resolved, by the Committee on Rules and Legislative Administration that the Chief Clerk is authorized and directed to make payment for actual mileage and meal expenses, incurred in the course of legislative work by nonpaid college-enrolled interns working at least 20 hours per week for the House of Representatives, in an amount not to exceed \$12.00 per week; provided that such payment shall be made only upon presentation to the Chief Clerk of a signed and verified statement by the member for whom such intern is working, on a form provided by the Chief Clerk, indicating the intern expenses incurred; provided that no member shall have more than one intern eligible for this reimbursement; and, be it

Further Resolved, that the Chief Sergeant at Arms is directed to study and evaluate the intern program, including the concept of rebate to interns by any school participating in the program of a portion or all of the tuition and incidental fees paid by that intern, and make his recommendation to the Committee on Rules and Legislative Administration prior to the 1978 legislative session; and be it

Further Resolved, that this resolution shall be effective upon passage.

Kahn and Anderson, I., moved to amend the report from the Committee on Rules and Legislative Administration as follows:

Line 4, delete "college-enrolled".

The motion prevailed and the amendment to the report was adopted.

The question recurred on the adoption of the report, as amended, and the roll was called. There were 88 yeas and 35 nays as follows:

Those who voted in the affirmative were:

Abeln	Carlson, L.	Gunter	McCollar	Searle
Adams	Cassery	Hanson	Metzen	Searles
Albrecht	Clark	Jaros	Moe	Sieben, H.
Anderson, B.	Clawson	Jude	Munger	Sieben, M.
Anderson, D.	Cohen	Kahn	Murphy	Simoneau
Anderson, I.	Cummiskey	Kalis	Neisen	Skoglund
Anderson, R.	Dahl	Kelly, R.	Nelsen, B.	Smogard
Battaglia	Dean	Kelly, W.	Nelsen, M.	Spanish
Beauchamp	Ellingson	Kempe, A.	Nelson	Stanton
Begich	Enebo	King	Norton	Stoa
Berg	Erickson	Kostohryz	Petraleso	Tomlinson
Berglin	Esau	Kroening	Prahl	Waldorf
Berkelman	Evans	Laidig	Rice	Wenzel
Biersdorf	Ewald	Lehto	St. Onge	White
Birnstihl	Faricy	Lemke	Samuelson	Williamson
Brandl	Fudro	Mangan	Sarna	Speaker Sabo
Braun	Fugina	Mann	Savelkoul	
Byrne	George	McCarron	Scheid	

Those who voted in the negative were:

Anderson, G.	Eckstein	Johnson	Niehaus	Sherwood
Arlandson	Eken	Kaley	Osthoff	Suss
Brinkman	Fjoslien	Kempe, R.	Patton	Swanson
Carlson, A.	Forsythe	Knickerbocker	Pehler	Wenstrom
Carlson, D.	Heinitz	Kvam	Peterson	Wieser
Corbid	Hokanson	McDonald	Rose	Wynia
Den Ouden	Jensen	McEachern	Schulz	Zubay

The motion prevailed and the report, as amended, was adopted.

CONSENT CALENDAR

S. F. No. 250, A bill for an act relating to the Gillette hospital board; board membership; amending Minnesota Statutes 1976, Section 250.05, Subdivision 2.

The bill was read for the third time and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 125 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Abeln	Clawson	Hokanson	McCollar	Savelkoul
Adams	Cohen	Jacobs	McDonald	Scheid
Albrecht	Corbid	Jaros	McEachern	Schulz
Anderson, B.	Cummiskey	Jensen	Metzen	Searle
Anderson, D.	Dahl	Johnson	Moe	Searles
Anderson, G.	Dean	Jude	Munger	Sieben, H.
Anderson, I.	Den Ouden	Kahn	Murphy	Sieben, M.
Arlandson	Eckstein	Kaley	Nelsen, B.	Simoneau
Battaglia	Eken	Kalis	Nelsen, M.	Skoglund
Beauchamp	Ellingson	Kelly, R.	Nelson	Smogard
Begich	Enebo	Kelly, W.	Niehaus	Spanish
Berg	Erickson	Kempe, A.	Norton	Stanton
Berglin	Esau	Kempe, R.	Osthoff	Stoa
Berkelman	Evans	King	Patton	Suss
Biersdorf	Ewald	Knickerbocker	Pehler	Swanson
Birnstihl	Faricy	Kostohryz	Peterson	Tomlinson
Brandl	Fjoslien	Kroening	Petraleso	Vanasek
Braun	Forsythe	Kvam	Pleasant	Waldorf
Brinkman	Friedrich	Laidig	Prahl	Wenstrom
Byrne	Fudro	Langseth	Reding	Wenzel
Carlson, A.	Fugina	Lehto	Rice	Wieser
Carlson, D.	George	Lemke	Rose	Williamson
Carlson, L.	Gunter	Mangan	St. Onge	Wynia
Casserly	Hanson	Mann	Samuelson	Zubay
Clark	Heinitz	McCarron	Sarna	Speaker Sabo

The bill was passed and its title agreed to.

Carlson, A., moved that the call of the House be dispensed with. The motion did not prevail.

CALENDAR

S. F. No. 76 was reported to the House and given its third reading.

UNANIMOUS CONSENT

George requested unanimous consent to offer an amendment. The request was granted.

George moved to amend S. F. No. 76, as follows:

Page 1, line 11, strike "2," and after "4," strike "and" and after "5" add "*, and the first sentence of section 2*".

Page 1, line 12, reinstate the stricken language and delete the new language.

Page 1, line 12, after the period insert "*The second and third sentences of section 2 are effective October 1, 1977.*".

The motion prevailed and the amendment was adopted.

S. F. No. 76, A bill for an act relating to commerce; extending the effective date of certain provisions of law that require tents and sleeping bags to be flame resistant; amending Laws 1975, Chapter 341, Section 6.

The bill was read for the third time, as amended, and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 124 yeas and 1 nay as follows:

Those who voted in the affirmative were:

Abeln	Clawson	Hokanson	McCollar	Scheid
Adams	Cohen	Jacobs	McDonald	Schulz
Albrecht	Corbid	Jaros	McEachern	Searle
Anderson, B.	Cummiskey	Jensen	Metzen	Searles
Anderson, D.	Dahl	Johnson	Moe	Sherwood
Anderson, G.	Dean	Jude	Munger	Sieben, H.
Anderson, I.	Den Ouden	Kahn	Murphy	Sieben, M.
Arlanson	Eckstein	Kaley	Neisen	Simoneau
Battaglia	Eken	Kalis	Nelsen, B.	Skoglund
Beauchamp	Ellingson	Kelly, R.	Nelsen, M.	Smogard
Begich	Enebo	Kelly, W.	Nelson	Spanish
Berg	Erickson	Kempe, A.	Niehaus	Stoa
Berglin	Esau	Kempe, R.	Norton	Tomlinson
Berkelman	Evans	King	Osthoff	Vanasek
Biersdorf	Ewald	Knickerbocker	Patton	Waldorf
Birnstihl	Faricy	Kostohryz	Pehler	Welch
Brandl	Fjoslien	Kroening	Peterson	Wenstrom
Braun	Forsythe	Kvam	Petrafeso	Wenzel
Brinkman	Friedrich	Laidig	Prahl	White
Byrne	Fudro	Langseth	Reding	Wieser
Carlson, A.	Fugina	Lehto	Rice	Williamson
Carlson, D.	George	Lemke	Rose	Wynia
Carlson, L.	Gunter	Mangan	St. Onge	Zubay
Cassery	Hanson	Mann	Samuelson	Speaker Sabo
Clark	Heinitz	McCarron	Sarna	

Those who voted in the negative were:

Swanson

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

CALL OF THE HOUSE LIFTED

Clawson moved that the call of the House be dispensed with. The motion prevailed and it was so ordered.

S. F. No. 183, A bill for an act relating to franchises; amending Minnesota Statutes 1976, Sections 80C.01, Subdivision 4; 80C.08, Subdivision 1; and 80C.09, Subdivision 1.

The bill was read for the third time and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 128 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Abeln	Cohen	Jensen	Moe	Searles
Adams	Corbid	Johnson	Munger	Sherwood
Albrecht	Cummiskey	Jude	Murphy	Sieben, H.
Anderson, B.	Dahl	Kahn	Neisen	Sieben, M.
Anderson, D.	Dean	Kaley	Nelsen, B.	Simoneau
Anderson, G.	Den Ouden	Kalis	Nelsen, M.	Skoglund
Anderson, I.	Eckstein	Kelly, R.	Nelson	Smogard
Arlandson	Eken	Kelly, W.	Niehaus	Spanish
Battaglia	Ellingson	Kempe, A.	Norton	Stanton
Beauchamp	Erickson	Kempe, R.	Osthoff	Stoa
Begich	Esau	King	Patton	Suss
Berg	Evans	Knickerbocker	Pehler	Swanson
Berglin	Ewald	Kostohryz	Peterson	Tomlinson
Berkelman	Faricy	Kroening	Petrafeso	Vanasek
Biersdorf	Fjoslien	Kvam	Pleasant	Waldorf
Birnstihl	Forsythe	Laidig	Prahl	Welch
Brandl	Friedrich	Langseth	Reding	Wenstrom
Braun	Fudro	Lehto	Rice	Wenzel
Brinkman	Fugina	Lemke	Rose	White
Byrne	George	Mangan	St. Onge	Wieser
Carlson, A.	Gunter	Mann	Samuelson	Williamson
Carlson, D.	Hanson	McCarron	Sarna	Wynia
Carlson, L.	Heinitz	McCollar	Savelkoul	Zubay
Casserly	Hokanson	McDonald	Scheid	Speaker Sabo
Clark	Jacobs	McEachern	Schulz	
Clawson	Jaros	Metzen	Searle	

The bill was passed and its title agreed to.

H. F. No. 57, A bill for an act relating to health and safety; licensing and certification of ambulance services; amending Minnesota Statutes 1976, Chapter 144, by adding a section; Sections 144.801; 144.802; 144.803; 144.804; and 144.805.

The bill was read for the third time and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 123 yeas and 2 nays as follows:

Those who voted in the affirmative were:

Abeln	Birnstihl	Dean	George	Kelly, W.
Adams	Brandl	Den Ouden	Gunter	Kempe, A.
Albrecht	Braun	Eckstein	Hanson	Kempe, R.
Anderson, B.	Brinkman	Ellingson	Heinitz	Knickerbocker
Anderson, D.	Byrne	Enebo	Hokanson	Kostohryz
Anderson, G.	Carlson, A.	Erickson	Jacobs	Kroening
Anderson, I.	Carlson, D.	Evans	Jaros	Kvam
Arlandson	Carlson, L.	Ewald	Jensen	Laidig
Battaglia	Casserly	Faricy	Johnson	Langseth
Beauchamp	Clark	Fjoslien	Jude	Lehto
Begich	Clawson	Forsythe	Kahn	Lemke
Berg	Cohen	Friedrich	Kaley	Mangan
Berglin	Cummiskey	Fudro	Kalis	Mann
Biersdorf	Dahl	Fugina	Kelly, R.	McCarron

McCollar	Niehaus	Rose	Sieben, M.	Waldorf
McDonald	Norton	St. Onge	Simoneau	Wenstrom
McEachern	Osthoff	Samuelson	Skoglund	Wenzel
Metzen	Patton	Sarna	Smogard	White
Moe	Pehler	Savelkoul	Spanish	Wieser
Munger	Peterson	Scheid	Stanton	Williamson
Murphy	Petrafeso	Schulz	Stoa	Wynia
Neisen	Pleasant	Searle	Suss	Zubay
Nelsen, B.	Prahl	Searles	Swanson	Speaker Sabo
Nelsen, M.	Reding	Sherwood	Tomlinson	
Nelson	Rice	Sieben, H.	Vanasek	

Those who voted in the negative were :

Corbid Eken

The bill was passed and its title agreed to.

H. F. No. 166, A bill for an act relating to health; licensing certain facilities; allowing for the reinstatement of previously adopted rules; amending Minnesota Statutes 1976, Section 144.50.

The bill was read for the third time and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 127 yeas and 0 nays as follows:

Those who voted in the affirmative were :

Abeln	Corbid	Jensen	Moe	Searles
Adams	Cummiskey	Johnson	Munger	Sherwood
Albrecht	Dahl	Jude	Murphy	Sieben, H.
Anderson, B.	Dean	Kahn	Neisen	Sieben, M.
Anderson, D.	Den Ouden	Kaley	Nelsen, B.	Simoneau
Anderson, G.	Eckstein	Kalis	Nelsen, M.	Skoglund
Anderson, I.	Eken	Kelly, R.	Nelson	Smogard
Arlandson	Ellingson	Kelly, W.	Niehaus	Spanish
Battaglia	Enebo	Kempe, A.	Norton	Stanton
Beauchamp	Erickson	Kempe, R.	Osthoff	Stoa
Begich	Esau	King	Patton	Suss
Berg	Evans	Knickerbocker	Pehler	Swanson
Berglin	Ewald	Kostohryz	Peterson	Tomlinson
Biersdorf	Faricy	Kroening	Petrafeso	Vanasek
Birnstihl	Fjoslien	Kvam	Pleasant	Waldorf
Brandl	Forsythe	Laidig	Prahl	Wenstrom
Braun	Friedrich	Langseth	Reding	Wenzel
Brinkman	Fudro	Lehto	Rice	White
Byrne	Fugina	Lemke	Rose	Wieser
Carlson, A.	George	Mangan	St. Onge	Williamson
Carlson, D.	Gunter	Mann	Samuelson	Wynia
Carlson, L.	Hanson	McCarron	Sarna	Zubay
Casserly	Heinitz	McCollar	Savelkoul	Speaker Sabo
Clark	Hokanson	McDonald	Scheid	
Clawson	Jacobs	McEachern	Schulz	
Cohen	Jaros	Metzen	Searle	

The bill was passed and its title agreed to.

H. F. No. 439, A bill for an act relating to agriculture; regulating the use of the name "Minnesota Farmstead Cheese"; amending Minnesota Statutes 1976, Section 28A.08.

The bill was read for the third time and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 126 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Abeln	Corbid	Jensen	Moe	Sherwood
Adams	Cummiskey	Johnson	Munger	Sieben, H.
Albrecht	Dahl	Jude	Murphy	Sieben, M.
Anderson, B.	Dean	Kahn	Neisen	Simoneau
Anderson, D.	Den Ouden	Kaley	Nelsen, B.	Skoglund
Anderson, G.	Eckstein	Kalis	Nelsen, M.	Smogard
Anderson, I.	Eken	Kelly, R.	Nelson	Spanish
Arlandson	Ellingson	Kelly, W.	Niehaus	Stanton
Battaglia	Enebo	Kempe, A.	Norton	Stoa
Beauchamp	Frickson	Kempe, R.	Osthoff	Suss
Begich	Esau	King	Patton	Swanson
Berg	Evans	Knickerbocker	Pehler	Tomlinson
Berglin	Ewald	Kostohryz	Peterson	Vanasek
Biersdorf	Faricy	Kroening	Petrafeso	Waldorf
Birnstihl	Fjoslien	Kvam	Prahl	Wenstrom
Brandl	Forsythe	Laidig	Reding	Wenzel
Braun	Friedrich	Langseth	Rice	White
Brinkman	Fudro	Lehto	Rose	Wieser
Byrne	Fugina	Lemke	St. Onge	Williamson
Carlson, A.	George	Mangan	Samuelson	Wynia
Carlson, D.	Gunter	Mann	Sarna	Zubay
Carlson, L.	Hanson	McCarron	Savckoul	Speaker Sabo
Cassery	Heinitz	McCollar	Scheid	
Clark	Hokanson	McDonald	Schulz	
Clawson	Jacobs	McEachern	Searle	
Cohen	Jaros	Metzen	Searles	

The bill was passed and its title agreed to.

H. F. No. 531, A bill for an act relating to banks; permitting banks to take second mortgages in federal disaster areas; amending Minnesota Statutes 1976, Section 48.19, Subdivision 1.

The bill was read for the third time and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 127 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Abeln	Anderson, D.	Battaglia	Berglin	Brandl
Adams	Anderson, G.	Beauchamp	Berkelman	Braun
Albrecht	Anderson, I.	Begich	Biersdorf	Brinkman
Anderson, B.	Arlandson	Berg	Birnstihl	Byrne

Carlson, D.	Friedrich	Kostohryz	Norton	Simoneau
Carlson, L.	Fudro	Kroening	Osthoff	Skoglund
Casserly	Fugina	Kvam	Patton	Smogard
Clark	George	Laidig	Pehler	Spanish
Clawson	Gunter	Langseth	Peterson	Stanton
Cohen	Hanson	Lehto	Petrafeso	Stoa
Corbid	Heinitz	Lemke	Pleasant	Suss
Cummiskey	Hokanson	Mangan	Prahl	Swanson
Dahl	Jacobs	Mann	Reding	Tomlinson
Dean	Jaros	McCarron	Rice	Vanasek
Den Ouden	Jensen	McCollar	Rose	Waldorf
Eckstein	Johnson	McDonald	St. Onge	Wenstrom
Eken	Jude	McEachern	Samuelson	Wenzel
Ellingson	Kahn	Metzen	Sarna	White
Enebo	Kaley	Moe	Savelkoul	Wieser
Erickson	Kalis	Munger	Scheid	Williamson
Esau	Kelly, R.	Murphy	Schulz	Wynia
Evans	Kelly, W.	Neisen	Searle	Zubay
Ewald	Kempe, A.	Nelsen, B.	Searles	Speaker Sabo
Faricy	Kempe, R.	Nelsen, M.	Sherwood	
Fjoslien	King	Nelson	Sieben, H.	
Forsythe	Knickerbocker	Niehaus	Sieben, M.	

The bill was passed and its title agreed to.

S. F. No. 107, A bill for an act relating to children; enacting the uniform child custody jurisdiction act; amending Minnesota Statutes 1976, Chapter 518, by adding a section.

The bill was read for the third time and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 128 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Abeln	Clawson	Jacobs	Metzen	Searle
Adams	Cohen	Jaros	Moe	Searles
Albrecht	Corbid	Jensen	Munger	Sherwood
Anderson, B.	Cummiskey	Johnson	Murphy	Sieben, H.
Anderson, D.	Dahl	Jude	Neisen	Sieben, M.
Anderson, G.	Dean	Kahn	Nelsen, B.	Simoneau
Anderson, I.	Den Ouden	Kalis	Nelsen, M.	Skoglund
Anderson, R.	Eckstein	Kelly, R.	Nelson	Smogard
Arlandson	Eken	Kelly, W.	Niehaus	Spanish
Battaglia	Ellingson	Kempe, A.	Norton	Stanton
Beauchamp	Enebo	Kempe, R.	Osthoff	Stoa
Begich	Erickson	King	Patton	Suss
Berg	Esau	Knickerbocker	Pehler	Swanson
Berglin	Evans	Kostohryz	Peterson	Tomlinson
Berkelman	Ewald	Kroening	Petrafeso	Vanasek
Biersdorf	Faricy	Kvam	Pleasant	Waldorf
Birnstihl	Fjoslien	Laidig	Prahl	Wenstrom
Brandl	Forsythe	Langseth	Reding	Wenzel
Braun	Friedrich	Lehto	Rice	White
Brinkman	Fudro	Lemke	Rose	Wieser
Byrne	Fugina	Mangan	St. Onge	Williamson
Carlson, A.	George	Mann	Samuelson	Wynia
Carlson, D.	Gunter	McCarron	Sarna	Zubay
Carlson, L.	Hanson	McCollar	Savelkoul	Speaker Sabo
Casserly	Heinitz	McDonald	Scheid	
Clark	Hokanson	McEachern	Schulz	

The bill was passed and its title agreed to.

H. F. No. 586, A bill for an act relating to taxation; information contained in tax returns; amending Minnesota Statutes 1976, Sections 290.081; 290.61; and 290A.17.

The bill was read for the third time and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 129 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Abeln	Clawson	Jacobs	McEachern	Schulz
Adams	Cohen	Jaros	Metzen	Searle
Albrecht	Corbid	Jensen	Moe	Searles
Anderson, B.	Cummiskey	Johnson	Munger	Sherwood
Anderson, D.	Dahl	Jude	Murphy	Sieben, H.
Anderson, G.	Dean	Kahn	Neisen	Sieben, M.
Anderson, I.	Den Ouden	Kaley	Nelsen, B.	Simoneau
Anderson, R.	Eckstein	Kalis	Nelsen, M.	Skoglund
Arlandson	Eken	Kelly, R.	Nelson	Smogard
Battaglia	Ellingson	Kelly, W.	Niehaus	Spanish
Beauchamp	Enebo	Kempe, A.	Norton	Stanton
Begich	Erickson	Kempe, R.	Osthoff	Stoa
Berg	Esau	King	Patton	Suss
Berglin	Evans	Knickerbocker	Pehler	Swanson
Berkelman	Ewald	Kostohryz	Peterson	Tomlinson
Biersdorf	Faricy	Kroening	Petrafeso	Vanasek
Birnstihl	Fjoslien	Kvam	Pleasant	Waldorf
Brandl	Forsythe	Laidig	Prahl	Wenstrom
Braun	Friedrich	Langseth	Reding	Wenzel
Brinkman	Fudro	Lehto	Rice	White
Byrne	Fugina	Lemke	Rose	Wieser
Carlson, A.	George	Mangan	St. Onge	Williamson
Carlson, D.	Gunter	Mann	Samuelson	Wynia
Carlson, L.	Hanson	McCarron	Sarna	Zubay
Casserly	Heinitz	McCollar	Savelkoul	Speaker Sabo
Clark	Hokanson	McDonald	Scheid	

The bill was passed and its title agreed to.

Vanasek was excused for the remainder of today's session.

H. F. No. 231, A bill for an act relating to transportation, particular uses of highway right of way; amending Minnesota Statutes 1976, Section 160.27, Subdivision 2.

The bill was read for the third time and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 122 yeas and 4 nays as follows:

Those who voted in the affirmative were:

Abeln	Adams	Albrecht	Anderson, B.	Anderson, D.
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Anderson, I.	Dean	Johnson	Metzen	Sherwood
Anderson, R.	Den Ouden	Jude	Moe	Sieben, H.
Arlandson	Eckstein	Kahn	Munger	Sieben, M.
Battaglia	Eken	Kaley	Murphy	Simoneau
Beauchamp	Ellingson	Kalis	Nelsen, B.	Skoglund
Begich	Enebo	Kelly, R.	Nelsen, M.	Smogard
Berg	Erickson	Kelly, W.	Nelson	Spanish
Berglin	Esau	Kempe, A.	Niehaus	Stanton
Berkelman	Evans	Kempe, R.	Norton	Stoa
Biersdorf	Ewald	King	Patton	Suss
Birnstihl	Faricy	Knickerbocker	Peterson	Swanson
Brandl	Fjoslien	Kostohryz	Petraieso	Tomlinson
Braun	Forsythe	Kroening	Pleasant	Waldorf
Brinkman	Friedrich	Kvam	Prahl	Wenstrom
Byrne	Fudro	Laidig	Reding	Wenzel
Carlson, A.	Fugina	Langseth	Rice	White
Carlson, L.	George	Lehto	Rose	Wieser
Casserly	Gunter	Lemke	St. Onge	Williamson
Clark	Hanson	Mangan	Samuelson	Wynia
Clawson	Heinitz	Mann	Sarna	Zubay
Cohen	Hokanson	McCarron	Savelkoul	Speaker Sabo
Corbid	Jacobs	McCollar	Scheid	
Cummiskey	Jaros	McDonald	Schulz	
Dahl	Jensen	McEachern	Searle	

Those who voted in the negative were :

Anderson, G. Osthoff Pehler Searles

The bill was passed and its title agreed to.

Pehler was excused for the remainder of today's session.

S. F. No. 21, A bill for an act relating to health; authorizing the licensing of physicians from Canada without an examination; amending Minnesota Statutes 1976, Section 147.03.

The bill was read for the third time and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 119 yeas and 7 nays as follows :

Those who voted in the affirmative were :

Abeln	Birnstihl	Den Ouden	George	Kempe, A.
Adams	Brandl	Eckstein	Gunter	Kempe, R.
Anderson, B.	Braun	Eken	Hanson	King
Anderson, D.	Brinkman	Ellingson	Heinitz	Knickerbocker
Anderson, G.	Byrne	Enebo	Hokanson	Kostohryz
Anderson, I.	Carlson, D.	Erickson	Jacobs	Kroening
Anderson, R.	Carlson, L.	Esau	Jaros	Kvam
Arlandson	Casserly	Evans	Jensen	Laidig
Battaglia	Clark	Ewald	Johnson	Langseth
Beauchamp	Clawson	Faricy	Jude	Lehto
Begich	Cohen	Fjoslien	Kahn	Lemke
Berg	Corbid	Forsythe	Kaley	Mangan
Berglin	Cummiskey	Friedrich	Kalis	Mann
Berkelman	Dahl	Fudro	Kelly, R.	McDonald
Biersdorf	Dean	Fugina	Kelly, W.	McEachern

Metzen	Norton	Samuelson	Skoglund	Welch
Moe	Osthoff	Sarna	Smogard	Wenstrom
Munger	Peterson	Scheid	Spanish	Wenzel
Murphy	Petrafeso	Searle	Stanton	White
Neisen	Pleasant	Searles	Stoa	Wieser
Nelsen, B.	Prahl	Sherwood	Suss	Wynia
Nelsen, M.	Reding	Sieben, H.	Swanson	Zubay
Nelson	Rice	Sieben, M.	Tomlinson	Speaker Sabo
Niehaus	Rose	Simoneau	Waldorf	

Those who voted in the negative were:

Albrecht	McCarron	Patton	Savelkoul	Williamson
Carlson, A.	McCollar			

The bill was passed and its title agreed to.

H. F. No. 562, A bill for an act relating to motor vehicles; requiring informational labels on new pickup trucks; providing penalties.

The bill was read for the third time and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 91 yeas and 34 nays as follows:

Those who voted in the affirmative were:

Abeln	Clark	Jude	Munger	Simoneau
Adams	Clawson	Kahn	Murphy	Skoglund
Anderson, B.	Dahl	Kalis	Neisen	Smogard
Anderson, I.	Dean	Kelly, W.	Nelsen, M.	Spanish
Arlandson	Eckstein	Kempe, A.	Nelson	Stanton
Battaglia	Ellingson	Kempe, R.	Norton	Stoa
Beauchamp	Enebo	King	Osthoff	Suss
Begich	Evans	Kostohryz	Petrafeso	Swanson
Berg	Faricy	Kroening	Prahl	Tomlinson
Berglin	Fudro	Langseth	Reding	Waldorf
Berkelman	Fugina	Lehto	Rice	Welch
Biersdorf	George	Lemke	Rose	Wenstrom
Birnstihl	Hanson	Mangan	St. Onge	Williamson
Brandl	Heinitz	Mann	Sarna	Wynia
Braun	Hokanson	McCarron	Scheid	Speaker Sabo
Byrne	Jacobs	McCollar	Schulz	
Carlson, A.	Jaros	McEachern	Sherwood	
Carlson, L.	Jensen	Metzen	Sieben, H.	
Casserly	Johnson	Moe	Sieben, M.	

Those who voted in the negative were:

Albrecht	Den Ouden	Friedrich	McDonald	Searle
Anderson, D.	Eken	Gunter	Nelsen, B.	Searles
Anderson, R.	Erickson	Kaley	Niehaus	Wenzel
Brinkman	Esau	Kelly, R.	Patton	White
Carlson, D.	Ewald	Knickerbocker	Peterson	Wieser
Cohen	Fjoslien	Kvam	Pleasant	Zubay
Corbid	Forsythe	Laidig	Samuelson	

The bill was passed and its title agreed to.

H. F. No. 621, A bill for an act relating to motor vehicles; defining terms; clarifying certain motor vehicle dealer licensing requirements; prohibiting brokerage sales of new motor vehicles by motor vehicle brokers; preempting local bonding requirements; amending Minnesota Statutes 1976, Section 168.27, Subdivisions 1, 4, 5, 8, 13, 16, 22, 24 and by adding a subdivision.

The bill was read for the third time and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 126 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Abeln	Cohen	Jaros	Metzen	Sherwood
Adams	Corbid	Jensen	Moe	Sieben, H.
Albrecht	Cummiskey	Johnson	Munger	Sieben, M.
Anderson, D.	Dahl	Jude	Murphy	Simoneau
Anderson, G.	Dean	Kahn	Neisen	Skoglund
Anderson, I.	Den Ouden	Kaley	Nelsen, B.	Smogard
Anderson, R.	Eckstein	Kalis	Nelsen, M.	Spanish
Arlandson	Eken	Kelly, R.	Nelson	Stanton
Battaglia	Eillingson	Kelly, W.	Niehaus	Stoa
Beauchamp	Enebo	Kempe, A.	Norton	Suss
Begich	Erickson	Kempe, R.	Osthoff	Swanson
Berg	Esau	King	Patton	Tomlinson
Berglin	Evans	Knickerbocker	Peterson	Waldorf
Berkelman	Ewald	Kostohryz	Petrafaso	Welch
Biersdorf	Farcy	Kroening	Pleasant	Wenstrom
Birnstihl	Fjoslien	Kvam	Prahl	Wenzel
Brandl	Forsythe	Laidig	Rice	White
Braun	Friedrich	Langseth	Rose	Wieser
Brinkman	Fudro	Lehto	St. Onge	Williamson
Byrne	Fugina	Lemke	Samuelson	Wynia
Carlson, A.	George	Mangan	Sarna	Zubay
Carlson, D.	Gunter	Mann	Savelkoul	Speaker Sabo
Carlson, L.	Hanson	McCarron	Scheid	
Casserly	Heinitz	McCollar	Schulz	
Clark	Hokanson	McDonald	Searle	
Clawson	Jacobs	McEachern	Searles	

The bill was passed and its title agreed to.

H. F. No. 188 was reported to the House and given its third reading.

UNANIMOUS CONSENT

Wieser requested unanimous consent to offer an amendment. The request was granted.

Wieser moved to amend H. F. No. 188, as follows:

Page 1, line 15, delete "for" insert "or".

The motion prevailed and the amendment was adopted.

H. F. No. 188, A bill for an act relating to game and fish; defining conviction; increasing the penalty for a conviction related to big game; amending Minnesota Statutes 1976, Sections 97.40, by adding a subdivision; and 98.52, Subdivision 1.

The bill was read for the third time, as amended, and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 121 yeas and 5 nays as follows:

Those who voted in the affirmative were:

Abeln	Cohen	Jensen	Metzen	Sieben, H.
Adams	Cummiskey	Johnson	Moe	Sieben, M.
Albrecht	Dahl	Jude	Munger	Simoneau
Anderson, B.	Dean	Kahn	Murphy	Skoglund
Anderson, D.	Den Ouden	Kaley	Neisen	Smogard
Anderson, G.	Eckstein	Kalis	Nelsen, B.	Spanish
Anderson, I.	Eken	Kelly, R.	Nelsen, M.	Stanton
Anderson, R.	Ellingson	Kelly, W.	Nelson	Stoa
Arlandson	Enebo	Kempe, A.	Niehaus	Suss
Battaglia	Erickson	Kempe, R.	Norton	Swanson
Beauchamp	Esau	King	Osthoff	Tomlinson
Begich	Evans	Knickerbocker	Peterson	Waldorf
Berg	Ewald	Kostohryz	Petrafeso	Welch
Berglin	Faricy	Kroening	Pleasant	Wenstrom
Berkelman	Fjoslien	Kvam	Reding	Wenzel
Biersdorf	Forsythe	Laidig	Rice	White
Birnstihl	Friedrich	Langseth	Rose	Wieser
Brandl	Fudro	Lehto	Samuelson	Williamson
Brinkman	Fugina	Lemke	Sarna	Wynia
Byrne	George	Mangan	Savelkoul	Zubay
Carlson, A.	Hanson	Mann	Scheid	Speaker Sabo
Carlson, L.	Heinitz	McCarron	Schulz	
Casserly	Hokanson	McCollar	Searle	
Clark	Jacobs	McDonald	Searles	
Clawson	Jaros	McEachern	Sherwood	

Those who voted in the negative were:

Braun	Carlson, D.	Corbid	Gunter	Patton
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The bill was passed, as amended, and its title agreed to.

Kelly, W., was excused for the remainder of today's session.

H. F. No. 261, A bill for an act relating to veterans; permitting the commissioner of veterans affairs to act as guardian for minors or incompetents without posting bond; amending Minnesota Statutes 1976, Chapter 196, by adding a section.

The bill was read for the third time and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 124 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Abeln	Clawson	Jacobs	Metzen	Searle
Adams	Corbid	Jaros	Moe	Searles
Albrecht	Cummiskey	Jensen	Munger	Sherwood
Anderson, B.	Dahl	Johnson	Murphy	Sieben, H.
Anderson, D.	Dean	Jude	Neisen	Sieben, M.
Anderson, G.	Den Ouden	Kahn	Nelsen, B.	Simoneau
Anderson, I.	Eckstein	Kaley	Nelsen, M.	Skoglund
Arlandson	Eken	Kalis	Nelson	Smogard
Battaglia	Ellingson	Kelly, R.	Niehaus	Spanish
Beauchamp	Enebo	Kempe, A.	Norton	Stanton
Begich	Erickson	Kempe, R.	Osthoff	Stoa
Berg	Esau	King	Patton	Suss
Berglin	Evans	Knickerbocker	Peterson	Swanson
Berkelman	Ewald	Kostohryz	Petrafeso	Tomlinson
Biersdorf	Faricy	Kroening	Pleasant	Waldorf
Birnstihl	Fjoslien	Kvam	Prahl	Welch
Brandl	Forsythe	Laidig	Reding	Wenstrom
Braun	Friedrich	Langseth	Rice	Wenzel
Brinkman	Fudro	Lehto	Rose	White
Byrne	Fugina	Lemke	St. Onge	Wieser
Carlson, A.	George	Mangan	Samuelson	Williamson
Carlson, D.	Gunter	McCarron	Sarna	Wynia
Carlson, L.	Hanson	McCollar	Savelkoul	Zubay
Casserly	Heinitz	McDonald	Scheid	Speaker Sabo
Clark	Hokanson	McEachern	Schulz	

The bill was passed and its title agreed to.

H. F. No. 262, A bill for an act relating to veterans; commissioner of veterans affairs; changing residency requirements for the commissioner and certain officers and employees of the department of veterans affairs; amending Minnesota Statutes 1976, Sections 196.02, Subdivision 1; and 197.601.

The bill was read for the third time and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 125 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Abeln	Brandl	Eken	Hokanson	Laidig
Adams	Braun	Ellingson	Jacobs	Langseth
Albrecht	Brinkman	Enebo	Jaros	Lehto
Anderson, B.	Byrne	Erickson	Jensen	Lemke
Anderson, D.	Carlson, A.	Esau	Johnson	Mangan
Anderson, G.	Carlson, D.	Evans	Jude	McCarron
Anderson, I.	Carlson, L.	Ewald	Kahn	McCollar
Anderson, R.	Casserly	Faricy	Kaley	McDonald
Arlandson	Clark	Fjoslien	Kalis	McEachern
Battaglia	Clawson	Forsythe	Kelly, R.	Metzen
Beauchamp	Cohen	Friedrich	Kempe, A.	Moe
Begich	Corbid	Fudro	Kempe, R.	Munger
Berg	Cummiskey	Fugina	King	Murphy
Berglin	Dahl	George	Knickerbocker	Neisen
Berkelman	Dean	Gunter	Kostohryz	Nelsen, B.
Biersdorf	Den Ouden	Hanson	Kroening	Nelsen, M.
Birnstihl	Eckstein	Heinitz	Kvam	Nelson

Niehaus	Rice	Searle	Spanish	Wenstrom
Norton	Rose	Searles	Stanton	Wenzel
Osthoff	St. Onge	Sherwood	Stoa	White
Patton	Samuelson	Sieben, H.	Suss	Wieser
Peterson	Sarna	Sieben, M.	Swanson	Williamson
Petrafeso	Savelkoul	Simoneau	Tomlinson	Wynia
Pleasant	Scheid	Skoglund	Waldorf	Zubay
Reding	Schulz	Smogard	Welch	Speaker Sabo

The bill was passed and its title agreed to.

H. F. No. 301, A bill for an act relating to veterans; establishing a deadline for entering military service and becoming eligible for veterans preference; redefining the term "veteran" for certain other purposes; amending Minnesota Statutes 1976, Sections 43.30 and 197.447.

The bill was read for the third time and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 126 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Abein	Clawson	Jacobs	Metzen	Searles
Adams	Cohen	Jaros	Moe	Sieben, H.
Albrecht	Corbid	Jensen	Munger	Sieben, M.
Anderson, B.	Cummiskey	Johnson	Murphy	Simoneau
Anderson, D.	Dahl	Jude	Neisen	Skoglund
Anderson, G.	Dean	Kahn	Nelsen, B.	Smogard
Anderson, I.	Den Ouden	Kaley	Nelsen, M.	Spanish
Anderson, R.	Eckstein	Kalis	Neison	Stanton
Arlandson	Eken	Kelly, R.	Niehaus	Stoa
Battaglia	Ellingson	Kempe, A.	Norton	Suss
Beauchamp	Enebo	Kempe, R.	Osthoff	Swanson
Begich	Erickson	King	Patton	Tomlinson
Berg	Esau	Knickerbocker	Peterson	Waldorf
Berglin	Evans	Kostohryz	Petrafeso	Welch
Berkelman	Ewald	Kroening	Pleasant	Wenstrom
Biersdorf	Faricy	Kvam	Prahl	Wenzel
Birnstihl	Fjoslien	Laidig	Reding	White
Brandl	Forsythe	Langseth	Rice	Wieser
Braun	Friedrich	Lehto	Rose	Williamson
Brinkman	Fudro	Lenke	St. Onge	Wynia
Byrne	Fugina	Mangan	Samuelson	Zubay
Carlson, A.	George	Mann	Sarna	Speaker Sabo
Carlson, D.	Gunter	McCarron	Savelkoul	
Carlson, L.	Hanson	McCollar	Scheid	
Casserly	Heinitz	McDonald	Schulz	
Clark	Hokanson	McEachern	Searle	

The bill was passed and its title agreed to.

H. F. No. 636, A resolution memorializing Congress to propose to the states a federal Constitutional Amendment for the direct popular election of the President and Vice President of the United States.

The bill was read for the third time and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 116 yeas and 10 nays as follows:

Those who voted in the affirmative were:

Abeln	Clawson	Jaros	Metzen	Sieben, H.
Adams	Cohen	Jensen	Moe	Sieben, M.
Albrecht	Dahl	Johnson	Munger	Simoneau
Anderson, B.	Dean	Jude	Neisen	Skoglund
Anderson, G.	Den Ouden	Kahn	Nelsen, B.	Smogard
Anderson, I.	Eckstein	Kaley	Nelsen, M.	Spanish
Anderson, R.	Eken	Kalis	Nelson	Stanton
Arlandson	Ellingson	Kelly, R.	Niehau	Stoa
Battaglia	Enebo	Kempe, A.	Norton	Suss
Beauchamp	Erickson	Kempe, R.	Osthoff	Swanson
Begich	Esau	King	Patton	Tomlinson
Berg	Evans	Knickerbocker	Peterson	Welch
Berglin	Ewald	Kostohryz	Petrafaso	Wenstrom
Berkelman	Farcy	Kroening	Prahl	Wenzel
Biersdorf	Fjoslien	Kvam	Reding	White
Birnstihl	Forsythe	Laidig	Rice	Wieser
Brandl	Friedrich	Langseth	Rose	Williamson
Braun	Fudro	Lehto	St. Onge	Wynia
Brinkman	Fugina	Lemke	Samuelson	Zubay
Byrne	George	Mangan	Sarna	Speaker Sabo
Carlson, A.	Gunter	Mann	Savelkoul	
Carlson, L.	Heinitz	McCarron	Scheid	
Casserly	Hokanson	McCollar	Schulz	
Clark	Jacobs	McEachern	Sherwood	

Those who voted in the negative were:

Anderson, D.	Corbid	McDonald	Pleasant	Searles
Carlson, D.	Cummiskey	Murphy	Searle	Waldorf

The bill was passed and its title agreed to.

H. F. No. 229, A bill for an act providing for withholding of pay to residents for active service as members of the armed forces; amending Minnesota Statutes 1976, Section 290.92, Subdivisions 1 and 16.

The bill was read for the third time and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 108 yeas and 17 nays as follows:

Those who voted in the affirmative were:

Abeln	Anderson, G.	Battaglia	Berglin	Braun
Adams	Anderson, I.	Beauchamp	Berkelman	Brinkman
Anderson, B.	Anderson, R.	Begich	Biersdorf	Byrne
Anderson, D.	Arlandson	Berg	Brandl	Carlson, A.

Carlson, D.	Forsythe	Kroening	Niehaus	Simoneau
Carlson, L.	Friedrich	Kvam	Norton	Skoglund
Casserly	Fudro	Laidig	Patton	Smogard
Clark	Fugina	Langseth	Peterson	Stanton
Clawson	George	Lehto	Petrafeso	Stoa
Corbid	Gunter	Mangan	Pleasant	Suss
Cummiskey	Hanson	Mann	Reding	Swanson
Dahl	Hokanson	McCarron	Rice	Tomlinson
Dean	Jacobs	McCollar	Rose	Waldorf
Den Ouden	Jaros	McDonald	St. Onge	Welch
Eken	Jude	McEachern	Samuelson	Wenstrom
Ellingson	Kahn	Metzen	Sarna	White
Enebo	Kaley	Moe	Scheid	Williamson
Erickson	Kelly, R.	Munger	Schulz	Wynia
Esau	Kempe, A.	Murphy	Searle	Zubay
Evans	Kempe, R.	Neisen	Sherwood	Speaker Sabo
Ewald	King	Nelsen, M.	Sieben, H.	
Faricy	Knickerbocker	Nelson	Sieben, M.	

Those who voted in the negative were:

Albrecht	Heinitz	Kostohryz	Savelkoul	Wieser
Birnstihl	Jensen	Lemke	Searles	
Eckstein	Johnson	Nelsen, B.	Spanish	
Fjoslien	Kalis	Osthoff	Wenzel	

The bill was passed and its title agreed to.

Abeln, Prah! and Skoglund were excused at 3:50 p.m. Albrecht, Clawson, Hokanson, Reding and Stoa were excused at 4:20 p.m.

GENERAL ORDERS

Pursuant to rules of the House, the House resolved itself into the Committee of the Whole, with Sabo in the Chair, for the consideration of bills pending on General Orders of the Day. After some time spent therein the Committee arose.

REPORT OF COMMITTEE OF THE WHOLE

The Speaker resumed the Chair, whereupon the following proceedings of the Committee as kept by the Chief Clerk were reported to the House:

H. F. No. 82 which it recommended progress with the following amendment offered by Kempe, A.:

Strike all of Section 2 and Section 3. Renumber the following sections accordingly.

Further amend the title:

Page 1, line 7 delete "609.52, Subdivision 3; 609.53,".

Page 1, line 8, delete "Subdivision 1;".

On the motion of Anderson, I., the report of the Committee of the Whole was adopted.

ROLL CALLS IN COMMITTEE OF THE WHOLE

Pursuant to rule 1.6, the following roll calls were taken in the Committee of the Whole:

Kempe, A., moved to amend H. F. No. 82 as follows:

Strike all of Section 2 and Section 3.

Renumber the following sections accordingly.

Further amend the title:

Page 1, line 7, delete "609.52, Subdivision 3; 609.53,".

Page 1, line 8, delete "Subdivision 1;".

The question was taken on the adoption of the amendment and the roll was called. There were 63 yeas and 49 nays as follows:

Those who voted in the affirmative were:

Anderson, B.	Den Ouden	Kaley	Neisen	Searle
Anderson, R.	Eken	Kelly, R.	Nelsen, B.	Searles
Battaglia	Erickson	Kempe, A.	Nelsen, M.	Smogard
Beauchamp	Esau	Kempe, R.	Niehaus	Suss
Begich	Evans	King	Osthoff	Swanson
Biersdorf	Faricy	Knickerbocker	Patton	Waldorf
Braun	Fjoslien	Kostohryz	Peterson	Wenstrom
Brinkman	Forsythe	Kroening	Pleasant	Wenzel
Carlson, D.	Friedrich	Kvam	Rose	Wieser
Clawson	Gunter	Langseth	St. Onge	Williamson
Corbid	Hanson	Mangan	Savelkoul	Zubay
Cummiskey	Heinitz	McCollar	Scheid	
Dean	Jude	McDonald	Schulz	

Those who voted in the negative were:

Anderson, D.	Carlson, A.	Fugina	Lemke	Samuelson
Anderson, G.	Carlson, L.	George	McCarron	Sarna
Anderson, I.	Casserly	Jacobs	McEachern	Sieben, H.
Arlandson	Clark	Jaros	Metzen	Sieben, M.
Berg	Cohen	Jensen	Moe	Simoneau
Berglin	Dahl	Johnson	Murphy	Stanton
Berkelman	Eckstein	Kahn	Nelson	Tomlinson
Birnstihl	Ellingson	Kalis	Norton	White
Brandl	Enebo	Laidig	Petrafeso	Speaker Sabo
Byrne	Fudro	Lehto	Rice	

The motion prevailed and the amendment was adopted.

MOTIONS AND RESOLUTIONS

Kempe, A., moved that the names of Nelson, Kempe, R., and Jaros be added as authors on H. F. No. 442. The motion prevailed.

Casserly moved that H. F. No. 929 be recalled from the Committee on Local and Urban Affairs and be re-referred to the Committee on Criminal Justice. The motion prevailed.

Munger moved that the name of Kostohryz be stricken and the name of Beauchamp be added as an author on H. F. No. 522. The motion prevailed.

Kempe, A., moved that the name of Savelkoul be added as an author on H. F. No. 1020. The motion prevailed.

Swanson moved that the name of Searle be added as an author on H. F. No. 1050. The motion prevailed.

Murphy moved that the name of Carlson, D., be added as an author on H. F. No. 934. The motion prevailed.

Byrne moved that the name of Berkelman be added as an author on H. F. No. 922. The motion prevailed.

Wenzel moved that the name of Sieben, H., be added as an author on H. F. No. 738. The motion prevailed.

Wenstrom moved that the name of McCollar be shown as chief author and the name of Wenstrom be shown as fifth author on H. F. No. 434. The motion prevailed.

Suss moved that H. F. No. 930, now on the Technical Consent Calendar, be re-referred to the Committee on Local and Urban Affairs. The motion prevailed.

Carlson, D., introduced :

House Resolution No. 11, A house resolution urging the United States Senate to reject the nomination of Carol Tucker Foreman as Assistant Secretary of Agriculture.

SUSPENSION OF RULES

Carlson, D., moved that the rules be so far suspended that House Resolution No. 11 be now considered and be placed upon its adoption.

A roll call was requested and properly seconded.

The question was taken on the motion and the roll was called. There were 33 yeas and 78 nays as follows:

Those who voted in the affirmative were:

Anderson, B.	Den Ouden	Forsythe	Knickerbocker	Pleasant
Anderson, R.	Eckstein	Friedrich	Kvam	Rose
Biersdorf	Erickson	Heinitz	Laidig	Savelkoul
Birnstihl	Esau	Jensen	McDonald	Searles
Carlson, A.	Evans	Johnson	Nielson, B.	Zubay
Carlson, D.	Ewald	Kaley	Niehaus	
Dean	Fjoslien	Kalis	Peterson	

Those who voted in the negative were:

Anderson, D.	Cohen	Kelly, R.	Murphy	Simoneau
Anderson, G.	Corbid	Kempe, A.	Neisen	Smogard
Anderson, I.	Cummiskey	Kempe, R.	Nelsen, M.	Stanton
Arlandson	Dahl	King	Nelson	Suss
Battaglia	Eken	Kostohryz	Norton	Swanson
Beauchamp	Enebo	Kroening	Osthoff	Tomlinson
Begich	Farcy	Langseth	Patton	Welch
Berg	Fudro	Lehto	Petraleso	Wenstrom
Berglin	Fugina	Lemke	Rice	Wenzel
Brandl	George	Mangan	St. Onge	White
Braun	Gunter	McCarron	Samuelson	Wieser
Byrne	Hanson	McCollar	Sarna	Williamson
Carlson, L.	Jacobs	McEachern	Scheid	Wynia
Casserly	Jaros	Metzen	Schulz	Speaker Sabo
Clark	Jude	Moe	Sieben, H.	
Clawson	Kahn	Munger	Sieben, M.	

The motion did not prevail.

House Resolution No. 11 was referred to the Committee on Rules and Legislative Administration.

ADJOURNMENT

Anderson, I., moved that when the House adjourns today it adjourn until 2:00 p.m., Monday, March 28, 1977. The motion prevailed.

Anderson, I., moved that the House adjourn. The motion prevailed, and the Speaker declared the House stands adjourned until 2:00 p.m., Monday, March 28, 1977.

EDWARD A. BURDICK, Chief Clerk, House of Representatives

STATE OF MINNESOTA

SEVENTIETH SESSION - 1977

TWENTY-SEVENTH DAY

SAINT PAUL, MINNESOTA, MONDAY, MARCH 28, 1977

The House of Representatives convened at 2:00 p.m. and was called to order by the Speaker.

Prayer was offered by the Chaplain.

The roll was called and the following members were present:

Abeln	Cohen	Jaros	Murphy	Sieben, H.
Adams	Corbid	Jensen	Neisen	Sieben, M.
Albrecht	Cummiskey	Johnson	Nelsen, B.	Simoneau
Anderson, B.	Dahl	Jude	Nelsen, M.	Skoglund
Anderson, D.	Dean	Kahn	Nelson	Smogard
Anderson, I.	Den Ouden	Kaley	Norton	Spanish
Anderson, R.	Eckstein	Kelly, R.	Novak	Stanton
Arlandson	Eken	Kelly, W.	Osthoff	Stoa
Battaglia	Ellingson	Kempe, A.	Patton	Suss
Beauchamp	Enebo	Kempe, R.	Pehler	Swanson
Begich	Erickson	King	Peterson	Tomlinson
Berg	Esau	Knickerbocker	Petraieso	Vanasek
Berglin	Evans	Kostohryz	Pleasant	Voss
Berkelman	Ewald	Kroening	Prahl	Waldorf
Biersdorf	Faricy	Kvam	Reding	Welch
Birnstihl	Fjoslien	Laidig	Rice	Wenstrom
Brandl	Forsythe	Langseth	Rose	Wenzel
Braun	Friedrich	Lehto	St. Onge	White
Brinkman	Fugina	Mann	Samuelson	Wieser
Byrne	George	McCarron	Sarna	Wigley
Carlson, A.	Gunter	McCollar	Savelkoul	Williamson
Carlson, D.	Hanson	McDonald	Scheid	Wynia
Carlson, L.	Haugerud	McEachern	Schulz	Zubay
Casserly	Heinitz	Metzen	Searle	Speaker Sabo
Clark	Hokanson	Moe	Searles	
Clawson	Jacobs	Munger	Sherwood	

A quorum was present.

Anderson, G. ; Fudro ; Kalis ; Lemke and Niehaus were excused. Mangan was excused until 2:30 p.m.

The Chief Clerk proceeded to read the Journal of the preceding day. Vanasek moved that further reading of the Journal be dispensed with and that the Journal be approved as corrected by the Chief Clerk. The motion prevailed.

REPORTS OF CHIEF CLERK

Pursuant to Rules of the House, printed copies of H. F. Nos. 442, 307, 418, 558, 817, 384, 315, 76, 661, 188, 728 and 82 and S. F. Nos. 74, 78, 86, 380, 267, 26, 114 and 305 have been placed in the members' files.

S. F. No. 267 and H. F. No. 374, which had been referred to the Chief Clerk for comparison, were examined and found to be identical with certain exceptions.

SUSPENSION OF RULES

Schulz moved that the rules be so far suspended that S. F. No. 267 be substituted for H. F. No. 374 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 86 and H. F. No. 156, which had been referred to the Chief Clerk for comparison, were examined and found to be identical with certain exceptions.

SUSPENSION OF RULES

Berg moved that the rules be so far suspended that S. F. No. 86 be substituted for H. F. No. 156 and that the House File be indefinitely postponed. The motion prevailed.

PETITIONS AND COMMUNICATIONS

The following communication was received:

STATE OF MINNESOTA
OFFICE OF THE SECRETARY OF STATE
ST. PAUL 55155

March 24, 1977

The Honorable Martin O. Sabo
Speaker of the House of Representatives
The Honorable Edward J. Gearty
President of the Senate

I have the honor to inform you that the following enrolled Acts of the 1977 Session of the State Legislature have been received from the Office of the Governor and are deposited in the Office of the Secretary of State for preservation, pursuant to the State Constitution, Article IV, Section 23:

<i>S.F. No.</i>	<i>H.F. No.</i>	<i>Session Laws Chapter No.</i>	<i>Date Approved 1977</i>	<i>Date Filed 1977</i>
200		5	March 24	March 24
	511	6	March 24	March 24

Sincerely,

JOAN ANDERSON GROWE
Secretary of State

REPORTS OF STANDING COMMITTEES

Hanson from the Committee on Commerce and Economic Development to which was referred:

H. F. No. 385, A bill for an act relating to public safety; telephone companies; providing for local emergency telephone service; appropriating money.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert the following:

“Section 1. [911 EMERGENCY TELEPHONE SYSTEM.]
Subdivision 1. Each county in the metropolitan area shall establish a 911 emergency telephone system on or before December 15, 1982 and each remaining county shall establish a 911 emergency telephone system on or before December 15, 1986.

Subd. 2. The 911 systems may be multijurisdictional and regional in character provided that design and implementation are preceded by cooperative planning on a county by county basis with local public safety agencies.

Sec. 2. [DEFINITIONS.] Subdivision 1. For the purposes of sections 1 to 12, the terms defined in this section have the meanings given them.

Subd. 2. “Metropolitan area” means the counties of Anoka, Carver, Dakota, Hennepin, Ramsey, Scott, and Washington.

Subd. 3. “Public agency” means any unit of local government or special purpose district located in whole or in part within this state which provides or has authority to provide fire fighting, police, ambulance, medical, or other emergency services.

Subd. 4. “Public safety agency” means a functional division of a public agency which provides fire fighting, police, medical,

or other emergency services, or a private entity which provides emergency medical or ambulance services.

Subd. 5. "Public safety answering point" means a communications facility operated on a 24 hour basis which first receives 911 calls from persons in a 911 service area and which may, as appropriate, directly dispatch public safety services or extend, transfer, or relay 911 calls to appropriate public safety agencies.

Subd. 6. "Minimum 911 service" means a telephone service meeting the design standards established pursuant to section 7, which automatically connects a person dialing the digits 911 to an established public safety answering point. Minimum 911 service includes equipment for connecting and outswitching 911 calls within a telephone central office, trunking facilities from the central office to a public safety answering point, and equipment, as appropriate, for automatically selectively routing 911 calls in situations where one telephone central office serves more than one public safety answering point.

Sec. 3. [SERVICES TO BE PROVIDED.] Services available through a 911 system shall include police, firefighting and emergency medical and ambulance services. Other emergency and civil defense services may be incorporated into the 911 system at the discretion of the public agency operating the public safety answering point.

Sec. 4. [911 EMERGENCY TELEPHONE NUMBER; PAY TELEPHONES.] Subdivision 1. The digits 911 shall be the primary emergency telephone number within the system, but a public safety agency whose services are available on the 911 system may maintain a separate secondary backup number for emergency calls and shall maintain a separate number for non-emergency telephone calls.

Subd. 2. By December 15, 1986, each public utility providing telephone service within a 911 service area shall convert every pay station telephone to permit dialing of the 911 number without coin or other charge to the caller.

Sec. 5. [DESIGN OF SYSTEM.] Each county shall design its 911 system to meet the requirements of agencies whose services are available through the 911 system and to permit future expansion of the system.

Sec. 6. [SYSTEM PLANNING AND COORDINATION.] The department of administration shall coordinate the implementation of 911 systems on or before the deadlines established in section 1. The department shall aid counties in the formulation of concepts, methods and procedures which will improve the operation of 911 systems.

Sec. 7. [STANDARDS ESTABLISHED.] Subdivision 1. The department of administration shall establish and adopt in accordance with Minnesota Statutes, Chapter 15, rules for the administration of sections 1 to 12 and for the development of 911 systems in the state including:

(a) Design standards for 911 systems incorporating the standards adopted pursuant to subdivision 2 for the seven county metropolitan area; and

(b) A procedure for determining and evaluating requests for variations from the established design standards.

Subd. 2. The metropolitan council shall establish and adopt design standards for the metropolitan area 911 system and transmit them to the department of administration for incorporation into the rules adopted pursuant to this section.

Sec. 8. [PLANS TO BE SUBMITTED.] Subdivision 1. (a) Before December 15, 1978, each county shall submit tentative plans for the establishment of a 911 system to the public utility or utilities providing public telephone service within the county, to the department of administration and to the public service commission.

(b) The department of administration shall review the plan for consistency with the standards adopted pursuant to section 7 and report its findings to the county within six months of receipt of the plan.

(c) The public service commission shall review the plan and comment to the county within six months of the receipt of the plan.

(d) Each public utility providing telephone service within the county shall review the plan and transmit to the county good faith estimates of local system implementation expenses within six months of the receipt of the plan.

Subd. 2. (a) Before December 15, 1979, each county shall submit final plans for the establishment of a 911 system to the public utility or utilities providing public telephone service within the county, to the department of administration and to the public service commission. The final plan shall include a description of all capital and recurring costs for the proposed 911 system.

(b) The department of administration shall review the final plan for consistency with the standards adopted pursuant to section 7 and approve or disapprove the plan within six months of receipt.

(c) The public service commission shall review the final plan and determine that portion of plan implementation capital costs which may be applied to the utility company rate base and report findings to the county within six months of receipt of the plan.

Subd. 3. After department of administration approval of design and public service commission report of findings, each county, together with the department of administration and the local governmental units or public agencies operating public safety answering points, shall contract with the appropriate public utility or utilities for the implementation of the approved 911 system plan.

Subd. 4. Each county implementing a 911 system before December 15, 1978, shall submit to the department of administration and the public service commission in lieu of the required plan a report describing the system and stating its operational date.

Subd. 5. Any subsequent changes to 911 systems described in subdivision 4 shall conform to standards established by the department of administration pursuant to section 7.

Subd. 6. After adoption of final 911 system plans, any county or utility may petition the department of administration for a waiver of all or portions of the requirements or time limits of sections 1 to 8. Waivers shall be granted upon a demonstration by petitioner that the requirement is economically infeasible in the sense that federal or state funding for the initial capital investment required of the county to implement a 911 system is not available.

Sec. 9. [ENFORCEMENT.] At the request of the department of administration, the attorney general may commence proceedings in the district court against any person or public or private body to enforce the provisions of sections 1 to 12.

At the request of the public service commission, the attorney general may commence proceedings before the district court pursuant to Minnesota Statutes, Section 237.27, against any public utility providing telephone service which refuses to comply with the provisions of sections 1 to 12.

Sec. 10. [COOPERATIVE AGREEMENTS.] Subdivision 1. In counties implementing 911 systems pursuant to sections 1 to 8, all public agencies and counties which are part of different 911 systems but share common boundary lines may enter into cooperative agreements which shall provide that once an emergency unit is dispatched in response to a request through the system, the unit shall render its services to the requesting party without regard to jurisdictional boundaries.

Subd. 2. Public safety agencies with jurisdictional responsibilities shall in all cases be notified by the public safety answering point of a request for service in their jurisdiction.

Subd. 3. Counties, public agencies, operating public safety answering points, and other local governmental units may enter into cooperative agreements under section 471.59 for the allocation of operational and capital costs attributable to the 911 system.

Sec. 11. [LOCAL RECURRING COSTS.] Recurring costs of telephone communications equipment and services at public safety answering points shall be borne by the local governmental unit operating the public safety answering point or allocated pursuant to section 10, subdivision 3. Costs attributable to local government electives for services beyond minimum 911 service shall be borne by the governmental unit requesting the elective service.

Sec. 12. [REPORT TO LEGISLATURE.] By January 1 of each year, the department of administration shall report to the legislature the progress that has been made in the implementation of sections 1 to 12.

Sec. 13. [APPROPRIATION.] Subdivision 1. There is appropriated from the general fund to the department of administration the following amounts to be used to implement the provisions of sections 1 to 12 in the fiscal years ending June 30 in the years indicated:

\$.....1978,

\$.....1979.

Any unencumbered balance remaining at the end of the first fiscal year shall not cancel but shall be available for the second year of the biennium.

Subd. 2. There is appropriated from the general fund to the department of administration the following amounts to be used to pay the recurring annual costs attributable to minimum 911 service:

\$..... 1978,

\$..... 1979.

Any unencumbered balance remaining at the end of the first fiscal year shall not cancel but shall be available for the second year of the biennium.”.

With the recommendation that when so amended the bill pass and be re-referred to the Committee on Appropriations.

The report was adopted.

Hanson from the Committee on Commerce and Economic Development to which was referred:

H. F. No. 560, A bill for an act relating to motor vehicles; requiring manufacturers to make replacement parts available for certain motor vehicles.

Reported the same back with the following amendments:

Page 1, after line 16, insert "(d) "Truck" means any motor vehicle designed and used for carrying things other than passengers, and having a gross weight over 9,000 pounds."

Page 1, line 19, after "snowmobile," insert "truck, bus".

Page 1, line 22, after "parts" insert "or campaign parts".

Page 2, line 1, after "therefor" insert "and which are necessary for the continued safe use and operation of the motor vehicle".

Page 2, line 20, delete "comparable".

Page 2, line 21, after "delivered" delete "and installed".

Page 2, line 24, delete "dealer" and insert "manufacturer".

Page 2, line 24, delete "The amounts so".

Page 2, delete lines 25 to 28.

With the recommendation that when so amended the bill pass.

The report was adopted.

Hanson from the Committee on Commerce and Economic Development to which was referred:

H. F. No. 725, A bill for an act relating to motor vehicles; regulation of certain motor vehicle dealers; place of doing business; amending Minnesota Statutes 1976, Section 168.27, Subdivision 10.

Reported the same back with the following amendments:

Strike everything after the enacting clause and insert the following:

"Section 1. Minnesota Statutes 1976, Section 168.27, Subdivision 2, is amended to read:

Subd. 2. [NEW MOTOR VEHICLE DEALER.] No person shall engage in the business of selling new motor vehicles or shall offer to sell, solicit or advertise the sale of new motor vehicles without first acquiring a new motor vehicle dealer license. A new motor vehicle dealer licensee shall be entitled thereunder to sell, *broker, wholesale or auction and to solicit and advertise the sale, broker, wholesale or auction of new motor vehicles covered by his franchise and any used motor vehicles or to lease* (, BROKER, WHOLESALE OR AUCTION) and to solicit and advertise the (SALE,) lease (, BROKER, WHOLESALE OR AUCTION) of (BOTH) new motor vehicles (COVERED BY HIS FRANCHISE) and any used motor vehicles and such sales or leases may be either for consumer use at retail or for resale to a dealer.

Sec. 2. Minnesota Statutes 1976, Section 168.27, Subdivision 10, is amended to read:

Subd. 10. [PLACE OF DOING BUSINESS.] All licensees under this section shall have an established place of business which shall include as a minimum,

(1) For a new motor vehicle dealer, the following:

(a) a permanent enclosed commercial building on a permanent foundation, owned or under lease by the licensee. The lease shall be for a minimum term of one year. The building shall contain office space where the books, records and files necessary to conduct the business are kept and maintained with personnel available during normal business hours;

(b) a bona fide contract or franchise in effect with a manufacturer or distributor of the (NEW MOTOR VEHICLE OR) new motor vehicles he proposes to (DEAL IN) *sell, broker, wholesale or auction*;

(c) a facility for the repair and servicing of motor vehicles and the storage of parts and accessories, not to exceed ten miles distance from the principal place of business. Such service may be provided through contract with bona fide operators actually engaged in such services.

(2) For a used motor vehicle dealer the following: a permanent enclosed commercial building on a permanent foundation, owned or under lease by the licensee. The lease shall be for a minimum term of one year. The building shall contain office space for the books, records and files necessary to conduct the business and maintained with personnel available during normal business hours or automatic telephone answering service during normal working hours.

(3) For a motor vehicle lessor, the following: a (PERMANENT ENCLOSED) commercial (BUILDING ON A PERMANENT FOUNDATION, OWNED OR UNDER LEASE BY THE LICENSEE. THE LEASE SHALL BE FOR A MINIMUM TERM OF ONE YEAR. THE BUILDING SHALL CONTAIN) office space where the books, records and files necessary to conduct the business are kept and maintained with personnel available during normal business hours or an automatic telephone answering service during normal business hours.

(4) For a motor vehicle broker, the following: a commercial office space where the books, records and files necessary to conduct the business are kept and maintained with personnel available during normal business hours or an automatic telephone answering service during normal business hours.

(5) For a motor vehicle wholesaler, the following: a commercial office space where the books, records and files necessary to conduct the business are kept and maintained with personnel available during normal business hours or an automatic telephone answering service during normal business hours.

(6) For a motor vehicle auctioneer, the following: a permanent enclosed commercial building, within or without the state, on a permanent foundation, owned or under lease by the licensee. The lease shall be for a minimum term of one year. The building shall contain office space where the books, records and files necessary to conduct the business are kept and maintained with personnel available during normal business hours or an automatic telephone answering service during normal business hours.

(7) If a new or used motor vehicle dealer maintains more than one place of doing business in a county, the separate places shall be listed on the application. If additional places of business are maintained outside of one county, separate licenses shall be obtained for each county.

(8) If a motor vehicle lessor, broker or auctioneer maintains more than one permanent place of doing business, either in one or more counties, the separate places shall be listed in the application, but only one license shall be required.

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

Amend the title by deleting it in its entirety and inserting:

"A bill for an act relating to motor vehicles; modifying certain motor vehicle dealer licensing requirements; amending Minnesota Statutes 1976, Section 168.27, Subdivisions 2 and 10."

With the recommendation that when so amended the bill pass.

The report was adopted.

Brinkman from the Committee on Financial Institutions and Insurance to which was referred:

H. F. No. 190, A bill for an act relating to commerce; providing for the opening of checking accounts; imposing a duty on financial institutions; providing remedies for worthless checks; providing penalties; amending Minnesota Statutes 1976, Section 609.535, Subdivisions 1, 2 and 3, and by adding subdivisions; and Chapter 549, by adding a section.

Reported the same back with the following amendments:

Page 1, line 12, after "the" delete the remainder of the line.

Page 1, delete lines 13 to 15 and insert "*following terms have the meanings given:*

(a) "*Financial institutions*" means any state or federally chartered bank, savings and loan association, credit union, or other entity offering checking account services.

(b) "*Check*" means any written instrument for the payment of money, even though it is not negotiable, drawn on or payable through a financial institution, excluding any instrument on which a financial institution is the drawer."

Page 1, line 17, after "writing" insert "and signed".

Page 2, delete lines 6 and 7.

Page 2, line 8, delete "(c)" and insert "(b)".

Page 2, after line 9 insert "*Such application shall be verified or contain a written declaration that it is made under the penalties of criminal liability for willfully supplying false information.*"

Page 2, delete lines 10 to 12.

Page 2, line 13, delete "opened".

Page 2, line 16, delete "Any payee or subsequent holder may recover".

Page 2, delete lines 17 to 19 and insert the following:

"Upon the conviction of the drawer of a worthless check pursuant to section 609.535 issued on an active account or on an account which has been closed for not more than five years any payee or subsequent holder thereof may recover from a financial

institution for damages caused to him by the failure of the financial institution to require the applicant to complete a written application which includes the questions set forth in this section; provided that the damages shall not exceed the face value of any unpaid checks drawn on the financial institution."

Page 2, line 24, after the period insert "*If the notice to the customer is returned undelivered, notice shall be deemed to have been received by the customer on the first date of attempted delivery.*

Subd. 5. Any person who willfully makes and subscribes any application, statement, or other document, required by this section, which contains or is verified by a written declaration that it is made under the penalties of law, and which he knows to be false and untrue as to any material matter, shall be guilty of a misdemeanor."

Page 3, line 7, delete "*goods or*" and after "*services*" insert "*or property as defined in Minnesota Statutes, Section 609.52, Subdivision 1*".

Page 3, line 14, strike "*is guilty of a*".

Page 3, line 15, strike "*misdemeanor*" and insert "*commits issuance of worthless check and may be sentenced as follows:*

(a) Is guilty of a misdemeanor if the aggregate amount of the checks or other orders for the payment of money is less than \$300;

(b) To imprisonment for not more than five years or to payment of a fine of not more than \$5,000 or both, if the aggregate amount of the checks or other orders for the payment of money is between \$300 and \$2,500; or

(c) To imprisonment for not more than ten years or to payment of a fine of not more than \$10,000, or both, if the aggregate amount of the checks or other orders for the payment of money exceed \$2,500".

Page 4, line 10, delete "*given at*".

Page 4, line 11, delete "*the time of issuance*" and insert "*appearing in the records of the drawee*".

Page 4, line 13, after "*maker*" insert "*or drawer*".

Page 4, line 15, after the period insert "*Refusal by the maker or drawer of the check to accept certified mail notice shall not constitute a defense that notice was not received.*"

Page 5, delete lines 9 to 12.

Page 5, line 15, delete "3c" and insert "3b".

Renumber the sections accordingly.

Page 5, line 21, delete "county" and insert "governmental jurisdictions".

With the recommendation that when so amended the bill pass and be re-referred to the Committee on Criminal Justice.

The report was adopted.

Brinkman from the Committee on Financial Institutions and Insurance to which was referred:

H. F. No. 500, A bill for an act relating to financial institutions; regulating lenders of conventional mortgage loans; regulating mortgages and escrow accounts; requiring registration and reporting; regulating installment loans; abolishing a usury exception; providing a penalty; amending Minnesota Statutes 1976, Sections 47.20; 48.153; and 334.06.

Reported the same back with the following amendments:

Strike everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 1976, Section 47.20, is amended to read:

47.20 [USE OF FEDERAL ACTS; DEFINITIONS; INTEREST RATES; REQUIRED PROVISIONS; INTEREST ON ESCROW ACCOUNTS; PENALTY.] Subdivision 1. Pursuant to such (REGULATIONS) *rules* as the commissioner of banks finds to be necessary and proper, if any, banks, savings banks, mutual savings banks, building and loan associations, and savings and loan associations organized under the laws of this state or the United States, trust companies, trust companies acting as fiduciaries, and other banking institutions subject to the supervision of the commissioner of banks, and mortgagees or lenders approved or certified by the secretary of housing and urban development or approved or certified by the administrator of veterans affairs, *or approved or certified by the administrator of the farmers home administration*, are authorized:

(1) To make such loans and advances of credit and purchases of obligations representing loans and advances of credit as are insured or guaranteed by the secretary of housing and urban development pursuant to the national housing act, as amended, or the administrator of veterans affairs pursuant to the servicemen's readjustment act of 1944, as amended, *or the ad-*

ministrator of the farmers home administration pursuant to the consolidated farm and rural development act, as amended, or the housing act of 1944, as amended, and to obtain such insurance or guarantees;

(2) To make such loans secured by mortgages on real property which the secretary of housing and urban development (OR), the administrator of veterans affairs, *or the farmers home administration* has insured or guaranteed or made a commitment to insure or guarantee, and to obtain such insurance or guarantees.

Subd. 2. For the purposes of this section the terms defined in this subdivision have the meanings given them:

(1) "Actual closing costs" mean reasonable charges for or sums paid for the following, whether or not retained by the mortgage or lender:

(a) Any insurance premiums including but not limited to premiums for title insurance, fire and extended coverage insurance, flood insurance, and private mortgage insurance.

(b) Abstracting, title examination and search, and examination of public records.

(c) The preparation and recording of any or all documents required by law or custom for closing a conventional loan.

(d) Appraisal and survey of real property securing a conventional loan.

(e) A single service charge, which shall include any consideration, not otherwise specified herein as an "actual closing cost" paid by the borrower and received and retained by the lender for or related to the acquisition, making, refinancing or modification of a conventional loan, and shall also include any consideration received by the lender for making a commitment for a conventional loan, whether or not an actual loan follows such commitment. *The term service charge shall not include a developer's commitment fees.* The service charge shall not exceed one percent of the original bona fide principal amount of the conventional loan(,) except that in the case of a construction loan, the service charge shall not exceed two percent of the original bona fide principal amount of the loan. *That portion of the service charge imposed because the loan is a construction loan shall be itemized and a copy of the itemization furnished the borrower. A lender shall not collect from a borrower the additional one percent service charge permitted for a construction loan if it does not perform the service for which the charge is imposed and if third parties perform and charge the borrower for the service for which the lender has imposed the charge.*

(f) Charges and fees necessary for or related to the transfer of real property securing a conventional loan or the closing of a conventional loan paid by the borrower and received by any party other than the lender.

(2) "Conventional loan" means a loan or advance of credit, other than a loan or advance of credit made by a credit union or made pursuant to section 334.011, to a noncorporate borrower in an original principal amount of less than \$100,000, secured by a first mortgage upon real property containing one or more residential units or upon which at the time the loan is made it is intended that one or more residential units are to be constructed, and which is not insured or guaranteed by the secretary of housing and urban development (OR GUARANTEED), by the administrator of veterans affairs, or by the administrator of the farmers home administration. The term mortgage shall not include contracts for deeds or installment land contracts.

(3) "Developer's commitment fee" means a fee or other consideration paid to a lender by a person in the business of building or arranging for building residential units for the purpose of securing a commitment by such lender to make conventional loans to credit worthy purchasers of residential units, or a fee or other consideration paid to a lender for the purpose of securing a commitment by such lender to make conventional loans to credit worthy purchasers of apartments as defined in section 515.02 to be created out of existing structures pursuant to the Minnesota condominium act, by a person creating the apartments.

(3) (4) "Finance charge" means the total cost of a conventional loan including extensions or grant of credit regardless of the characterization of the same and includes interest, finders fees, and other charges levied by a lender directly or indirectly against the person obtaining the conventional loan or against a seller of real property securing a conventional loan, or any other party to the transaction except any actual closing costs and any developer's commitment fee. The finance charges plus the actual closing costs and any developer's commitment fee, charged by a lender shall include all charges made by a lender (TO THE PERSON OBTAINING THE CONVENTIONAL LOAN) other than the principal of the conventional loan.

(5) "Lender" means any person making a conventional loan. The term shall also include the holder or assignee at any time of a conventional loan.

(4) (6) "Loan yield" means the annual rate of return obtained by a lender over the term of a conventional loan and shall be computed as the annual percentage rate as computed in accordance with sections 226.5 (b), (c) and (d) of Regulation Z, 12 C.F.R. section 226, but using the definition of finance

charge provided for in this subdivision. The finance charge shall be amortized over the contract term of the conventional loan.

(5) (7) "Monthly index of long term United States government bond yields" means the monthly unweighted average of the daily unweighted average of the closing bid yield quotations in the over the counter market for all outstanding United States treasury bond issues, based on available statistics, which are either maturing or callable in ten years or more. This index is expressed in terms of percentage interest per annum.

(8) "*Person*" means an individual, corporation, business trust, partnership or association or any other legal entity.

(9) "*Residential unit*" means any structure used principally for residential purposes or any portion thereof, and shall include a unit in a townhouse or planned unit development, a condominium apartment, a non-owner occupied residence, and any other type of residence regardless of whether such unit is used as a principal residence, secondary residence, vacation residence or residence of some other denomination.

Subd. 3. (PURSUANT TO SUCH REGULATIONS AS THE COMMISSIONER OF BANKS FINDS TO BE NECESSARY AND PROPER, IF ANY, BANKS, SAVINGS BANKS, MUTUAL SAVINGS BANKS, BUILDING AND LOAN ASSOCIATIONS, AND SAVINGS AND LOAN ASSOCIATIONS ORGANIZED UNDER THE LAWS OF THIS STATE OR THE UNITED STATES, TRUST COMPANIES, TRUST COMPANIES ACTING AS FIDUCIARIES, AND OTHER BANKING INSTITUTIONS SUBJECT TO THE SUPERVISION OF THE COMMISSIONER OF BANKS, AND MORTGAGEES OR LENDERS APPROVED OR CERTIFIED BY THE FEDERAL NATIONAL MORTGAGE ASSOCIATION OR THE FEDERAL HOME LOAN MORTGAGE CORPORATION) *Notwithstanding the provisions of section 334.01, lenders are authorized to make (SUCH) conventional loans and purchases of obligations representing conventional loans (AS WOULD BE ELIGIBLE FOR PURCHASE BY THE FEDERAL NATIONAL MORTGAGE ASSOCIATION OR THE FEDERAL HOME LOAN MORTGAGE CORPORATION AS AUTHORIZED BY AND DEFINED BY THE EMERGENCY HOME FINANCE ACT OF 1970, AS AMENDED, BUT WITHOUT REGARD TO ANY LIMITATIONS PLACED UPON THE MAXIMUM PRINCIPAL AMOUNT OF AN ELIGIBLE CONVENTIONAL LOAN BY SAID ACT) pursuant to such rules as the commissioner of banks finds to be necessary and proper, if any, at an interest rate not in excess of the maximum lawful interest rate prescribed in subdivision 4 of this section.*

Subd. 4. No conventional loan (AUTHORIZED IN SUBDIVISION 3) shall be *made* at a rate of interest in excess of a

maximum lawful interest rate which shall be based upon the monthly index of long term United States government bond yields as compiled by the (BOARD OF GOVERNORS OF THE FEDERAL RESERVE SYSTEM AND AS PUBLISHED BY SAID BOARD OF GOVERNORS IN THE MONTHLY FEDERAL RESERVE BULLETIN) *United States treasury department and published by the department in the monthly treasury bulletin*. The maximum lawful interest rate shall be computed as follows:

(1) The maximum lawful rate of interest for a conventional loan (AUTHORIZED IN SUBDIVISION 3 ENTERED INTO) *made* or contracted for during any calendar month shall be equal to the monthly index of long term United States government bond yields for the second preceding calendar month plus an additional two percent per annum rounded off to the nearest quarter of one percent per annum or rounded off to the highest quarter of one percent per annum if equidistant.

(2) On or before the 20th day of each month the commissioner of banking shall determine, based on available statistics, the monthly index of long term United States government bond yields for the preceding calendar month and shall determine the maximum lawful rate of interest for conventional loans for the next succeeding month, as defined in clause (1) and shall cause such maximum lawful rate of interest to be published *in a legal newspaper in Ramsey county before the 20th day of each month and in the Bulletin of the Banking Division for publication in the state register on or before the last day of each month*; such maximum lawful rate of interest to be effective on the first day of the next succeeding month.

(3) The loan yield obtained from a conventional loan (AUTHORIZED IN SUBDIVISION 3) shall not exceed the maximum lawful rate of interest established in clause (1).

(4) A contract rate within the maximum lawful interest rate applicable to a conventional loan (AUTHORIZED IN SUBDIVISION 3) at the time (OF THE LOAN CLOSING) *the loan is made* shall be the maximum lawful interest rate for the term of the conventional loan (; EXCEPT THAT A COMMITMENT FOR).

(5) *Conventional loans made pursuant to a commitment for a conventional loan (AUTHORIZED IN SUBDIVISION 3), including a commitment for conventional loans made upon payment of a developer's commitment fee, which provides for consummation within some future time following the issuance of such commitment may be consummated pursuant to the provisions, including the interest rate, of such commitment notwithstanding the fact that the maximum lawful rate of interest at the time such conventional loan is actually (ENTERED INTO) made is less than the commitment rate of interest, provided the*

commitment rate of interest does not exceed the maximum lawful interest rate in effect on the date such commitment was issued and provided that such commitment when issued and agreed to (BY THE BORROWER) shall constitute a legally binding obligation on the part of the mortgagee or lender to make a conventional loan (AUTHORIZED IN SUBDIVISION 3) within a specified time period in the future at a rate of interest not exceeding the maximum lawful rate of interest effective as of the date (OF) *the commitment (OFFER) was issued.* The refinancing of an existing conventional loan (AUTHORIZED IN SUBDIVISION 3) shall be deemed to be a new conventional loan for purposes of determining the maximum lawful rate of interest under this subdivision. *A commitment shall be deemed to be issued on the date the commitment is hand delivered by the lender, or mailed, to the addressee or to any one of them if there should be more than one.*

((5) THIS SUBDIVISION EXPIRES JULY 31, 1977. A CONTRACT OR COMMITMENT FOR A CONVENTIONAL LOAN MADE PURSUANT TO THIS SUBDIVISION MADE)

(6) *A loan made pursuant to a commitment, including a commitment for conventional loans made upon payment of a developer's commitment fee, issued on or before July 31, (1977) 1979 at a rate of interest not in excess of the rate of interest authorized by this subdivision at the time the contract or commitment for such loan was made shall continue to be enforceable in accordance with its terms until the indebtedness is fully satisfied.*

(7) *This subdivision expires July 31, 1979.*

Subd. 5. No (LOAN OR ADVANCE OF CREDIT AUTHORIZED IN SUBDIVISIONS 1 OR 3 AND CONTRACTED FOR) *conventional loan or loan authorized in subdivision 1 made on or after (APRIL 1, 1976,) the effective date of this act* shall contain a provision requiring or permitting the imposition of a penalty in the event the loan or advance of credit is prepaid.

Subd. 6. No (LOAN OR ADVANCE OF CREDIT AUTHORIZED IN SUBDIVISIONS 1 OR 3 AND CONTRACTED FOR) *conventional loan or loan authorized in subdivision 1 made on or after (APRIL 1, 1976,) the effective date of this act* shall contain a provision requiring or permitting the imposition of a fee or penalty in excess of one-tenth of one percent of the remaining unpaid principal balance in the event the loan or advance of credit and the obligation incurred thereby is assumed by another person.

Subd. 7. (1) No conventional loan (AUTHORIZED IN SUBDIVISION 3 AND CONTRACTED FOR) *made on or after (APRIL 1, 1976) the effective date of this act* shall contain a provision requiring or permitting the imposition, directly or in-

directly, of any discount points, whether or not actually denominated as discount points, on any person.

(2) Discount points shall be deemed not to include a (FEE PAID TO A LENDER BY A PERSON IN THE BUSINESS OF RESIDENTIAL BUILDING OR DEVELOPMENT IN CONNECTION WITH A COMMITMENT BY SUCH LENDER TO MAKE CONVENTIONAL LOANS TO CREDIT WORTHY PURCHASERS OF REAL PROPERTY WHICH HAS NOT PREVIOUSLY BEEN OCCUPIED AS A RESIDENCE) *developer's commitment fee*.

(3) No charges, fees, or sums permitted by (LAWS 1976, CHAPTER 300) *section 47.20* which are paid to and received by a lender may be increased for purposes of evading compliance with this subdivision.

(4) *This subdivision shall not apply to conventional loans secured by mortgages committed for purchase, purchased, or sold by the government national mortgage association pursuant to 12 United States Code Annotated, section 1720(j), if the charge for any discount points when added to the finance charge does not result in a loan yield in excess of that permitted by subdivision 4. The loan yield shall be computed using the sum resulting when the discount points are so added to the finance charge.*

Subd. 8. A lender making a conventional loan shall comply with the following:

(1) *The promissory note and mortgage evidencing a conventional loan shall be printed in not less than the equivalent of eight point type, .075 inch computer type, or elite-size typewritten numerals, or shall be legibly handwritten.*

(2) *The mortgage evidencing a conventional loan shall contain a provision whereby the lender agrees to furnish the borrower with a conformed copy of the promissory note and mortgage at the time they are executed or within a reasonable time after recordation of the mortgage.*

(3) *The mortgage evidencing a conventional loan shall contain a provision whereby the lender, if it intends to foreclose, agrees to give the borrower written notice of any default under the terms or conditions of the promissory note or mortgage, by sending the notice by certified mail to the address of the mortgaged property or such other address as the borrower may have designated in writing to the lender. The lender need not give the borrower the notice required by this paragraph if the default consists of the borrower selling the mortgaged property without the required consent of the lender. The mortgage shall further provide that the notice shall contain the following provisions:*

- (a) *the nature of the default by the borrower,*
- (b) *the action required to cure such default,*
- (c) *a date, not less than 30 days from the date the notice is mailed by which such default must be cured,*
- (d) *that failure to cure such default on or before the date specified in the notice may result in acceleration of the sums secured by the mortgage and sale of the mortgaged premises, and*
- (e) *that the borrower has the right to reinstate the mortgage after acceleration, and*
- (f) *that the borrower has the right to bring a court action to assert the nonexistence of a default or any other defense of the borrower to acceleration and sale.*

Subd. (8) 9. (1) For purposes of this subdivision the term "mortgagee" shall mean all state banks and trust companies, national banking associations, state and federally chartered savings and loan associations, mortgage banks, mutual savings banks, insurance companies, credit unions or assignees of the above. Each mortgagee requiring funds of a mortgagor to be paid into an escrow, agency or similar account for the payment of taxes or insurance premiums with respect to a mortgaged one to four family, owner occupied residence located in this state, unless such account is required by federal law or regulation or maintained in connection with a conventional loan in an original principal amount in excess of 80 percent of the lender's appraised value of the residential unit at the time the loan is made or maintained in connection with loans insured or guaranteed by the secretary of housing and urban development (OR GUARANTEED), by the administrator of veterans affairs, or by the administrator of the farmers home administration, shall calculate interest on such funds at a rate of not less than three percent per annum. Such interest shall be computed on the average monthly balance in such account (OF) on the first of each month for the immediately preceding 12 months of the calendar year or such other fiscal year as may be uniformly adopted by the mortgagee for such purposes and shall be annually credited to the remaining principal balance on the mortgage, or at the election of the mortgagee, paid to the mortgagor or credited to his account. If the interest exceeds the remaining balance, the excess shall be paid to the mortgagor or vendee. The requirement to pay interest shall apply to such accounts created prior to June 1, 1976 as well as to accounts created after June 1, 1976.

((2) THE COMMERCE COMMISSION SHALL HAVE THE POWER TO PRESCRIBE, AT THE END OF EACH CALENDAR YEAR, A RATE OF INTEREST HIGHER THAN THAT SET BY THIS SUBDIVISION. THE RATE SO PRE-

SCRIBED SHALL APPLY TO THE CALENDAR YEAR DURING WHICH SUCH RATE IS PRESCRIBED OR TO SUCH OTHER FISCAL YEAR BEGINNING WITHIN SUCH CALENDAR YEAR UNIFORMLY ADOPTED BY THE MORTGAGEE FOR SUCH PURPOSES. IN PRESCRIBING ANY RATE THE COMMISSION SHALL CONSIDER PERTINENT ECONOMIC AND COST FACTORS INCLUDING, BUT NOT LIMITED TO: (1) CURRENT YIELDS ON SHORT TERM INVESTMENTS, (2) CURRENT DIVIDEND RATES PAID ON REGULAR SAVINGS ACCOUNTS THROUGHOUT THIS STATE, (3) CURRENTLY PREVAILING INTEREST RATES ON CONVENTIONAL AND INSURED OR GUARANTEED MORTGAGE LOANS IN THIS STATE, (4) COST FACTORS IN MAINTAINING ACCOUNTS DESCRIBED IN CLAUSE (1) OF THIS SUBDIVISION AND (5) SUCH OTHER PERTINENT ECONOMIC OR COST FACTORS THAT THE COMMERCE COMMISSION SHALL DEEM TO BE APPROPRIATE.

(3) IF AT ANY TIME THE USE OF SUCH ACCOUNT IS OFFERED AS AN OPTION TO THE MORTGAGOR AND THE MORTGAGOR CONTINUES OR ELECTS TO USE SUCH ACCOUNT, INTEREST NEED NOT BE CREDITED OR PAID:)

(2) *A mortgagee that decides to discontinue maintaining escrow accounts as described in clause (1), whether or not the accounts were required by the mortgagee or were optional with the mortgagor, shall offer to each of such mortgagors the following options:*

(a) *the mortgagor may manage the payment of insurance and taxes by himself;*

(b) *the mortgagor may open with the mortgagee a passbook savings account carrying the current rate of interest being paid on such accounts by the mortgagee in which the mortgagor can deposit the funds previously paid into the escrow account; or*

(c) *to maintain a noninterest bearing escrow account as described in clause (1) to be serviced by the mortgagee at no charge to the mortgagor.*

A mortgagee that is not a depository institution offering passbook savings accounts shall instead of option (b) above notify its mortgagors that (1) they may open such accounts at a depository institution and (2) the current maximum legal interest rate on such accounts.

A mortgagee shall notify its mortgagor of the options under (a), (b) and (c). The notice shall state the options and state that an escrow account is not required by the mortgagee, that the

mortgagor is legally responsible for the payment of taxes and insurance, and that the notice is being given pursuant to section 47.20, subdivision 9.

Notice shall be given within 30 days of the mortgagee's decision to discontinue escrow accounts. If no reply is received from the mortgagor within 30 days, option (c) shall be selected for the mortgagor but that the mortgagor may, at any time, select another option.

A mortgagee making a new mortgage shall at the time of loan application, notify a prospective mortgagor of options (a), (b) and (c) above which must be extended to the prospective mortgagor. The mortgagor shall select one of the options at the time the loan is made.

Any notice required by this clause (2) shall be on forms approved by the commissioner of banking and shall provide that at any time a mortgagor may select a different option. The form shall contain a blank where the current passbook rate of interest shall be entered by the mortgagee. Any option selected by the mortgagor shall be binding on the mortgagee.

This clause (2) does not apply to escrow accounts which are excepted from the interest paying requirements of clause (1).

((4)) (3) A mortgagee shall be prohibited from charging a direct fee for the administration of the escrow account.

((5)) (4) A mortgagee shall make timely payments of tax and insurance bills provided that funds paid into such account by the mortgagor are sufficient for such payment. If there is a shortage of funds the mortgagee shall promptly notify the mortgagor of such shortage. Failure to make the payment required by this clause shall subject the mortgagee to liability for all damages caused by such failure except that this sentence shall not deprive the mortgagee of the right to present any legal defenses in any subsequent proceeding. The mortgagee is permitted to make any payment on behalf of the mortgagor even though there are not sufficient funds in a particular account to cover the payment.

((6) ANY MORTGAGEE INTENTIONALLY VIOLATING THE PROVISIONS OF THIS SUBDIVISION SHALL BE FINED NOT MORE THAN \$100 FOR EACH OFFENSE.)

Subd. (9) 10. Notwithstanding any other law, the provisions of (LAWS 1976, CHAPTER 300) section 47.20 may not be waived by any oral or written agreement executed by any person.

Subd. 11. All lenders who make conventional loans pursuant to this section and who are not financial institutions supervised

by state or federal government agencies shall register with the banking division of the department of commerce. Lenders who make no more than two conventional loans in any calendar year are exempt from the registration requirements of this subdivision. The commissioner of banks shall charge and collect a fee of \$25 for registration.

Subd. 12. All lenders, except those making no more than two conventional loans in any calendar year, shall make an annual report containing the following information and such further information as the commissioner may require to the commissioner of banks describing the lender's number of:

(a) conventional loans to individuals secured by a residential unit located in this state made during each month of the reporting period and the total dollar amount thereof by month;

(b) conventional loans to individuals secured by a residential unit located in this state not made by the lender but acquired from others, the total dollar amount thereof, and from whom the loans were acquired;

(c) nonconventional loans to individuals secured by a residential unit located in this state made by the lender categorized as to those insured or guaranteed by the secretary of housing and urban development, by the administrator of veterans affairs, or by the administrator of the farmers home administration and all other such loans with the total dollar amount for each category of loan;

(d) conventional loans made by the lender to individuals secured by a residential unit located outside this state and the total dollar amount thereof;

(e) conventional loans to individuals secured by a newly built residential unit located in this state made by the lender and the total dollar amount thereof;

(f) commitments to individuals issued and not made for conventional loans to be secured by a residential unit located in this state and the total dollar amount thereof.

The reports shall be filed on or before March 1, of each year and shall cover the preceding calendar year.

Subd. 13. The commissioner of banks may investigate complaints involving conventional loans.

Subd. 14. Any conventional loan having an interest rate in excess of the maximum lawful interest rate provided for in sub-

division 4 shall be usurious and subject to the same penalties as a loan made in violation of section 334.01. Any lender intentionally violating any other provision of this section shall be fined not more than \$100 for each offense.

Sec. 2. Minnesota Statutes 1976, Section 48.153, is amended to read:

48.153 [INSTALLMENT LOANS; FINANCE CHARGES; MINIMUM CHARGES.] Any bank organized under the laws of this state, or any national banking association doing business in this state, making any loan of money not exceeding \$25,000 repayable in installments, may make a finance charge for such loan to be computed at a rate which does not exceed 12 percent per annum upon the unpaid principal balance of the amount financed. Installment payments shall not extend beyond a period of 12 years and 32 days from the date of the loan. The loan may be secured by a mortgage, pledge, or other collateral. Any savings bank organized pursuant to chapter 50, and having its principal place of business in this state, may make a loan for consumer purposes to any natural person in an amount not exceeding \$7,500 repayable in installments, and may make a finance charge for the loan to be computed at a rate not exceeding 12 percent per annum on the unpaid principal balance of the amount financed. Installment payments shall not extend beyond a period of five years and 32 days from the date of the loan. The loan may be secured by a mortgage, pledge or other collateral. Charges in reference to installment loans under this section shall be computed and collected only on the unpaid principal balance of the amount financed actually outstanding. One day's finance charge shall mean an amount equal to $1/365$ of the per annum rate provided for in an installment loan. If the total finance charge determined on an installment loan, single payment or demand loan shall be less than \$10 the amount charged may nevertheless be \$10. *No loan shall be made pursuant to this section if over 50 percent of the proceeds of the loan are used to finance the purchase of a borrower's primary residence other than a mobile home.*

Sec. 3. Minnesota Statutes 1976, Section 334.06, is amended to read:

334.06 [AGREEMENTS TO SHARE PROFITS; BANKS FOR FARM COOPERATIVES.] Nothing in this chapter shall be construed as in any way affecting any contract whereby one party advances money to be used in business or other ventures mutually determined upon, and whereby the party receiving such money agrees to refund the same, with lawfully stipulated interest, and, in addition thereto, agrees to share, equally or otherwise, with the party so advancing the money, the profits of such business or ventures; nor shall its provisions apply to (MUTUAL BUILDING ASSOCIATIONS OR) any banks for cooperatives created or operating under the Federal Farm Credit Act of 1933, as amended, which by law or contract with its borrowers operates as a cooperative.

Sec. 4. Minnesota Statutes 1976, Section 334.01, Subdivision 2, is amended to read:

Subd. 2. A contract for the loan or forbearance of money, goods, or things in action, in the amount of \$100,000 or more, shall be exempt from the provisions of this section and the interest for such an indebtedness shall be at the rate of \$6 upon \$100 for a year, unless a different rate is contracted for in writing. This subdivision expires July (1, 1978) *31, 1979*. A contract for a loan or forbearance made on or before July (1, 1978) *31, 1979* at a rate of interest not in excess of the rate of interest authorized by this subdivision at the time the loan or forbearance was made shall continue to be enforceable in accordance with its terms until the indebtedness is fully satisfied.

Sec. 5. [EFFECTIVE DATE.] *The amendments to Minnesota Statutes, Section 47.20, Subdivision 8, as renumbered Subdivision 9 by this act, shall take effect June 1, 1977 and the remainder of this act is effective the day following its final enactment."*

Further amend the title as follows:

Page 1, line 3, delete "coventional" and insert "conventional".

Page 1, line 6, before "providing" insert "providing an extension of a usury exception;".

Page 1, line 8, after "48.153;" insert "334.01, Subdivision 2;".

With the recommendation that when so amended the bill pass.

The report was adopted.

Brinkman from the Committee on Financial Institutions and Insurance to which was referred:

S. F. No. 377, A bill for an act relating to credit union mergers; clarifying membership for merged credit unions; amending Minnesota Statutes 1976, Section 52.203.

Reported the same back with the recommendation that the bill pass and be placed on the Consent Calendar.

The report was adopted.

Rice from the Committee on General Legislation and Veterans Affairs to which was referred:

H. F. No. 600, A bill for an act relating to elections; providing for uniform reporting dates for and disclosure of campaign con-

tributions and expenditures of political committees and candidates; providing for statements of economic interest for candidates and persons elected to public office; providing for registration of voters for all counties; defining certain terms; providing uniform filing date for corporations spending money for certain election purposes; providing exemption from disclosure requirements for certain persons and political committees; providing restrictions on the use of names and pictures of public officials in government publications; prohibiting sample ballots of the same color as official ballots; giving the secretary of state and county auditors certain duties with respect to elections; permitting codes of ethics for counties, cities, and school districts; providing penalties; amending Minnesota Statutes 1976, Sections 210A.01, Subdivisions 1, 3, 5, 6, and 8, and by adding subdivisions; 210A.05, Subdivision 1; 210A.16; 210A.21; 210A.24; 210A.27, Subdivision 1; 210A.29; 210A.32; 210A.34, Subdivision 8; and 290.09, Subdivision 2; and Chapters 123, by adding a section; 210A, by adding sections; 375, by adding a section; and 471, by adding a section; repealing Minnesota Statutes 1976, Sections 123.015; 210.22; 210A.01, Subdivisions 4, 7, and 9; 210A.22; 210A.23; 210A.25; 210A.26; 210A.28; 210A.30; 210A.31; and 210A.33; and Laws 1975, Chapter 342, Section 1.

Reported the same back with the following amendments:

Page 2, line 8, delete "*Unless*" and insert "*Except as*".

Page 2, line 9, delete "*herein*" and insert "*in this chapter*".

Page 2, line 10, before "*chapter*" insert "*this*" and delete "*210A*".

Page 3, line 10, after "*his*" insert "*application or*".

Page 4, line 8, delete "*for election*".

Page 4, line 9, after "*office*" insert "*, or for the purpose of supporting or opposing any question on the ballot*".

Page 4, line 21, after "*office*" insert "*, or to support or oppose any question on the ballot*".

Page 4, line 22, after "*committees*" insert "*or political funds*".

Page 5, lines 4 to 7, after "(210A.025)" delete the remainder of the language and insert "*No person shall cause sample ballots to be printed in such a manner as to appear to be official ballots*".

Page 7, line 4, delete "*contain*".

Page 7, delete line 5.

Page 7, line 6, delete "or any other device which tends" and insert "tend".

Page 7, line 17, after "more" insert "as determined by the last decennial census".

Page 7, after line 27, insert a new subdivision to read:

"Subd. 4. "Political committee" means any committee supporting or opposing any question on the ballot or any candidate as defined in subdivision 2."

Page 7, line 31, after the period insert "Nothing in this act shall prohibit them from being the same person."

Page 8, line 20, delete "clearly proved" and insert "proven by clear and convincing evidence".

Page 8, line 27, delete the comma, delete "an expenditure" and insert "expenditures" and after "\$200" insert "in any year".

Page 10, line 21, delete "or".

Page 10, line 22, delete "reported in writing within 30 days".

Page 10, line 23, after "change" insert "provided that if the event prompting the change occurs after January 31 and more than 60 days before the next required filing date, the corrections shall be filed within 60 days after the date of the event prompting the change".

Page 10, line 28, after "Any" delete "attempt by a".

Page 10, line 29, after "person" insert "who attempts".

Page 11, line 30, after "candidate" insert "other than a candidate for township office".

Page 12, line 29, before "to" insert "to the county auditor who will furnish them".

Page 14, line 10, delete "Failure to destroy statements shall".

Page 14, delete line 11.

Page 14, delete lines 12 to 25.

Page 14, line 30, delete "this" and after "chapter" insert "210A".

Page 15, after line 1, insert a new section to read:

“Sec. 30. Minnesota Statutes 1976, Chapter 210A, is amended by adding a section to read:

(210A.271) [DUTIES OF SECRETARY OF STATE; FILING OFFICERS.] *The secretary of state shall instruct and render advice to filing officers regarding their duties under sections 16 to 25 of this act. Only a person desiring guidance for his own conduct may request advice from a filing officer.*”

Renumber the sections accordingly.

Page 16, line 28, delete “; and Laws 1975, Chapter 342, Section 1,”.

Amend the title as follows:

Page 1, line 7, delete “providing for”.

Page 1, line 8, delete “registration of voters for all counties;”.

Page 1, line 9, delete “providing uniform filing date for”.

Page 1, line 10, delete “corporations spending money for certain election”.

Page 1, line 11, delete “purposes;”.

Page 1, line 14, delete “names and pictures of public officials in”.

Page 1, line 16, delete “of the same color as” and insert “which appear to be”.

Page 1, line 17, delete “county auditors” and insert “filing officers”.

Page 1, line 25, delete “210A.34, Subdivision 8;”.

Page 1, line 32, delete “; and Laws 1975,”.

Page 1, line 33, delete “Chapter 342, Section 1”.

With the recommendation that when so amended the bill pass and be re-referred to the Committee on Appropriations.

The report was adopted.

SECOND READING OF HOUSE BILLS

H. F. Nos. 560, 725 and 500 were read for the second time.

SECOND READING OF SENATE BILLS

S. F. Nos. 267, 86 and 377 were read for the second time.

INTRODUCTION AND FIRST READING
OF HOUSE BILLS

The following House Files were introduced:

Kvam, Eken, Eckstein, Carlson, D., and Brinkman introduced:

H. F. No. 1077, A bill for an act relating to agriculture; attempting to limit fee increases; providing an appropriation.

The bill was read for the first time and referred to the Committee on Agriculture.

Lemke, Gunter, Kvam, Sarna and Anderson, B., introduced:

H. F. No. 1078, A bill for an act relating to agriculture; agricultural marketing and bargaining; modifying provisions for collective bargaining; amending Minnesota Statutes 1976, Sections 17.693, Subdivisions 2, 4 and 8; 17.694, Subdivisions 1, 3, 6 and 7; 17.695, Subdivision 2; 17.696, Subdivision 1; 17.697, Subdivisions 1 and 3; 17.698; and Chapter 17, by adding a section; repealing Minnesota Statutes 1976, Sections 17.695, Subdivisions 3 and 4; and 17.699.

The bill was read for the first time and referred to the Committee on Agriculture.

Braun, Mann and Jensen introduced:

H. F. No. 1079, A bill for an act relating to agriculture; seeds; changing the basis for listing restricted noxious weed seeds on labels; prohibiting certain acts; increasing fees; amending Minnesota Statutes 1976, Sections 21.48, Subdivision 3; 21.49, Subdivision 1; 21.53, Subdivision 3; and 21.54, Subdivision 2.

The bill was read for the first time and referred to the Committee on Agriculture.

Welch; Clawson; Carlson, D.; Wenzel and McEachern introduced:

H. F. No. 1080, A bill for an act relating to education; community colleges; appropriating money to build a community college at Cambridge; amending Laws 1973, Chapter 777, Section 13, Subdivision 2.

The bill was read for the first time and referred to the Committee on Appropriations.

Wenstrom, Eckstein, Sabo, Anderson, I., and Fjoslien introduced:

H. F. No. 1081, A bill for an act relating to appropriations; providing funds for the programs of the Minnesota International Center.

The bill was read for the first time and referred to the Committee on Appropriations.

Petraleso, Hanson and Arlandson introduced:

H. F. No. 1082, A bill for an act relating to energy; rates of service; directing establishment of a special rate for minimum amounts of electricity needed to sustain life; directing the public service commission to fix a "lifeline rate"; amending Minnesota Statutes 1976, Section 216A.05, Subdivision 2; and Chapter 216A, by adding a section.

The bill was read for the first time and referred to the Committee on Commerce and Economic Development.

Clark, Brandl, Jaros, Dean and Wynia introduced:

H. F. No. 1083, A bill for an act relating to licenses fees; increasing maximum fees for off-sale intoxicating liquor licenses; and for licenses for the sale of cigarettes; amending Minnesota Statutes 1976, Sections 340.11, Subdivision 14 and 461.12.

The bill was read for the first time and referred to the Committee on Commerce and Economic Development.

Kempe, A.; Arlandson; Berg; Clark and Kempe, R., introduced:

H. F. No. 1084, A bill for an act relating to post conviction remedy; authorizing the court to determine whether a petitioner must be present at a post conviction hearing; amending Minnesota Statutes 1976, Section 590.04, Subdivision 3.

The bill was read for the first time and referred to the Committee on Criminal Justice.

Kelly, R.; Cohen; Kempe, A.; Hanson and Rose introduced:

H. F. No. 1085, A bill for an act relating to highway traffic regulations; parking citations; the reporting of the same and their collection.

The bill was read for the first time and referred to the Committee on Criminal Justice.

Clark; Nelson; Kempe, A. ; Lehto and Carlson, A., introduced :

H. F. No. 1086, A bill for an act relating to crimes; requiring the commissioner of corrections to conduct research to assess the extent and nature of juvenile prostitution and to develop a program for the prevention and treatment of prostitution; reports to legislature; pilot projects.

The bill was read for the first time and referred to the Committee on Criminal Justice.

Eken introduced :

H. F. No. 1087, A bill for an act relating to the administration of justice; Clearwater district and county courts; law library fees; assessment in petty misdemeanor cases; amending Laws 1976, Chapter 290, Section 4.

The bill was read for the first time and referred to the Committee on Criminal Justice.

Cohen introduced :

H. F. No. 1088, A bill for an act relating to Independent School District No. 625; transportation authorized for certain pupils transferring from closed schools.

The bill was read for the first time and referred to the Committee on Education.

Brinkman, Patton and Niehaus introduced :

H. F. No. 1089, A bill for an act relating to education; vocational education programs in school districts; providing for reimbursement of expenses for joint programs with industry; amending Minnesota Statutes 1976, Section 124.57.

The bill was read for the first time and referred to the Committee on Education.

Fjoslien, Sherwood, Munger, St. Onge and Braun introduced :

H. F. No. 1090, A bill for an act relating to natural resources; providing for agent fees for game and fish license sales; amending Minnesota Statutes 1976, Section 98.50, Subdivision 5; and Chapter 98, by adding a section.

The bill was read for the first time and referred to the Committee on Environment and Natural Resources.

Stanton, Erickson and Munger introduced:

H. F. No. 1091, A bill for an act relating to waters; permitting the establishment of water user districts.

The bill was read for the first time and referred to the Committee on Environment and Natural Resources.

Waldorf, Munger, Kostohryz, Fjoslien and Patton introduced:

H. F. No. 1092, A bill for an act relating to public waters; establishing a lake restoration and protection program; making grants-in-aid available for improving water quality in public lakes; prescribing certain powers and duties for the pollution control agency; appropriating money.

The bill was read for the first time and referred to the Committee on Environment and Natural Resources.

Voss, Samuelson, Faricy, Haugerud and Erickson introduced:

H. F. No. 1093, A bill for an act relating to natural resources; recodifying statutes relating to certain conservation areas; abolishing consolidated conservation areas fund; repealing obsolete provisions; appropriating money; amending Minnesota Statutes 1976, Sections 84A.01; 84A.03; 84A.07; 84A.10; 84A.51, Subdivision 4; 84A.52; 84A.53; 84A.55, Subdivisions 1, 3, 6, 8, 9, 10, 11, and 12; 281.23, Subdivision 8; 282.14; 282.16, Subdivision 1, and by adding subdivisions; 282.19; 282.21; and Laws 1961, Chapter 612, Section 1; repealing Minnesota Statutes 1976, Sections 84A.02; 84A.04; 84A.08; 84A.09; 84A.11; 84A.20 to 84A.23; 84A.26 to 84A.33; 84A.36 to 84A.42; 84A.50; 84A.51, Subdivisions 1, 2, and 3; 84A.54; 84A.55, Subdivision 14; and 282.221 to 282.226.

The bill was read for the first time and referred to the Committee on Environment and Natural Resources.

Abeln, McCollar, Johnson, Heinitz and Brinkman introduced:

H. F. No. 1094, A bill for an act relating to insurance; providing for competitive bids on group contracts for certain public bodies; amending Minnesota Statutes 1976, Section 471.616, Subdivision 1.

The bill was read for the first time and referred to the Committee on Financial Institutions and Insurance.

Carlson, L.; Berglin; Anderson, B.; Kaley and Swanson introduced:

H. F. No. 1095, A bill for an act relating to public health; requiring medical malpractice information from insurers; granting subpoena power to the board of medical examiners; amending Minnesota Statutes 1976, Section 147.072.

The bill was read for the first time and referred to the Committee on Financial Institutions and Insurance.

Neisen, King, Reding, Simoneau and Heinitz introduced:

H. F. No. 1096, A bill for an act relating to elections; providing that polling places be accessible to the elderly and physically handicapped; amending Minnesota Statutes 1976, Section 204A.09, by adding a subdivision.

The bill was read for the first time and referred to the Committee on General Legislation and Veterans Affairs.

Sieben, H., introduced:

H. F. No. 1097, A bill for an act relating to elections; providing for elections to fill vacancies in the United States senate; amending Minnesota Statutes 1976, Sections 202A.61; 202A.62, Subdivision 2; and 202A.65, Subdivision 2; repealing Minnesota Statutes 1976, Section 202A.72.

The bill was read for the first time and referred to the Committee on General Legislation and Veterans Affairs.

Wenstrom, Lemke, McDonald, Wenzel and Sieben, H., introduced:

H. F. No. 1098, A bill for an act relating to workers' compensation; authorizing coverage for owners of a business; including family farms and family farm corporations; amending Minnesota Statutes 1976, Sections 176.011, Subdivisions 9 and 11a; 176.012 and 176.051.

The bill was read for the first time and referred to the Committee on Governmental Operations.

Searles introduced:

H. F. No. 1099, A bill for an act relating to the city of Excelsior; proportionate service pensions and financing requirements of the firemen's relief association.

The bill was read for the first time and referred to the Committee on Governmental Operations.

Cummiskey, Stoa, Peterson, Sherwood and Corbid introduced:

H. F. No. 1100, A bill for an act appropriating funds annually for WATS incoming lines to serve state offices.

The bill was read for the first time and referred to the Committee on Governmental Operations.

Sieben, H.; Patton; Beauchamp; Kaley and Suss introduced:

H. F. No. 1101, A bill for an act authorizing the state office of hearing examiners to issue subpoenas and contract for court reporter services; amending Minnesota Statutes 1976, Section 15.052, Subdivisions 4 and 5.

The bill was read for the first time and referred to the Committee on Governmental Operations.

Reding introduced:

H. F. No. 1102, A bill for an act relating to state agencies; purchasing and furnishing goods and services; amending Minnesota Statutes 1976, Sections 16.02, Subdivisions 2, 13, 16, 19, and by adding a subdivision; 16.07, Subdivision 8, and by adding a subdivision; 16.72, Subdivision 2; 16.75, Subdivision 7; 16.80, Subdivision 1; and 327.51, Subdivisions 1 and 3, and by adding a subdivision.

The bill was read for the first time and referred to the Committee on Governmental Operations.

Reding and Beauchamp introduced:

H. F. No. 1103, A bill for an act relating to the operation of state government; centralizing the management and review of all state contracts in the office of the commissioner of administration; distinguishing consultant, professional and technical contracts; amending Minnesota Statutes 1976, Sections 15.061; 161.35; and Chapter 16, by adding a section; repealing Minnesota Statutes 1976, Sections 4.19 and 16.10.

The bill was read for the first time and referred to the Committee on Governmental Operations.

Reding; Sherwood; Nelsen, B.; Stanton and Kahn introduced:

H. F. No. 1104, A bill for an act relating to soil and water conservation; adding the commissioner of natural resources as an ex-officio officer of the state soil and water conservation board; amending Minnesota Statutes 1976, Section 40.03, Subdivision 1.

The bill was read for the first time and referred to the Committee on Environment and Natural Resources.

Begich and Battaglia introduced:

H. F. No. 1105, A bill for an act relating to the city of Eveleth; firemen's pensions; amending Laws 1935, Chapter 208, Section 11, as added and amended.

The bill was read for the first time and referred to the Committee on Governmental Operations.

Cohen; Berkelman; Anderson, B.; Welch and Brandl introduced:

H. F. No. 1106, A bill for an act relating to the operation of state government; providing for the expiration or periodic re-evaluation of various regulatory programs; requiring program and fiscal review of regulatory programs; providing for performance audits by the legislative auditor; establishing a pilot program; appropriating money.

The bill was read for the first time and referred to the Committee on Governmental Operations.

Anderson, I., introduced:

H. F. No. 1107, A bill for an act relating to natural resources; authorizing the commissioner of natural resources to sell certain lands in Itasca county; appropriating money.

The bill was read for the first time and referred to the Committee on Governmental Operations.

Samuelson, Fugina, Dahl, Wenstrom and Heinitz introduced:

H. F. No. 1108, A bill for an act relating to public welfare; providing for allocation of fees collected by community mental health programs.

The bill was read for the first time and referred to the Committee on Health and Welfare.

Metzen; Sieben, M.; Carlson, A.; Brinkman and Sarna introduced:

H. F. No. 1109, A bill for an act relating to health care; providing benefits for out-patient treatment of alcoholism, chemical dependency and drug addiction under certain health care plans; amending Minnesota Statutes 1976, Section 62A.149, Subdivision 1.

The bill was read for the first time and referred to the Committee on Health and Welfare.

Petrafeso, Swanson, Wieser, Wigley and Clark introduced:

H. F. No. 1110, A bill for an act relating to Anoka state hospital; closing as a state institution; amending Minnesota Statutes 1976, Section 253.015.

The bill was read for the first time and referred to the Committee on Health and Welfare.

Dahl, Birnstihl, Swanson, McEachern and Wigley introduced:

H. F. No. 1111, A bill for an act relating to medical assistance for the needy; further establishing guidelines for reimbursable costs of nursing homes; amending Minnesota Statutes 1976, Sections 256B.45, Subdivision 1 and by adding a subdivision; repealing Minnesota Statutes 1976, Section 256B.45, Subdivisions 2 and 3.

The bill was read for the first time and referred to the Committee on Health and Welfare.

Dahl; Carlson, L.; Swanson; Kalis and Heinitz introduced:

H. F. No. 1112, A bill for an act relating to public welfare; changing notice requirements from registered to certified mail; eliminating special appeals court and authorizing appeals to district courts; shifting responsibility for review of provisional discharges from heads of hospitals to county welfare boards; amending Minnesota Statutes 1976, Sections 253A.15, Subdivisions 2, 4, 6, 7 and 11; and 253A.17, Subdivision 9.

The bill was read for the first time and referred to the Committee on Health and Welfare.

Berkelman, Swanson, Cohen, Laidig and McCarron introduced:

H. F. No. 1113, A bill for an act relating to welfare; clarifying the powers of guardianship by the commissioner; amending Minnesota Statutes 1976, Sections 252A.02, Subdivision 2; 252A.03, Subdivision 3; 252A.04, Subdivision 3; 252A.07, Subdivision 1; and 252A.18; repealing Minnesota Statutes 1976, Section 252.03.

The bill was read for the first time and referred to the Committee on Health and Welfare.

Welch, Langseth, Kaley, Clawson and Anderson, B., introduced:

H. F. No. 1114, A bill for an act relating to public welfare; creating a rebuttable presumption that certain transfers of property are intended to make persons eligible for medical or maintenance assistance; amending Minnesota Statutes 1976, Chapter 256, by adding a section; repealing Minnesota Statutes 1976, Section 256B.17.

The bill was read for the first time and referred to the Committee on Health and Welfare.

St. Onge, Cummiskey, Pehler, Stoa and Beauchamp introduced:

H. F. No. 1115, A bill for an act relating to education; state universities; handicapped students; waiving tuition for legally blind students; amending Minnesota Statutes 1976, Section 136.11, Subdivision 1.

The bill was read for the first time and referred to the Committee on Higher Education.

Kroening, McEachern, Dahl, Faricy and Searle introduced:

H. F. No. 1116, A bill for an act relating to education; higher education coordinating board; providing grants for out of state colleges of osteopathy attended by Minnesota students; appropriating money.

The bill was read for the first time and referred to the Committee on Higher Education.

Jensen; Metzen; Sieben, H.; White and Kempe, A., introduced:

H. F. No. 1117, A bill for an act relating to the county of Dakota; providing for sheriff's civil service commissioners.

The bill was read for the first time and referred to the Committee on Local and Urban Affairs.

Braun; Anderson, I.; Battaglia; Corbid and Murphy introduced:

H. F. No. 1118, A bill for an act relating to political subdivisions; authorizing assignments to secure payment of certain loans; amending Minnesota Statutes 1976, Section 465.73.

The bill was read for the first time and referred to the Committee on Local and Urban Affairs.

Wynia, Byrne, Novak, Rose and Kelly, R., introduced:

H. F. No. 1119, A bill for an act relating to Ramsey county; providing for additional membership on its civil service commission; further prescribing and clarifying the duties of the commission; eliminating per diem payments for library board members; amending Laws 1974, Chapter 435, Section 3.02; repealing Laws 1974, Chapter 435, Section 1.0208.

The bill was read for the first time and referred to the Committee on Local and Urban Affairs.

Cummiskey, Wigley and Johnson introduced:

H. F. No. 1120, A bill for an act relating to the city of Mankato; providing for the service of the police and fire chiefs.

The bill was read for the first time and referred to the Committee on Local and Urban Affairs.

Jaros, Pleasant, Berkelman, Abeln and Cummiskey introduced:

H. F. No. 1121, A bill for an act relating to cities; amending the definition of first class cities; amending Minnesota Statutes 1976, Section 410.01.

The bill was read for the first time and referred to the Committee on Local and Urban Affairs.

Neisen, Petrafeso, Norton and Biersdorf introduced:

H. F. No. 1122, A bill for an act relating to statutory publications; providing for the distribution of Minnesota Statutes and session laws; amending Minnesota Statutes 1976, Section 648.39, Subdivision 1.

The bill was read for the first time and referred to the Committee on Rules and Legislative Administration.

Jaros, Scheid, Abeln, Evans and Schulz introduced:

H. F. No. 1123, A bill for an act relating to taxation; providing class 3cc property tax classification for disabled persons receiving aid from private pension plans; amending Minnesota Statutes 1976, Section 273.13, Subdivision 7.

The bill was read for the first time and referred to the Committee on Taxes.

Reding, Hanson, White, Erickson and Jensen introduced:

H. F. No. 1124, A bill for an act relating to economic development; providing authority for certain governmental subdivisions to provide tax incentives for new industry.

The bill was read for the first time and referred to the Committee on Taxes.

Johnson, McCollar, Pehler, Searles and Novak introduced:

H. F. No. 1125, A bill for an act relating to taxation; providing for distribution of property taxes levied on certain electric utility facilities among certain governmental units.

The bill was read for the first time and referred to the Committee on Taxes.

St. Onge, Sherwood, Kroening, Hanson and Carlson, D., introduced:

H. F. No. 1126, A bill for an act relating to the environment; establishing a program of state assistance for the removal of dilapidated buildings; appropriating money.

The bill was read for the first time and referred to the Committee on Commerce and Economic Development.

Patton introduced:

H. F. No. 1127, A bill for an act relating to the state board of investment; creating an advisory council; requiring annual reports; replacing existing agencies; amending Minnesota Statutes 1976, Chapter 11, by adding sections.

The bill was read for the first time and referred to the Committee on Governmental Operations.

Adams; Anderson, I.; Haugerud and Osthoff introduced:

H. F. No. 1128, A bill for an act relating to chiropractic; further defining the practice of chiropractic; amending Minnesota Statutes 1976, Sections 148.01, Subdivision 3; and 148.08, Subdivision 2.

The bill was read for the first time and referred to the Committee on Health and Welfare.

Novak, McCollar, Kostohryz, Neisen and Tomlinson introduced:

H. F. No. 1129, A bill for an act relating to Ramsey county; codifying existing laws relating to the composition, terms, selection and redistricting of the board of commissioners; providing for the time and place of certain board meetings; authorizing rules of procedure and the keeping and publication of a board journal; amending Laws 1974, Chapter 435, Section 2.05, and by adding sections; repealing Laws 1974, Chapters 435, Sections 2.01, 2.02 and 2.06; and 576, Section 2, Subdivisions 1, 2, 3 and 5.

The bill was read for the first time and referred to the Committee on Local and Urban Affairs.

Hanson introduced:

H. F. No. 1130, A bill for an act relating to motor vehicle carriers; requiring insurance or bond before the issuance of a certificate or permit to a motor carrier; providing for suspension and revocation of certificate or permit for failure to maintain insurance or other security; amending Minnesota Statutes 1976, Section 221.141, Subdivision 1.

The bill was read for the first time and referred to the Committee on Transportation.

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Mr. Speaker:

I hereby announce that the Senate accedes to the request of the House for the appointment of a Conference Committee, consisting of 3 members of the Senate, on the amendments adopted by the Senate to the following House File:

H. F. No. 38, A bill for an act relating to housing; providing statutory warranties on the sale of new housing; establishing a cause of action for breach of warranty; providing remedies; amending Minnesota Statutes 1976, Section 541.051, by adding a subdivision.

The Senate has appointed as such committee Messrs. Sikorski, Ogdahl and Davies.

Said House File is herewith returned to the House.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

I hereby announce the passage by the Senate of the following Senate Files, herewith transmitted:

S. F. Nos. 22 and 291.

PATRICK E. FLAHAVEN, Secretary of the Senate

FIRST READING OF SENATE BILLS

S. F. No. 22, A bill for an act relating to Lake of the Woods county; authorizing issuance of one off-sale liquor license.

The bill was read for the first time and referred to the Committee on Local and Urban Affairs.

S. F. No. 291, A bill for an act relating to labor; prohibiting termination of employee benefits; amending Minnesota Statutes 1976, Chapter 181, by adding a section.

The bill was read for the first time and referred to the Committee on Labor-Management Relations.

CONSENT CALENDAR

H. F. No. 307, A bill for an act relating to retirement; correcting outdated references in the teachers retirement law; amending Minnesota Statutes 1976, Sections 354.05, Subdivision 25; 354.41, Subdivision 3; 354.49, Subdivision 1; 354.53, Subdivision 1; 354.55, Subdivisions 6, 15, and 18; and 354.58.

The bill was read for the third time and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 125 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Abeln	Clawson	Jacobs	Munger	Sherwood
Adams	Cohen	Jaros	Murphy	Sieben, H.
Albrecht	Corbid	Jensen	Neisen	Sieben, M.
Anderson, B.	Cummiskey	Johnson	Nelsen, B.	Simoneau
Anderson, D.	Dahl	Jude	Nelsen, M.	Skoglund
Anderson, I.	Dean	Kahn	Nelson	Smogard
Anderson, R.	Den Ouden	Kaley	Norton	Spanish
Arlandson	Eken	Kelly, R.	Novak	Stanton
Battaglia	Ellingson	Kelly, W.	Osthoff	Stoa
Beauchamp	Enebo	Kempe, A.	Patton	Suss
Begich	Erickson	Kempe, R.	Pehler	Swanson
Berg	Esau	King	Peterson	Tomlinson
Berglin	Evans	Knickerbocker	Petrafaso	Vanasek
Berkelman	Ewald	Kostohryz	Pleasant	Voss
Biersdorf	Faricy	Kroening	Prahl	Waldorf
Birnstihl	Fjoslien	Kvam	Reding	Welch
Brandl	Forsythe	Langseth	Rice	Wenstrom
Braun	Friedrich	Lehto	Rose	Wenzel
Brinkman	Fugina	Mann	St. Onge	White
Byrne	George	McCarron	Samuelson	Wieser
Carlson, A.	Gunter	McCollar	Sarna	Wigley
Carlson, D.	Hanson	McDonald	Scheid	Williamson
Carlson, L.	Haugerud	McEachern	Schulz	Wynia
Cassery	Heinitz	Metzen	Searle	Zubay
Clark	Hokanson	Moe	Searles	Speaker Sabo

The bill was passed and its title agreed to.

H. F. No. 418, A bill for an act relating to public welfare; exempting licensed hospitals from day care licensing requirements; amending Minnesota Statutes 1976, Section 245.791.

The bill was read for the third time and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 126 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Abeln	Cohen	Jaros	Murphy	Sieben, M.
Adams	Corbid	Jensen	Neisen	Simoneau
Albrecht	Cummiskey	Johnson	Nelsen, B.	Skoglund
Anderson, B.	Dahl	Jude	Nelsen, M.	Smogard
Anderson, D.	Dean	Kahn	Nelson	Spanish
Anderson, I.	Den Ouden	Kaley	Norton	Stoa
Anderson, R.	Eckstein	Kelly, R.	Novak	Suss
Arlandson	Eken	Kelly, W.	Osthoff	Swanson
Battaglia	Ellingson	Kempe, A.	Patton	Tomlinson
Beauchamp	Enebo	Kempe, R.	Peterson	Vanasek
Begich	Erickson	King	Petrafeso	Voss
Berg	Esau	Knickerbocker	Pleasant	Waldorf
Berglin	Evans	Kostohryz	Prahl	Welch
Berkelman	Ewald	Kroening	Reding	Wenstrom
Biersdorf	Faricy	Kvam	Rice	Wenzel
Birnstihl	Fjoslien	Laidig	Rose	White
Brandl	Forsythe	Langseth	St. Onge	Wieser
Braun	Friedrich	Lehto	Samuelson	Wigley
Brinkman	Fugina	Mann	Sarna	Williamson
Byrne	George	McCarron	Savelkoul	Wynia
Carlson, A.	Gunter	McCollar	Scheid	Zubay
Carlson, D.	Hanson	McDonald	Schulz	Speaker Sabo
Carlson, L.	Haugerud	McEachern	Searle	
Casserly	Heinitz	Metzen	Searles	
Clark	Hokanson	Moe	Sherwood	
Clawson	Jacobs	Munger	Sieben, H.	

The bill was passed and its title agreed to.

H. F. No. 661 was reported to the House.

Nelsen, B., moved to amend H. F. No. 661 as follows:

Page 1, line 10, after "hay" insert "to be used by Minnesota livestock farmers".

The motion prevailed and the amendment was adopted.

H. F. No. 661, A bill for an act relating to highway traffic regulations; exempting trucks engaged in hauling hay from certain weight restrictions during a specified period of time.

The bill was read for the third time, as amended, and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 122 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Abeln	Anderson, R.	Berglin	Brinkman	Clark
Adams	Arlandson	Berkelman	Byrne	Clawson
Albrecht	Battaglia	Biersdorf	Carlson, A.	Cohen
Anderson, B.	Beauchamp	Birnstihl	Carlson, D.	Corbid
Anderson, D.	Begich	Brandl	Carlson, L.	Cummiskey
Anderson, I.	Berg	Braun	Casserly	Dahl

Dean	Hokanson	Mann	Petraleso	Stanton
Den Ouden	Jacobs	McCarron	Prahl	Stoa
Eckstein	Jaros	McCollar	Rice	Suss
Eken	Jensen	McDonald	Rose	Swanson
Ellingson	Johnson	McEachern	St. Onge	Tomlinson
Enebo	Jude	Metzen	Samuelson	Vanasek
Erickson	Kahn	Moe	Sarna	Voss
Esau	Kaley	Munger	Savelkoul	Waldorf
Evans	Kelly, R.	Murphy	Scheid	Welch
Ewald	Kelly, W.	Neisen	Schulz	Wenstrom
Fjoslien	Kempe, A.	Nelsen, B.	Searle	Wenzel
Forsythe	Kempe, R.	Nelsen, M.	Searles	White
Friedrich	Knickerbocker	Nelson	Sherwood	Wieser
Fugina	Kostohryz	Norton	Sieben, H.	Williamson
George	Kroening	Novak	Sieben, M.	Wynia
Gunter	Kvam	Osthoff	Simoneau	Zubay
Hanson	Laidig	Patton	Skoglund	
Haugerud	Langseth	Pehler	Smogard	
Heinitz	Lehto	Peterson	Spanish	

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

PROGRESS REPORTS ON CONFERENCE COMMITTEES

Pursuant to Joint Rule 2.06, progress on H. F. No. 38 was reported to the House.

Kvam and Wigley were excused at 2:30 p.m. Anderson, D., Birnstihl, Erickson and Jensen were excused at 3:00 p.m. and Heinitz was excused at 3:25 p.m.

GENERAL ORDERS

Pursuant to rules of the House, the House resolved itself into the Committee of the Whole, with Sabo in the Chair, for the consideration of bills pending on General Orders of the Day. After some time spent therein the Committee arose.

REPORT OF COMMITTEE OF THE WHOLE

The Speaker resumed the Chair, whereupon the following proceedings of the Committee as kept by the Chief Clerk were reported to the House:

H. F. Nos. 777 and 247 which it recommended to pass.

H. F. No. 332 which it recommended progress.

H. F. No. 82 which it recommended to pass with the following amendment, as amended by Kempe, A., offered by Savelkoul:

Page 1, after the enacting clause, insert the following:

“Section 1. Minnesota Statutes 1976, Section 412.231, is amended to read:

412.231 [PENALTIES.] The council shall have the power to declare that the violation of any ordinance shall be a penal offense and to prescribe penalties therefor. No such penalty shall exceed a fine of (\$300) \$500 or imprisonment in a city or county jail for a period of 90 days, or both, but in either case the costs of prosecution may be added.

Sec. 2. Minnesota Statutes 1976, Section 609.02, Subdivision 3, is amended to read:

Subd. 3. [MISDEMEANOR.] "Misdemeanor" means a crime for which a sentence of not more than 90 days or a fine of not more than (\$300) \$500, or both, may be imposed.

Sec. 3. Minnesota Statutes 1976, Section 609.03, is amended to read:

609.03 [PUNISHMENT WHEN NOT OTHERWISE FIXED.] If a person is convicted of a crime for which no punishment is otherwise provided he may be sentenced as follows:

(1) If the crime is a felony, to imprisonment for not more than five years or to payment of a fine of not more than \$5,000, or both; or

(2) If the crime is a gross misdemeanor, to imprisonment for not more than one year or to payment of a fine of not more than \$1,000, or both; or

(3) If the crime is a misdemeanor, to imprisonment for not more than 90 days or to payment of a fine of not more than (\$300) \$500, or both; or

(4) If the crime is other than a misdemeanor and a fine is imposed but the amount is not specified, to payment of a fine of not more than (\$500) \$750, or to imprisonment for a specified term of not more than six months if the fine is not paid.

Sec. 4. Minnesota Statutes 1976, Section 609.031, is amended to read:

609.031 [INCREASED MAXIMUM PENALTY FOR MISDEMEANORS.] Any law of this state which provides for a maximum fine of (\$100) \$300 or imprisonment for 90 days as a penalty for a violation shall, after (JULY 1, 1969) August 1, 1977, be deemed to provide for a maximum fine of (\$300) \$500 or imprisonment for 90 days, or both.

Sec. 5. Minnesota Statutes 1976, Section 609.032, is amended to read:

609.032 [INCREASED MAXIMUM PENALTY FOR ORDINANCE VIOLATIONS.] Any law of this state or city charter which limits the power of any city, town, county, or other political subdivision to prescribe a maximum fine of (\$100) \$300 or imprisonment for 90 days for an ordinance violation shall, after (JULY 1, 1969) *August 1, 1977*, be deemed to provide that such city, town, county, or other political subdivision has the power to prescribe a maximum fine of (\$300) \$500 or imprisonment for 90 days, or both.

Sec. 6. Minnesota Statutes 1976, Section 609.135, Subdivision 1, is amended to read:

609.135 [STAY OF IMPOSITION OR EXECUTION OF SENTENCE.] Subdivision 1. Except when a sentence of life imprisonment is required by law, any court, including a justice of the peace to the extent otherwise authorized by law, may stay imposition or execution of sentence and place the defendant on probation with or without supervision and on such terms as the court may prescribe, *including restitution when practicable*. The court may order the supervision to be under the probation officer of the court, or, if there is none and the conviction is for a felony, by the commissioner of corrections, or in any case by some other suitable and consenting person.”.

Renumber the sections in order.

Further, amend the title as follows:

Page 1, line 5, after the semicolon insert “increasing the penal fine of misdemeanors; directing a court to require as a condition of a stay of imposition or execution of sentence restitution for property damage or loss or compensation for personal injuries;”.

Page 1, line 6, after “Sections” insert “412.231; 609.02, Subdivision 3; 609.03; 609.031; 609.032; 609.135, Subdivision 1;”.

S. F. No. 201 which it recommended to pass with the following amendment offered by McCarron:

Page 1, line 14, delete “*evading the charge or*”.

Page 1, line 20, restore the stricken and delete the underscored language.

Page 2, line 2, restore the stricken and delete the underscored language.

Page 2, line 5, after “*used*” insert “*and that its design renders it primarily useful*”.

Page 2, line 10, delete "*offers or advertises plans or instructions for*" and insert "*advertises or offers, for a monetary consideration, plans or component parts for the purpose of*".

Page 2, line 11, after "*device,*" insert "*having reason to know it is intended to be used unlawfully,*".

On the motion of Anderson, I., the report of the Committee of the Whole was adopted.

ROLL CALLS IN COMMITTEE OF THE WHOLE

Pursuant to rule 1.6, the following roll calls were taken in the Committee of the Whole:

Cohen moved to amend H. F. No. 82, as follows:

Page 2, after line 5 insert:

"Sec. 2. Minnesota Statutes 1976, Section 609.52, Subdivision 3 is amended to read:

Subd. 3. [SENTENCE.] Whoever commits theft may be sentenced as follows:

(1) To imprisonment for not more than ten years or to payment of a fine of not more than \$10,000, or both, if the value of the property or services stolen exceeds \$2,500; or

(2) To imprisonment for not more than five years or to payment of a fine of not more than \$5,000, or both, if the value of the property or services is more than (\$100) \$300 but not more than \$2,500; or

(3) To imprisonment for not more than five years or to payment of a fine of not more than \$5,000, or both, notwithstanding the value of the property or services is not more than (\$100) \$300, if any of the following circumstances exist:

(a) The property is taken from the person of another or from a corpse, or grave or coffin containing a corpse; or

(b) The property taken is a record of a court or officer, or a writing, instrument or record kept, filed or deposited according to law with or in the keeping of any public officer or office; or

(c) The property is taken from a burning building or upon its removal therefrom, or from an area of destruction caused by civil disaster, riot, bombing, or the proximity of battle; or

(d) The property taken consists of public funds belonging to the state or to any political subdivision or agency thereof; or

(4) To imprisonment for not more than ten years or to payment of a fine of not more than \$10,000, or both, if the property stolen is an article representing a trade secret; or if the property stolen is an explosive or an incendiary device; or

(5) In all other cases where the value of the property or services is (\$100) \$300 or less, to imprisonment for not more than 90 days or to payment of a fine of not more than \$300, or both, provided, however, in any prosecution under clause (1), clause (2), clause (3) (a) and (c), and clause (4) of subdivision 2 the value of the money or property received by the defendant in violation of any one or more of the above provisions within any six month period may be aggregated and the defendant charged accordingly in applying the provisions of this subdivision; provided that when two or more offenses are committed by the same person in two or more counties, the accused may be prosecuted in any county in which one of the offenses was committed for all of the offenses aggregated under this paragraph.

Sec. 3. Minnesota Statutes 1976, Section 609.53, Subdivision 1, is amended to read:

609.53 [RECEIVING STOLEN GOODS.] Subdivision 1. Any person who receives, buys or conceals any stolen property or property obtained by robbery, knowing the same to be stolen or obtained by robbery, may be sentenced as follows:

(1) If the value of the property received, bought or concealed is (\$100) \$300 or more, to imprisonment for not more than ten years or to payment of a fine of not more than \$10,000, or both;

(2) If the value of the property received, bought or concealed is less than (\$100) \$300, to punishment as a misdemeanor."

Re number the following sections accordingly.

Further, amend the title as follows:

Page 1, line 7, after "Subdivision 2;" insert "609.52, Subdivision 3; 609.53, Subdivision 1;".

The question was taken on the adoption of the amendment and the roll was called. There were 54 yeas and 66 nays as follows:

Those who voted in the affirmative were:

Anderson, B.	Anderson, R.	Berg	Berkelman	Brandl
Anderson, D.	Arlandson	Berglin	Birnstihl	Carlson, A.

Carlson, L.	Evans	Lehto	Osthoff	Simoneau
Cassery	Faricy	Mangan	Petrafeso	Skoglund
Clark	Fugina	McDonald	Prahl	Stanton
Clawson	George	Moe	Rice	Stoa
Cohen	Gunter	Munger	Samuelson	Tomlinson
Cummiskey	Jaros	Murphy	Scheid	Vanasek
Dahl	Kahn	Nelson	Searle	Wynia
Ellingson	Kelly, W.	Norton	Sieben, H.	Speaker Sabo
Enebo	Laidig	Novak	Sieben, M.	

Those who voted in the negative were:

Abeln	Eken	Jude	Metzen	Smogard
Adams	Erickson	Kaley	Neisen	Suss
Albrecht	Esau	Kelly, R.	Nelsen, B.	Swanson
Anderson, I.	Ewald	Kempe, A.	Nelsen, M.	Voss
Battaglia	Fjoslien	Kempe, R.	Patton	Waldorf
Beauchamp	Forsythe	King	Pehler	Wenzel
Begich	Friedrich	Knickerbocker	Peterson	White
Biersdorf	Hanson	Kostohryz	Pleasant	Wieser
Fraun	Haugerud	Kroening	Reding	Williamson
Brinkman	Heinitz	Langseth	Rose	Zubay
Carlson, D.	Hokanson	Mann	St. Onge	
Corbid	Jacobs	McCarron	Sarna	
Dean	Jensen	McCollar	Schulz	
Den Ouden	Johnson	McEachern	Searles	

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

Savelkoul offered the following amendment to H. F. No. 82:

Page 1, after the enacting clause, insert the following:

“Section 1. Minnesota Statutes 1976, Section 412.231, is amended to read:

412.231 [PENALTIES.] The council shall have the power to declare that the violation of any ordinance shall be a penal offense and to prescribe penalties therefor. No such penalty shall exceed a fine of (\$300) \$500 or imprisonment in a city or county jail for a period of 90 days, or both, but in either case the costs of prosecution may be added.

Sec. 2. Minnesota Statutes 1976, Section 609.02, Subdivision 3, is amended to read:

Subd. 3. [MISDEMEANOR.] “Misdemeanor” means a crime for which a sentence of not more than 90 days or a fine of not more than (\$300) \$500, or both, may be imposed.

Sec. 3. Minnesota Statutes 1976, Section 609.03, is amended to read:

609.03 [PUNISHMENT WHEN NOT OTHERWISE FIXED.] If a person is convicted of a crime for which no

punishment is otherwise provided he may be sentenced as follows:

(1) If the crime is a felony, to imprisonment for not more than five years or to payment of a fine of not more than \$5,000, or both; or

(2) If the crime is a gross misdemeanor, to imprisonment for not more than one year or to payment of a fine of not more than \$1,000, or both; or

(3) If the crime is a misdemeanor, to imprisonment for not more than 90 days or to payment of a fine of not more than (\$300) \$500, or both; or

(4) If the crime is other than a misdemeanor and a fine is imposed but the amount is not specified, to payment of a fine of not more than (\$500) \$750, or to imprisonment for a specified term of not more than six months if the fine is not paid.

Sec. 4. Minnesota Statutes 1976, Section 609.031, is amended to read:

609.031 [INCREASED MAXIMUM PENALTY FOR MISDEMEANORS.] Any law of this state which provides for a maximum fine of (\$100) \$300 or imprisonment for 90 days as a penalty for a violation shall, after (JULY 1, 1969) *August 1, 1977*, be deemed to provide for a maximum fine of (\$300) \$500 or imprisonment for 90 days, or both.

Sec. 5. Minnesota Statutes 1976, Section 609.032, is amended to read:

609.032 [INCREASED MAXIMUM PENALTY FOR ORDINANCE VIOLATIONS.] Any law of this state or city charter which limits the power of any city, town, county, or other political subdivision to prescribe a maximum fine of (\$100) \$300 or imprisonment for 90 days for an ordinance violation shall, after (JULY 1, 1969) *August 1, 1977*, be deemed to provide that such city, town, county, or other political subdivision has the power to prescribe a maximum fine of (\$300) \$500 or imprisonment for 90 days, or both.

Sec. 6. Minnesota Statutes 1976, Section 609.135, Subdivision 1, is amended to read:

609.135 [STAY OF IMPOSITION OR EXECUTION OF SENTENCE.] Subdivision 1. Except when a sentence of life imprisonment is required by law, any court, including a justice of the peace to the extent otherwise authorized by law, may stay imposition or execution of sentence and place the defendant on probation with or without supervision and on such terms as the

court may prescribe. *If the defendant has been convicted of a crime involving damage to or loss of personal property or of a crime during the commission of which a person sustained a personal injury, the court shall require the convicted defendant to make restitution for the property loss or damage or to compensate the person injured for all medical expenses or economic loss arising out of the criminal occurrence unless the court makes a finding that such restitution or compensation is not feasible.* The court may order the supervision to be under the probation officer of the court, or, if there is none and the conviction is for a felony, by the commissioner of corrections, or in any case by some other suitable and consenting person.”.

Renumber the sections in order.

Further, amend the title as follows:

Page 1, line 5, after the semicolon insert “increasing the penal fine of misdemeanors; directing a court to require as a condition of a stay of imposition or execution of sentence restitution for property damage or loss or compensation for personal injuries;”.

Page 1, line 6, after “Sections” insert “412.231; 609.02, Subdivision 3; 609.03; 609.031; 609.032; 609.135, Subdivision 1;”.

Kempe, A., moved to amend the Savelkoal amendment to H. F. No. 82, as follows:

Page 3, lines 10 to 18, delete the new language.

Page 3, line 10, after “prescribe” insert “, *including restitution when practicable*”.

The question was taken on the adoption of the Kempe, A., amendment to the Savelkoul amendment and the roll was called. There were 74 yeas and 40 nays as follows:

Those who voted in the affirmative were:

Anderson, I.	Cummiskey	Kelly, R.	Neisen	Simoneau
Arlandson	Dahl	Kelly, W.	Nelsen, M.	Skoglund
Battaglia	Eckstein	Kempe, A.	Nelson	Smogard
Beauchamp	Ellingson	Kempe, R.	Norton	Stanton
Begich	Enebo	Kostohryz	Novak	Suss
Berg	Fariy	Kroening	Osthoff	Vanasek
Berglin	Fugina	Lehto	Pehler	Voss
Braun	George	Mangan	Petrafeso	Waldorf
Brinkman	Gunter	McCarron	Rice	Welch
Byrne	Hanson	McCollar	Samuelson	Wenzel
Cassery	Hokanson	McEachern	Scheid	White
Clark	Jacobs	Metzen	Schulz	Williamson
Clawson	Jaros	Moe	Sherwood	Wynia
Cohen	Jude	Munger	Sieben, H.	Speaker Sabo
Corbid	Kahn	Murphy	Sieben, M.	

Those who voted in the negative were:

Albrecht	Den Ouden	Heinitz	McDonald	Searle
Anderson, B.	Eken	Johnson	Nelsen, B.	Searles
Anderson, R.	Esau	Kaley	Patton	Stoa
Biersdorf	Evans	King	Peterson	Swanson
Carlson, A.	Fjoslien	Knickerbocker	Reding	Tomlinson
Carlson, D.	Forsythe	Laidig	Rose	Wenstrom
Carlson, L.	Friedrich	Langseth	St. Onge	Wieser
Dean	Haugerud	Mann	Savelkoul	Zubay

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

The question was taken on the motion to recommend passage of H. F. No. 332 and the roll was called. There were 37 yeas and 76 nays as follows:

Those who voted in the affirmative were:

Abeln	Carlson, D.	Fjoslien	McEachern	St. Onge
Anderson, I.	Casserly	George	Metzen	Samuelson
Anderson, R.	Clark	Gunter	Munger	Sarna
Battaglia	Cohen	Haugerud	Nelsen, M.	Scheid
Begich	Cumiskey	Jude	Osthoff	Williamson
Biersdorf	Eckstein	King	Patton	
Braun	Eken	Mann	Pehler	
Brinkman	Ellingson	McDonald	Rose	

Those who voted in the negative were:

Albrecht	Enebo	Kempe, R.	Peterson	Suss
Anderson, B.	Esau	Knickerbocker	Petrafaso	Tomlinson
Arlandson	Evans	Kostohryz	Pleasant	Vanasek
Beauchamp	Faricy	Kroening	Prahl	Voss
Berg	Forsythe	Laidig	Savelkoul	Waldorf
Berglin	Friedrich	Langseth	Schulz	Welch
Berkelman	Fugina	Mangan	Searle	Wenstrom
Brandl	Hanson	McCarron	Searles	Wenzel
Byrne	Hokanson	McCollar	Sieben, H.	White
Carlson, A.	Jaros	Moe	Sieben, M.	Wieser
Carlson, L.	Johnson	Murphy	Simoneau	Wynia
Clawson	Kahn	Neisen	Skoglund	Zubay
Corbid	Kaley	Nelsen, B.	Smogard	
Dahl	Kelly, R.	Nelson	Spanish	
Dean	Kelly, W.	Norton	Stanton	
Den Ouden	Kempe, A.	Novak	Stoa	

The motion did not prevail.

MOTIONS AND RESOLUTIONS

Petrafaso moved that the names of Heinitz and Faricy be added as authors on H. F. No. 1082. The motion prevailed.

Sieben, H., moved that the names of Wenzel, Rice, Faricy and Abeln be added as authors on H. F. No. 1097. The motion prevailed.

ADJOURNMENT

Anderson, I., moved that when the House adjourns today it adjourn until 2:00 p.m., Wednesday, March 30, 1977. The motion prevailed.

Anderson, I., moved that the House adjourn. The motion prevailed, and the Speaker declared the House stands adjourned until 2:00 p.m., Wednesday, March 30, 1977.

EDWARD A. BURDICK, Chief Clerk, House of Representatives

STATE OF MINNESOTA

SEVENTIETH SESSION - 1977

TWENTY-EIGHTH DAY

SAINT PAUL, MINNESOTA, WEDNESDAY, MARCH 30, 1977

The House of Representatives convened at 2:00 p.m. and was called to order by the Speaker.

Prayer was offered by the Chaplain.

The roll was called and the following members were present:

Abeln	Cummiskey	Jacobs	Murphy	Searles
Albrecht	Dahl	Jaros	Neisen	Sherwood
Anderson, B.	Dean	Johnson	Nelsen, B.	Sieben, H.
Anderson, G.	Den Ouden	Jude	Nelsen, M.	Sieben, M.
Anderson, I.	Eckstein	Kahn	Nelson	Simoneau
Anderson, R.	Eken	Kaley	Niehaus	Skoglund
Arlandson	Ellingson	Kelly, R.	Norton	Smogard
Battaglia	Enebo	Kempe, R.	Novak	Spanish
Begich	Erickson	King	Osthoff	Stanton
Berg	Esau	Knickerbocker	Pehler	Stoa
Berglin	Evans	Kostohryz	Peterson	Suss
Berkelman	Ewald	Kroening	Petraseso	Swanson
Brandl	Faricy	Laidig	Pleasant	Tomlinson
Braun	Fjoslien	Langseth	Prahl	Vanasek
Brinkman	Forsythe	Lehto	Reding	Waldorf
Byrne	Friedrich	Mangan	Rice	Welch
Carlson, A.	Fugina	Mann	Rose	Wenstrom
Carlson, D.	George	McCarron	St. Onge	Wenzel
Carlson, L.	Gunter	McCollar	Samuelson	White
Casserly	Hanson	McDonald	Savelkoul	Wieser
Clawson	Haugerud	McEachern	Scheid	Williamson
Cohen	Heimitz	Moe	Schulz	Wynia
Corbid	Hokanson	Munger	Searle	Speaker Sabo

A quorum was present.

Adams; Anderson, D.; Beauchamp; Biersdorf; Clark; Fudro; Kelly, W.; Kvam; Lemke; Metzen; Patton; Sarna; Voss; Wigley and Zubay were excused. Birnstihl and Jensen were excused until 3:30 p.m. Kalis and Kempe, A., were excused until 3:00 p.m.

The Chief Clerk proceeded to read the Journal of the preceding day. Esau moved that further reading of the Journal be dispensed with and that the Journal be approved as corrected by the Chief Clerk. The motion prevailed.

REPORTS OF CHIEF CLERK

Pursuant to Rules of the House, printed copies of H. F. Nos. 560, 725, 500, 661 and 82 and S. F. Nos. 22 and 291 have been placed in the members' files.

REPORTS OF STANDING COMMITTEES

Mann from the Committee on Agriculture to which was referred:

H. F. No. 78, A bill for an act relating to weather modification; prescribing powers and duties for the commissioner of agriculture; providing for weather modification research; requiring the obtaining of licenses and permits prior to engaging in weather modification; prescribing penalties; creating a weather modification advisory council.

Reported the same back with the following amendments:

Page 7, line 17, delete "board" and insert "commissioner".

With the recommendation that when so amended the bill pass and be re-referred to the Committee on Appropriations.

The report was adopted.

Hanson from the Committee on Commerce and Economic Development to which was referred:

H. F. No. 244, A bill for an act relating to human rights; prohibiting discrimination on the basis of chemical dependency treatment; amending Minnesota Statutes 1976, Section 363.03.

Reported the same back with the following amendments:

Page 1, line 16, after "assistance" strike "or" and insert a comma.

Page 1, line 16, after "disability" strike the comma.

Page 1, line 17, after "*treatment*" delete "*in the past or currently*".

Page 2, line 8, after "assistance" strike "or" and insert a comma.

Page 2, line 8, after "disability" strike the comma.

Page 2, line 8, after "*treatment*" delete "*in*".

Page 2, line 9, delete "*the past or currently*".

Page 2, line 19, after "assistance" strike "or" and insert a comma.

Page 2, line 19, after "disability" strike the comma.

Page 2, line 20, after "*treatment*" delete "*in the past or currently*".

Page 3, line 18, after "assistance" strike "or" and insert a comma.

Page 3, line 18, after "disability" delete the comma.

Page 3, line 18, after "*treatment*" delete "*in the past*".

Page 3, line 19, delete "*or currently*".

Page 3, line 30, after "assistance" strike "or" and insert a comma.

Page 3, line 30, after "disability" delete the comma.

Page 3, line 30, after "*treatment*" delete "*in the past or*".

Page 3, line 31, delete "*currently*".

Page 4, line 3, after "assistance" strike "or" and insert a comma.

Page 4, line 3, after "disability" insert "*or treatment for chemical dependency*".

Page 4, line 6, delete "*, or treatment in the past or currently for*".

Page 4, line 7, delete "*chemical dependency*".

Page 4, line 17, after "assistance" strike "or" and insert a comma.

Page 4, line 17, after "disability" delete the comma.

Page 4, line 17, after "*treatment*" delete "*in*".

Page 4, line 18, delete "*the past or currently*".

Page 4, line 28, after "assistance" insert a comma.

Page 4, line 29, before "disability" strike "or".

Page 4, line 29, after "disability" delete the comma.

Page 4, line 29, after "treatment" delete "in the past or currently".

Page 5, line 4, after "assistance" strike "or" and insert a comma.

Page 5, line 4, after "disability" delete the comma.

Page 5, line 5, after "treatment" delete "in the past or currently".

Page 5, line 8, after "assistance" strike "or" and insert a comma.

Page 5, line 9, after "disability" delete the comma.

Page 5, line 9, after "treatment" delete "in the past or currently".

Page 5, line 22, after "assistance" strike "or" and insert a comma.

Page 5, line 23, after "disability" delete the comma.

Page 5, line 23, after "treatment" delete "in the past or currently".

Page 6, line 3, after "assistance" strike "or" and insert a comma.

Page 6, line 3, after "disability" insert "or treatment for chemical dependency".

Page 6, line 4, delete ", or treatment in the past or currently for chemical".

Page 6, line 5, delete "dependency".

Page 6, line 16, after "assistance" strike "or" and insert a comma.

Page 6, line 16, after "disability" delete the comma.

Page 6, line 16, after "treatment" delete "in the past or".

Page 6, line 17, delete "currently".

Page 7, line 2, after "assistance" strike "or" and insert a comma.

Page 7, line 2, after "disability" delete the comma.

Page 7, line 3, after "treatment" delete "*in the past or currently*".

Page 7, line 18, after "origin" strike "or" and insert a comma.

Page 7, line 19, after "sex" delete the comma.

Page 7, line 19, after "treatment" delete "*in the past or currently*".

Page 7, line 29, after "sex" strike "or" and insert a comma.

Page 7, line 30, after "assistance" delete the comma.

Page 7, line 30, after "treatment" delete "*in the past or currently*".

Page 8, line 10, after "assistance" strike "or" and insert a comma.

Page 8, line 11, after "disability" delete the comma.

Page 8, line 11, after "treatment" delete "*in the past or currently*".

Page 8, line 17, after "assistance" strike "or" and insert a comma.

Page 8, line 17, after "disability" delete the comma.

Page 8, line 17, after "treatment" delete "*in*".

Page 8, line 18, delete "*the past or currently*".

Page 8, line 23, after "status" strike "or" and insert a comma.

Page 8, line 23, after "disability" delete the comma.

Page 8, line 23, after "treatment" delete "*in the past or*".

Page 8, line 24, delete "*currently*".

Page 9, line 22, after "sex" strike "or" and insert a comma.

Page 9, line 22, after "status" delete the comma.

Page 9, line 23, after "*treatment*" delete "*in the past or currently*".

Page 9, line 23, after "*dependency*" insert "*except where related to the person's credit worthiness*".

With the recommendation that when so amended the bill pass and be re-referred to the Committee on Appropriations.

The report was adopted.

Hanson from the Committee on Commerce and Economic Development to which was referred:

H. F. No. 337, A bill for an act relating to public utilities; customers service option on electric service in certain instances; amending Minnesota Statutes 1976, Section 216B.40; and Chapter 216B, by adding a section.

Reported the same back with the following amendments:

Page 2, line 5, before "*Notwithstanding*" insert "*Subdivision 1.*".

Page 2, after line 18, insert "*Subd. 2. [SELECTION OF SERVICE RESTRICTED.] The provisions of subdivision 1 shall only apply to the provision of electric service to buildings and other structures that were under construction on April 11, 1974.*".

With the recommendation that when so amended the bill pass and be placed on the Consent Calendar.

The report was adopted.

Johnson from the Committee on Education to which was referred:

H. F. No. 563, A bill for an act relating to Independent School District No. 721 (New Prague) and Independent School District No. 194 (Lakeville); providing for certain land to be detached from Independent School District No. 721 and annexed to Independent School District No. 194.

Reported the same back with the recommendation that the bill pass and be placed on the Consent Calendar.

The report was adopted.

Johnson from the Committee on Education to which was referred:

H. F. No. 739, A bill for an act relating to education; public television; altering the calculation of matching funds required by public stations; appropriating money; amending Minnesota Statutes 1976, Section 139.18, Subdivision 2.

Reported the same back with the following amendments:

Strike everything after the enacting clause and insert the following:

"Section 1. Minnesota Statutes 1976, Section 139.18, Subdivision 1, is amended to read:

139.18 [GRANTS.] Subdivision 1. The board of the arts shall distribute the funds provided by sections 139.16 to 139.18. Twice annually the board of the arts shall make grants to *public stations* for the acquisition and production of materials and broadcast transmission costs (TO EDUCATIONAL STATIONS TO THE EXTENT AND IN THE AMOUNT THE EDUCATIONAL STATION MATCHES MINNESOTA BASED CONTRIBUTIONS, ON A DOLLAR FOR DOLLAR BASIS). *The board of the arts shall allocate funds appropriated for the purposes of sections 139.16 to 139.18 in such a manner that each eligible public station receives an equal amount, except that no station's grant in any fiscal year shall exceed the amount of Minnesota based contributions received by that station in that fiscal year.*

Sec. 2. Minnesota Statutes 1976, Section 139.18, Subdivision 2, is amended to read:

Subd. 2. In calculating the amount of contributions (THAT MUST BE MATCHED) *received* by a public station pursuant to subdivision 1, *there shall be excluded*: contributions, whether monetary or in kind, from the corporation for public broadcasting(, FROM); tax generated *payments* by public or private elementary and secondary schools(,) ; *foundation and corporation donations; contributions from any source if made for the purpose of capital expenditures; and contributions* from all sources based outside the state (SHALL BE EXCLUDED). (THE BOARD OF THE ARTS SHALL MAKE PAYMENTS IN SUCH A MANNER THAT ELIGIBLE PUBLIC STATIONS RECEIVE AS EQUAL AN AMOUNT AS CONSISTENT WITH THIS SECTION.) No payments shall be made to a public station located in the counties of Anoka, Carver, Dakota, Hennepin, Ramsey, Scott, or Washington.

Sec. 3. [APPROPRIATION.] *There is appropriated from the general fund to the board of the arts the sum of \$250,000 for the biennium ending June 30, 1979, for the purposes of this act."*

Further, amend the title as follows:

Line 6, delete "Subdivision" and insert "Subdivisions 1 and".

With the recommendation that when so amended the bill pass and be re-referred to the Committee on Appropriations.

The report was adopted.

Johnson from the Committee on Education to which was referred:

H. F. No. 886, A bill for an act relating to education; school districts; community services levy; authorizing meeting notices to satisfy compliance requirement of meetings with municipalities; amending Minnesota Statutes 1976, Section 275.125, Subdivision 8.

Reported the same back with the following amendments:

Page 3, line 2, after "*bodies*" insert "*and the school board*".

With the recommendation that when so amended the bill pass.

The report was adopted.

Swanson from the Committee on Health and Welfare to which was referred:

H. F. No. 203, A bill for an act relating to public health; providing for optional fluoridation of municipal water supplies; amending Minnesota Statutes 1976, Section 144.145.

Reported the same back with the following amendments:

Page 1, line 9, before "For" insert "*Subdivision 1.*".

Page 1, line 13, reinsert "shall" and delete "*may*".

Page 1, line 13, before "control" insert "*, except as provided in subdivision 2,*".

Page 1, line 16, strike "In the manner provided by law,".

Page 1, line 17, strike "and regulations" and insert "*pursuant to chapter 15*".

Page 1, line 22, reinstate "The state board of health".

Page 1, line 22, after the stricken "shall" insert "*may*".

Page 1, line 22, reinstate "enforce the".

Page 2, line 1, reinstate "provisions of this section. In so doing it".

Page 2, line 1, after the stricken "shall" insert "may".

Page 2, line 1, reinstate "require".

Page 2, reinstate lines 2 to 4.

Page 2, line 5, reinstate "supply where".

Page 2, line 5, after the stricken "such" insert "the".

Page 2, line 5, reinstate "water supply in the state of nature".

Page 2, line 6, reinstate "contains sufficient fluorides to conform with the rules".

Page 2, line 7, reinstate the period.

Page 2, after line 7 insert a subdivision as follows:

"Subd. 2. The governing body of any municipality or the governing bodies of any municipalities sharing water supplies may, and upon a petition signed by voters equal in number to at least 15 percent of the electors voting at the last regular statewide election of each appropriate municipality shall, submit to the voters at a regular or special election the question of whether the municipal water supply or the shared municipal water supply shall be fluoridated. The question submitted shall be worded substantially as follows:

"Shall the municipal water supply be fluoridated?"

The question shall be followed by the words "yes" and "no" with an appropriate square before each on which a voter may record his choice.

The clerk or the clerks of municipalities sharing water supplies shall certify the results of the fluoridation referendum to the secretary of state and to the state board of health within ten days after the election.

If a majority of the votes cast on the question disapprove fluoridation, the person, firm, corporation, municipality, or municipalities having jurisdiction over the municipal water supply or shared municipal water supplies shall cease to fluoridate the water within 20 days after certification of the results

of the election by the clerk or clerks of the appropriate municipalities, and thereafter fluoridation of the water supply shall not be permitted until the vote is reversed at a subsequent regular or special election at which the question of fluoridation is again and in like manner submitted. Once a fluoridation referendum has been held, the question may not be submitted to the electors within two years from the date the election was held."

Further amend the title:

Page 1, line 2, delete "optional" and insert "a municipal referendum on the".

With the recommendation that when so amended the bill pass.

The report was adopted.

Swanson from the Committee on Health and Welfare to which was referred:

H. F. No. 572, A bill for an act relating to public welfare; establishing home care programs for the needy; appropriating money; amending Minnesota Statutes 1976, Section 256B.51.

Reported the same back with the following amendments:

Page 2, line 6, after "eligible" insert "*within six months*".

Page 2, line 6, after the period insert "*The commissioner shall, whenever feasible, give preference to grant applicants who will care for eligible persons in their own homes or which are located in the vicinity of the eligible person's own home.*".

Page 2, line 9, reinstate the stricken language.

Page 2, line 10, reinstate "homemaker services," and after "services," insert "*the cost of home health services, nutritional services,*".

Page 2, line 12, reinstate "social services,".

Page 2, line 12, reinstate "and".

Page 2, line 13, reinstate "related transportation expenses" and insert a period.

Page 2, line 15, delete "*The*".

Page 2, delete lines 16 to 18.

Page 2, line 19, delete *"for the payment of"* and insert *"In determining the grants, the commissioner of public welfare may also consider"*.

Page 2, line 21, delete *"screening, hearing screening"* and insert *"care and hearing services"*.

Page 2, line 22, delete *"program"*.

Page 2, delete line 23.

Page 2, line 24, delete *"the extent that they are available"* and insert *"grants shall not replace payments for services eligible for reimbursement under any federally financed program or services eligible for reimbursement under general assistance medical care"*.

Page 2, line 26, after the period insert *"Public health programs utilized shall conform to applicable standards of the state board of health."*

Page 3, line 9, delete *"\$250,000 is appropriated from the"*.

Page 3, delete lines 10 to 11 and insert *"\$1,988,000 of state funds appropriated to the commissioner of public welfare and used for nursing home care shall be distributed by the commissioner of public welfare to households or agencies eligible for grants pursuant to this act."*

With the recommendation that when so amended the bill pass and be re-referred to the Committee on Appropriations.

The report was adopted.

Berg from the Committee on Local and Urban Affairs to which was referred:

H. F. No. 146, A bill for an act relating to cities of the first class; establishing procedures for refunds of certain special assessments; amending Minnesota Statutes 1976, Section 430.07.

Reported the same back with the following amendments:

Page 4, line 20, after *"exceed"* insert *"\$1, the city council may deposit the amount of the potential refund in the city's permanent improvement fund or bond redemption fund. If the amount to be refunded exceeds \$1, but does not exceed"*.

Page 4, line 22, after the period insert *"The notice shall be mailed within 60 days after the city council determines the actual cost of the improvement."*

Page 4, line 26, after the period insert "*The notice shall be mailed within 60 days after the city council determines the actual cost of the improvement.*".

With the recommendation that when so amended the bill pass and be placed on the Consent Calendar.

The report was adopted.

Berg from the Committee on Local and Urban Affairs to which was referred:

H. F. No. 218, A bill for an act relating to the city of Minneapolis and Hennepin county; providing for representation for the Minneapolis city council on the municipal building commission; amending Laws 1903, Chapter 247, Section 1.

Reported the same back with the following amendments:

Page 1, line 18, strike "the auditor of Hennepin county" and insert "*a person appointed by the board of county commissioners of Hennepin county, who shall serve at its pleasure,*".

Page 2, line 1, strike "auditor of Hennepin county" and insert "*person appointed by the board of county commissioners of Hennepin county*".

Page 2, line 4, strike "shall be the treasurer of such commission and".

Page 2, line 5, strike "as such".

Page 2, line 5, strike "its" and insert "*the*".

Page 2, line 6, after "expenditures" insert "*of the commission*".

Page 2, line 6, after the period insert "*The commission shall by resolution establish regular meeting dates.*".

Further, amend the title as follows:

Page 1, line 3, after "the" insert "board of county commissioners of Hennepin county and the".

With the recommendation that when so amended the bill pass.

The report was adopted.

Berg from the Committee on Local and Urban Affairs to which was referred:

H. F. No. 324, A bill for an act relating to sheriffs; fees and mileage allowance; amending Minnesota Statutes 1976, Section 357.09, Subdivisions 1, 2, and 4; repealing Minnesota Statutes 1976, Sections 357.09, Subdivision 5; and 357.10.

Reported the same back with the following amendments:

Page 1, line 23, strike "excess thereof" and insert "*next \$1,750*".

Page 3, line 16, delete "\$100" and insert "\$20".

With the recommendation that when so amended the bill pass.

The report was adopted.

Berg from the Committee on Local and Urban Affairs to which was referred:

H. F. No. 465, A bill for an act relating to redevelopment; providing for membership on regional development commissions; amending Minnesota Statutes 1976, Section 462.388, Subdivision 1.

Reported the same back with the recommendation that the bill pass and be placed on the Consent Calendar.

The report was adopted.

Berg from the Committee on Local and Urban Affairs to which was referred:

S. F. No. 170, A bill for an act relating to political subdivisions; regulating certain interests in contracts by public officials; amending Minnesota Statutes 1976, Section 471.88, Subdivisions 2, 5, and 8.

Reported the same back with the following amendments:

Page 2, line 16, delete "\$2,000" and insert "\$5,000".

With the recommendation that when so amended the bill pass.

The report was adopted.

Kelly, W., from the Committee on Taxes to which was referred:

H. F. No. 193, A bill for an act relating to the military; financing of armory construction; amending Minnesota Statutes 1976,

Sections 193.143; 193.145, Subdivision 2; and 193.146, Subdivision 1; repealing Minnesota Statutes 1976, Section 193.1431.

Reported the same back with the following amendments:

Page 6, line 11, reinstate the stricken language and delete the new language.

With the recommendation that when so amended the bill pass and be placed on the Consent Calendar.

The report was adopted.

Kelly, W., from the Committee on Taxes to which was referred:

H. F. No. 585, A bill for an act relating to taxation; altering definitions of "income" for senior citizen's property tax freeze purposes; "taxes", "alimony" and "investment company" for income tax purposes; allowing commissioner of revenue to disregard small amounts due or penalties and to require withholding of delinquent taxes by employees; providing for tax lien on personal property; amending Minnesota Statutes 1976, Sections 273.012, Subdivision 3; 290.06, Subdivision 2c; 290.09, Subdivisions 4 and 14; 290.21, Subdivision 3; 290.36; 290.54; 290.92, by adding a subdivision; 290.934, Subdivision 5; and 290A.06.

Reported the same back with the following amendments:

Page 5, line 3, delete "1974" and insert "1976".

Page 6, lines 12 and 13, reinstate the stricken language.

Page 6, line 13, after the comma insert "*provided, however, that for an individual taxpayer, the credit shall be allowed in an amount equal to the ratio of*".

Page 6, line 15, delete the period and insert a comma.

Page 10, line 26, after "to" insert "any".

Page 10, line 27, after the period insert "*The commissioner shall not proceed under this subdivision until the expiration of 30 days after mailing to the taxpayer, at his last known address, a written notice of (a) the amount of taxes, interest, and penalties due from the taxpayer and demand for their payment, and (b) the commissioner's intention to require additional withholding by the taxpayer's employer pursuant to this subdivision. The notice to the taxpayer shall be in substantially the same form as that provided in section 571.41. The notice shall further inform the taxpayer of the wage exemptions contained in section*

550.37, subdivision 14. If no statement of exemption is received by the commissioner within 30 days from the mailing of the notice, he may proceed under this subdivision."

Page 10, line 27, after "notice" insert "*to the taxpayer's employer*".

Page 10, line 27, delete "*certified*".

Page 10, line 29, after "*revenue*" insert "*and shall be in substantially the same form as provided in section 571.495*".

Page 10, line 32, delete "*550.37*" and insert "*571.55*".

Page 10, line 32, after the period insert "*The employer shall continue to withhold each pay period until the total amount shown by the notice is paid in full. Upon receipt of notice by the employer, the claim of the state of Minnesota shall have priority over any subsequent garnishments or wage assignments.*".

Page 11, line 2, delete "*of an amount not less than ten percent*" and insert "*a portion*".

Page 11, line 5, delete "*The employer shall not withhold under this*".

Page 11, delete lines 6 and 7.

Page 11, line 8, delete "*for purposes of*".

Page 11, delete lines 9 to 11.

Page 11, line 12, delete "*20 when paid to an employee, less*" and insert "*is defined in accordance with the provisions of section 571.55. The maximum withholding allowed under this subdivision for any one pay period shall be decreased by any*".

Page 11, line 19, after "*delinquency*" insert "*on the form provided by the department of revenue as noted in this subdivision*".

Page 11, line 28, after the period insert "*No employer may discharge any employee by reason of the fact that the commissioner has proceeded under this subdivision. If an employer discharges an employee in violation of this provision, the employee shall have the same remedy as provided in section 571.61, subdivision 2.*".

Page 12, delete lines 26 to 31.

Page 13, line 29, after "[EFFECTIVE DATE.]" insert "*Section 1 shall be effective for claims based on property taxes payable in 1978 and subsequent years.*".

Page 13, line 30, delete "8" and insert "9".

Page 13, line 31, delete "9" and insert "8".

Page 13, line 32, after the period insert "*Section 10 shall be effective the day following its final enactment.*".

With the recommendation that when so amended the bill pass.

The report was adopted.

SECOND READING OF HOUSE BILLS

H. F. Nos. 337, 563, 886, 203, 146, 218, 324, 465, 193 and 585 were read for the second time.

SECOND READING OF SENATE BILLS

S. F. No. 170 was read for the second time.

INTRODUCTION AND FIRST READING OF HOUSE BILLS

The following House Files were introduced:

Sieben, M.; Stanton; Sieben, H.; Hanson and Dean introduced:

H. F. No. 1131, A bill for an act relating to public utilities; providing for representation of consumer interests in public utility matters; permitting qualifying private, nonprofit corporations to participate in regulatory agency hearings and to solicit contributions from utility customers; requiring public service commission certification of qualifying corporations; requiring a report.

The bill was read for the first time and referred to the Committee on Commerce and Economic Development.

Arlandson; Sieben, M.; Adams; Pleasant and Casserly introduced:

H. F. No. 1132, A bill for an act relating to franchises; concerning franchise fees; amending Minnesota Statutes 1976, Sections 80C.01, Subdivisions 4 and 9; 80C.08, Subdivision 1; and 80C.09, Subdivision 1.

The bill was read for the first time and referred to the Committee on Commerce and Economic Development.

Berglin, Byrne, Kroening, Carlson, A., and Munger introduced :

H. F. No. 1133, A bill for an act relating to housing ; providing for energy conservation ; requiring certain publicly assisted and private housing to conform to state building code insulation requirements ; requiring housing authorities to provide emergency housing ; amending Minnesota Statutes 1976, Sections 462.415, by adding a subdivision ; 462.465, by adding a subdivision ; 462A.05, by adding subdivisions ; 462A.07, Subdivision 6 ; 462A.21, by adding a subdivision ; and Chapter 462, by adding a section.

The bill was read for the first time and referred to the Committee on Commerce and Economic Development.

Heinitz, Swanson, Faricy, Carlson, L., and Neisen introduced :

H. F. No. 1134, A bill for an act relating to handicapped persons ; creating the board for barrier free design ; prescribing its powers and duties ; providing for the amendment of rules relating to buildings and facilities for the physically handicapped ; amending Minnesota Statutes 1976, Sections 471.466 ; and 471.467, Subdivision 1 ; and Chapter 471, by adding a section ; repealing Minnesota Statutes 1976, Sections 299F.41 to 299F.45.

The bill was read for the first time and referred to the Committee on Commerce and Economic Development.

Eckstein, McCarron, Hanson, Metzen and McEachern introduced :

H. F. No. 1135, A bill for an act relating to consumer protection ; advertising ; requiring the availability of certain coupons offering discounts to purchasers ; providing a penalty ; amending Minnesota Statutes 1976, Chapter 325, by adding a section.

The bill was read for the first time and referred to the Committee on Commerce and Economic Development.

Cassery, Norton, Hokanson, Forsythe and Nelson introduced :

H. F. No. 1136, A bill for an act relating to children ; reporting of maltreatment of minors ; providing definitions ; delineating reporting requirements ; providing for notification of police from welfare agencies ; delineating the scope of the privacy attributed to records maintained by welfare agencies ; providing for the destruction of certain records ; providing for a new crime of assault on a child ; providing penalties ; amending Minnesota Statutes 1976, Sections 626.556, Subdivisions 2, 3, 5, 6, 9, 11, and by adding a subdivision ; and 609.225, by adding subdivisions.

The bill was read for the first time and referred to the Committee on Criminal Justice.

Nelson, Clark, Novak and Kaley introduced:

H. F. No. 1137, A bill for an act relating to juvenile courts; disposition of delinquent children; counselling program; restitution; amending Minnesota Statutes 1976, Section 260.185, by adding a subdivision.

The bill was read for the first time and referred to the Committee on Criminal Justice.

St. Onge and Eken introduced:

H. F. No. 1138, A bill for an act relating to the counties of Beltrami and Clearwater; county law library fees; authorizing assessments of fees upon conviction of petty misdemeanor offenses; amending Laws 1976, Chapter 290, Section 4.

The bill was read for the first time and referred to the Committee on Criminal Justice.

Lehto, Berkelman, Jaros, Johnson and Battaglia introduced:

H. F. No. 1139, A bill for an act relating to peace officer training; requiring the superintendent of the bureau of criminal apprehension to establish a system of regional police schools for town peace officers; providing that town peace officers shall be allowed to attend school on a noncontinuous basis and to take up to two years to obtain certification; amending Minnesota Statutes 1976, Section 626.848; and Chapter 626, by adding a section.

The bill was read for the first time and referred to the Committee on Criminal Justice.

Carlson, D.; Clawson and Mangan introduced:

H. F. No. 1140, A bill for an act relating to education; guidance counseling required in certain grades.

The bill was read for the first time and referred to the Committee on Education.

Carlson, D., introduced:

H. F. No. 1141, A bill for an act relating to waters; scenic rivers; local government compliance with plans for wild, scenic or recreational river area; providing for costs to be borne by department of natural resources in certain instances; amending Minnesota Statutes 1976, Section 104.36, Subdivision 1.

The bill was read for the first time and referred to the Committee on Environment and Natural Resources.

Eckstein, Birnstihl, Johnson, Biersdorf and Peterson introduced:

H. F. No. 1142, A bill for an act relating to public waters; their classification and drainage; providing for venue of certain actions involving the commissioner of natural resources; amending Minnesota Statutes 1976, Chapter 105, by adding a section.

The bill was read for the first time and referred to the Committee on Environment and Natural Resources.

Searle, Vanasek, Savelkoul and Reding introduced:

H. F. No. 1143, A bill for an act relating to the historical society; providing for an agricultural history interpretive center for the southern part of Minnesota.

The bill was read for the first time and referred to the Committee on Environment and Natural Resources.

Fugina and Begich introduced:

H. F. No. 1144, A bill for an act relating to natural resources; providing procedures for issuance of certain permits; creating a commission; amending Minnesota Statutes 1976, Chapter 116D, by adding a section.

The bill was read for the first time and referred to the Committee on Environment and Natural Resources.

Beauchamp and Langseth introduced:

H. F. No. 1145, A bill for an act relating to banks; providing for the location of detached facilities; amending Minnesota Statutes 1976, Section 47.52.

The bill was read for the first time and referred to the Committee on Financial Institutions and Insurance.

George, Metzen, Ewald, Ellingson and Voss introduced:

H. F. No. 1146, A bill for an act relating to commerce; permitting a usury exception for certain regulated loans; regulating real estate brokers and salespersons; providing cease and desist orders; providing penalties; amending Minnesota Statutes 1976, Chapter 334, by adding a section; Sections 82.19, by adding a subdivision; 82.26; and 82.32.

The bill was read for the first time and referred to the Committee on Financial Institutions and Insurance.

George, Brinkman, Ewald, Ellingson and Voss introduced:

H. F. No. 1147, A bill for an act relating to banks; amending the charter application appeals provisions; amending Minnesota Statutes 1976, Section 45.07.

The bill was read for the first time and referred to the Committee on Financial Institutions and Insurance.

Jacobs, Sarna, Hanson and Metzen introduced:

H. F. No. 1148, A bill for an act proposing an amendment to the Minnesota Constitution, Article IV, Section 2, and adding a new section 27; setting the size of the legislature and providing a tie breaking vote on organizational matters.

The bill was read for the first time and referred to the Committee on General Legislation and Veterans Affairs.

McCarron, Clawson, Jacobs, Metzen and Cummiskey introduced:

H. F. No. 1149, A bill for an act relating to the legislature; setting the number of members; amending Minnesota Statutes 1976, Section 2.021.

The bill was read for the first time and referred to the Committee on General Legislation and Veterans Affairs.

Sieben, H., introduced:

H. F. No. 1150, A bill for an act creating a Minnesota law revision commission; prescribing its duties and functions; and appropriating funds for its operation.

The bill was read for the first time and referred to the Committee on Governmental Operations.

Waldorf, Rose, Kostohryz and Wynia introduced:

H. F. No. 1151, A bill for an act relating to Ramsey county; providing certain public employee police and fire fund benefits for certain employees in the sheriff's office; providing office and clerical help for the court commissioner; providing for an imprest cash fund; removing redundant provisions relating to tort liability and the retirement of public employees; amending Laws 1974, Chapter 435, Section 1.0214; repealing Laws 1974, Chapters 67; 222; and 435, Section 3.17.

The bill was read for the first time and referred to the Committee on Governmental Operations.

Wenzel, Sarna, Suss, Nelsen, M., and Sieben, H., introduced:

H. F. No. 1152, A bill for an act relating to retirement; exemption from mandatory retirement for certain state employees; amending Minnesota Statutes 1976, Section 43.051, by adding a subdivision.

The bill was read for the first time and referred to the Committee on Governmental Operations.

Dahl, Dean, St. Onge, Kostohryz and McEachern introduced:

H. F. No. 1153, A bill for an act relating to courts; lapse of causes of action arising outside the state; amending Minnesota Statutes 1976, Section 541.14.

The bill was read for the first time and referred to the Committee on Governmental Operations.

Patton; Anderson, B.; Wenstrom; Berkelman and Petrafeso introduced:

H. F. No. 1154, A bill for an act relating to health; exempting certain medical records from the requirements of the data on individuals laws.

The bill was read for the first time and referred to the Committee on Governmental Operations.

Beauchamp, Wenstrom, Stoa, George and Niehaus introduced:

H. F. No. 1155, A bill for an act relating to the revisor of statutes; providing for engrossing and enrolling duties; clarifying disclosure of bill drafting records; amending Minnesota Statutes 1976, Sections 482.09; and 482.12, Subdivision 1.

The bill was read for the first time and referred to the Committee on Governmental Operations.

Fugina introduced:

H. F. No. 1156, A bill for an act relating to retirement; membership of higher education coordinating board employees in the unclassified employees program; amending Minnesota Statutes 1976, Section 352D.02, Subdivision 1.

The bill was read for the first time and referred to the Committee on Governmental Operations.

Berglin, Skoglund, Cummiskey, Sieben, H., and Braun introduced:

H. F. No. 1157, A resolution memorializing Congress to repeal legislation limiting unemployment compensation of retired persons.

The bill was read for the first time and referred to the Committee on Governmental Operations.

Stanton introduced:

H. F. No. 1158, A bill for an act relating to retirement; exemption from mandatory retirement age for state university system faculty; amending Minnesota Statutes 1976, Section 354.44, Subdivision 1a.

The bill was read for the first time and referred to the Committee on Governmental Operations.

Knickerbocker introduced:

H. F. No. 1159, A bill for an act relating to nursing homes; providing for sharing of services of licensed administrators; amending Minnesota Statutes 1976, Section 144A.04, Subdivision 5.

The bill was read for the first time and referred to the Committee on Health and Welfare.

Petraleso, Hokanson, Norton, Carlson, A., and Kahn introduced:

H. F. No. 1160, A bill for an act relating to juveniles; providing for a police health and welfare hold; prescribing time limits; amending Minnesota Statutes 1976, Section 260.171, Subdivision 2, and by adding a subdivision.

The bill was read for the first time and referred to the Committee on Health and Welfare.

Wenstrom, Fugina, Zubay, Wieser and Cummiskey introduced:

H. F. No. 1161, A bill for an act relating to education; correcting and eliminating certain erroneous and obsolete references and text relating to state universities and community colleges; amending Minnesota Statutes 1976, Sections 136.016, Subdivision 1; 136.60, Subdivision 1, and by adding a subdivision; 136.603; 136.62; 136.621, Subdivision 1; repealing Minnesota Statutes 1976, Sections 136.016, Subdivisions 2, 3, 4, 5 and 6; 136.60, Subdivision 2; 136.601; 136.602; 136.621, Subdivisions 2 and 3; and 136.66.

The bill was read for the first time and referred to the Committee on Higher Education.

Simoneau, Enebo, Nelson, Sarna and Rose introduced:

H. F. No. 1162, A bill for an act relating to labor; providing for extended benefits similar to unemployment compensation benefits to certain workers; providing for tuition subsidies; providing an appropriation.

The bill was read for the first time and referred to the Committee on Labor-Management Relations.

Prahl, Anderson, I., and Sherwood introduced:

H. F. No. 1163, A bill for an act relating to cemeteries; changing limits on amounts to be levied or appropriated for certain municipal cemeteries; expanding permissible partners for maintenance agreements; amending Minnesota Statutes 1976, Section 471.24; repealing Minnesota Statutes 1976, Section 471.25.

The bill was read for the first time and referred to the Committee on Local and Urban Affairs.

Eckstein, Vanasek, Jensen, Kostohryz and Biersdorf introduced:

H. F. No. 1164, A bill for an act relating to solid waste disposal; authorizing counties to prohibit transportation of solid waste to other counties for disposal; authorizing counties to designate disposal sites for solid waste generated within their boundaries; amending Minnesota Statutes 1976, Section 400.04, by adding a subdivision.

The bill was read for the first time and referred to the Committee on Local and Urban Affairs.

McCarron, Simoneau, Neisen, Clawson and Jacobs introduced:

H. F. No. 1165, A bill for an act relating to Anoka county; creating an accrual accounting system; providing for purchase and payments for goods and services.

The bill was read for the first time and referred to the Committee on Local and Urban Affairs.

Anderson, G.; Anderson, I., and Braun introduced:

H. F. No. 1166, A bill for an act relating to counties; authorizing inclusion of cities in sewer and water districts; allowing certain special assessments; providing a flexible accounting system for multi-county projects; amending Minnesota Statutes 1976, Sections 116A.01, Subdivisions 1, 1a, 2 and 4, and by adding a subdivision; 116A.12, by adding a subdivision; 116A.16; 116A.17, Subdivision 2; 116A.20, Subdivisions 2 and 6; and 116A.24, Subdivision 3.

The bill was read for the first time and referred to the Committee on Local and Urban Affairs.

Laidig; Carlson, A.; Friedrich; Den Ouden and McDonald introduced:

H. F. No. 1167, A bill for an act relating to the legislature; requiring that its meetings and the meetings of its committees, subcommittees, party caucuses and commissions be open to the public; defining meeting; prescribing penalties; amending Minnesota Statutes 1976, Section 471.705.

The bill was read for the first time and referred to the Committee on Rules and Legislative Administration.

Stanton introduced:

H. F. No. 1168, A bill for an act relating to Lyon county; authorizing a special levy in excess of levy limitations for purposes of paying for services provided by Marshall-Lyon county library.

The bill was read for the first time and referred to the Committee on Taxes.

Kahn, Faricy, Skoglund, Peterson and Wynia introduced:

H. F. No. 1169, A bill for an act relating to taxation; providing an increased tax rate on certain high tar cigarettes and a decreased tax rate on certain low tar cigarettes; appropriating revenue from increased tax for certain health programs; appropriating money for administration; amending Minnesota Statutes 1976, Sections 297.02, Subdivision 1; 297.03, by adding subdivisions; 297.07, Subdivision 1, and by adding a subdivision; 297.13, Subdivision 1; 297.22, by adding a subdivision; and Chapter 297, by adding sections.

The bill was read for the first time and referred to the Committee on Taxes.

Carlson, D., introduced:

H. F. No. 1170, A bill for an act relating to taxation; providing for reduced property taxes on land containing certain electric transmission towers; providing state reimbursement for loss of revenue to counties and other taxing districts; providing an appropriation.

The bill was read for the first time and referred to the Committee on Taxes.

Pleasant, Munger and Kahn introduced:

H. F. No. 1171, A bill for an act relating to taxation; providing an additional excise tax on certain motor vehicles based on fuel consumption; providing that such tax not be deductible from income tax; amending Minnesota Statutes 1976, Sections 290.09, Subdivision 4; 297B.01, Subdivisions 1 and 8; 297B.06; 297B.07; 297B.08; 297B.09; 297B.10; 297B.11; 297B.12; and Chapter 297B, by adding sections.

The bill was read for the first time and referred to the Committee on Taxes.

CONSENT CALENDAR

S. F. No. 377, A bill for an act relating to credit union mergers; clarifying membership for merged credit unions; amending Minnesota Statutes 1976, Section 52.203.

The bill was read for the third time and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 105 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Abeln	Corbid	Johnson	Neisen	Sherwood
Albrecht	Dahl	Jude	Nelsen, M.	Sieben, H.
Anderson, B.	Dean	Kahn	Nelson	Sieben, M.
Anderson, G.	Den Ouden	Kaley	Niehaus	Simoneau
Anderson, R.	Eckstein	Kelly, R.	Norton	Skoglund
Arlandson	Eken	Kempe, R.	Novak	Smogard
Battaglia	Ellingson	King	Osthoff	Spanish
Begich	Enebo	Knickerbocker	Pehler	Stanton
Berg	Esau	Kostohryz	Peterson	Stoa
Berglin	Evans	Kroening	Petrafeso	Suss
Berkelman	Ewald	Laidig	Pleasant	Swanson
Brandl	Faricy	Langseth	Prahl	Tomlinson
Braun	Forsythe	Lehto	Reding	Vanasek
Brinkman	Friedrich	Mangan	Rice	Waldorf
Byrne	Fugina	Mann	St. Onge	Welch
Carlson, A.	George	McCarron	Samuelson	Wenstrom
Carlson, D.	Gunter	McCollar	Savelkoul	Wenzel
Carlson, L.	Hanson	McEachern	Scheid	White
Casserly	Haugerud	Moe	Schulz	Wieser
Cawson	Jacobs	Munger	Searle	Williamson
Cohen	Jaros	Murphy	Searles	Speaker Sabo

The bill was passed and its title agreed to.

CALENDAR

H. F. No. 82, A bill for an act relating to crimes; raising the amount of pecuniary gain which must be received by a person incident to a violation of law before the violation is categorized as a felony; increasing the penal fine of misdemeanors; directing a court to require as a condition of a stay of imposition or execution of sentence restitution for property damage or loss or compensation for personal injuries; amending Minnesota Statutes 1976, Sections 412.231; 609.02, Subdivision 3; 609.03; 609.031; 609.032; 609.135, Subdivision 1; 609.27, Subdivision 2; 609.551, Subdivision 1; 609.563, Subdivision 1; 609.576, Subdivision 1; 609.595, Subdivision 1; 609.615; and 609.785.

The bill was read for the third time and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 78 yeas and 35 nays as follows:

Those who voted in the affirmative were:

Abeln	Brandl	Dahl	Hokanson	Kroening
Anderson, B.	Brinkman	Dean	Jacobs	Laidig
Anderson, G.	Byrne	Eckstein	Jaros	Lehto
Anderson, I.	Carlson, A.	Ellingson	Johnson	Mangan
Arlandson	Carlson, D.	Enebo	Jude	McCarron
Battaglia	Carlson, L.	Esau	Kahn	McCollar
Begich	Casserly	Faricy	Kelly, R.	McDonald
Berg	Clawson	Forsythe	Kempe, R.	McEachern
Berglin	Cohen	George	King	Moe
Berkelman	Cummiskey	Hanson	Kostohryz	Munger

Murphy	Osthoff	Savelkoul	Stanton	White
Neisen	Petrafeso	Scheid	Stoa	Williamson
Nelsen, B.	Pleasant	Sherwood	Tomlinson	Wynia
Nelson	Prahl	Sieben, H.	Vanasek	Speaker Sabo
Norton	Reding	Sieben, M.	Waldorf	
Novak	Rice	Skoglund	Welch	

Those who voted in the negative were :

Albrecht	Evans	Knickerbocker	Rose	Smogard
Anderson, R.	Ewald	Langseth	St. Onge	Spanish
Braun	Friedrich	Mann	Samuelson	Suss
Corbid	Gunter	Nelsen, M.	Schulz	Swanson
Den Ouden	Haugerud	Niehaus	Searle	Wenstrom
Eken	Heinitz	Pehler	Searles	Wenzel
Erickson	Kaley	Peterson	Simoneau	Wieser

The bill was passed and its title agreed to.

S. F. No. 201, A bill for an act relating to crimes; prohibiting devices intended to be used to avoid payment of long distance telecommunications services; prescribing penalties; amending Minnesota Statutes 1976, Section 609.785.

The bill was read for the third time and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 112 yeas and 1 nay as follows:

Those who voted in the affirmative were:

Abeln	Dahl	Johnson	Nelsen, B.	Sieben, H.
Albrecht	Dean	Jude	Nelsen, M.	Sieben, M.
Anderson, B.	Den Ouden	Kahn	Nelson	Simoneau
Anderson, G.	Eckstein	Kaley	Niehaus	Skoglund
Anderson, I.	Eken	Kelly, R.	Norton	Smogard
Anderson, R.	Ellingson	Kempe, R.	Novak	Spanish
Arlandson	Enebo	King	Osthoff	Stanton
Battaglia	Erickson	Knickerbocker	Pehler	Stoa
Begich	Esau	Kostohryz	Peterson	Suss
Berg	Evans	Kroening	Petrafeso	Swanson
Berglin	Ewald	Laidig	Pleasant	Tomlinson
Berkelman	Farcy	Langseth	Prahl	Vanasek
Brandl	Forsythe	Lehto	Reding	Waldorf
Braun	Friedrich	Mangan	Rice	Welch
Brinkman	Fugina	Mann	Rose	Wenstrom
Byrne	George	McCarron	St. Onge	Wenzel
Carlson, A.	Gunter	McCollar	Samuelson	White
Carlson, D.	Hanson	McDonald	Savelkoul	Wieser
Carlson, L.	Haugerud	McEachern	Scheid	Wynia
Casserly	Heinitz	Moe	Schulz	Speaker Sabo
Clawson	Hokanson	Munger	Searle	
Corbid	Jacobs	Murphy	Searles	
Cummiskey	Jaros	Neisen	Sherwood	

Those who voted in the negative were:

Williamson

The bill was passed and its title agreed to.

H. F. No. 777, A bill for an act relating to agriculture; the family farm security program; eliminating first mortgage requirements for seller-sponsored loans; authorizing retention of land by sellers in lieu of payment of loan guarantees; authorizing sharing of excess proceeds from default sale; allowing payment adjustments for certain loans with unequal annual payments; amending Minnesota Statutes 1976, Sections 41.52, Subdivisions 5 and 8; 41.54, Subdivision 2; 41.56, Subdivisions 3 and 4; 41.57, Subdivision 2; and 41.58, Subdivision 2.

The bill was read for the third time and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 112 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Abeln	Dahl	Johnson	Nelsen, B.	Sieben, H.
Albrecht	Dean	Jude	Nelsen, M.	Sieben, M.
Anderson, B.	Den Ouden	Kahn	Nelson	Simoneau
Anderson, G.	Eckstein	Kaley	Niehaus	Skoglund
Anderson, I.	Eken	Kelly, R.	Norton	Smogard
Anderson, R.	Ellingson	Kempe, R.	Novak	Spanish
Arlandson	Enebo	King	Osthoff	Stanton
Battaglia	Erickson	Knickerbocker	Pehler	Stoa
Begich	Esau	Kostohryz	Peterson	Suss
Berg	Evans	Kroening	Petraleso	Swanson
Berglin	Ewald	Laidig	Pleasant	Tomlinson
Berkelman	Faricy	Langseth	Prahl	Vanasek
Brandl	Forsythe	Lehto	Reding	Waldorf
Braun	Friedrich	Mangan	Rice	Welch
Brinkman	Fugina	Mann	Rose	Wenstrom
Byrne	George	McCarron	St. Onge	Wenzel
Carlson, A.	Gunter	McCollar	Samuelson	White
Carlson, D.	Hanson	McDonald	Savelkoul	Wieser
Carlson, L.	Haugerud	McEachern	Scheid	Williamson
Casserly	Heinitz	Moe	Schulz	Speaker Sabo
Clawson	Hokanson	Munger	Searle	
Corbid	Jacobs	Murphy	Searles	
Cummiskey	Jaros	Neisen	Sherwood	

The bill was passed and its title agreed to.

H. F. No. 247, A bill for an act relating to Independent School Districts No. 217, No. 220, No. 440, No. 444, No. 649, No. 650, No. 782, No. 783, No. 893, and No. 896; authorizing the districts to discontinue certain grades and provide instruction by contract with another district; providing for aids, levies and the contractual rights of teachers in participating districts.

The bill was read for the third time and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 111 yeas and 1 nay as follows:

Those who voted in the affirmative were:

Abeln	Dean	Kahn	Nelson	Simoneau
Albrecht	Den Ouden	Kaley	Niehaus	Skoglund
Anderson, B.	Eckstein	Kelly, R.	Norton	Smogard
Anderson, G.	Eken	Kempe, R.	Novak	Spanish
Anderson, I.	Ellingson	King	Osthoff	Stanton
Anderson, R.	Enebo	Knickerbocker	Pehler	Stoa
Arlandson	Erickson	Kostohryz	Peterson	Suss
Battaglia	Esau	Kroening	Petrafeso	Swanson
Begich	Evans	Laidig	Pleasant	Tomlinson
Berg	Ewald	Langseth	Prahl	Vanasek
Berglin	Faricy	Lehto	Reding	Waldorf
Berkelman	Forsythe	Mangan	Rice	Welch
Brandl	Friedrich	Mann	Rose	Wenstrom
Braun	George	McCarron	St. Onge	Wenzel
Brinkman	Gunter	McCollar	Samuelson	White
Byrne	Hanson	McDonald	Savelkoul	Wieser
Carlson, A.	Haugerud	McEachern	Scheid	Williamson
Carlson, D.	Heinitz	Moe	Schulz	Wynia
Carlson, L.	Hokanson	Munger	Searle	Speaker Sabo
Casserly	Jacobs	Murphy	Searles	
Clawson	Jaros	Neisen	Sherwood	
Corbid	Johnson	Nelsen, B.	Sieben, H.	
Dahl	Jude	Nelsen, M.	Sieben, M.	

Those who voted in the negative were:

Cummiskey

The bill was passed and its title agreed to.

Moe was excused at 2:55 p.m.

GENERAL ORDERS

Pursuant to rules of the House, the House resolved itself into the Committee of the Whole, with Sabo in the Chair, for the consideration of bills pending on General Orders of the Day. After some time spent therein the Committee arose.

REPORT OF COMMITTEE OF THE WHOLE

The Speaker resumed the Chair, whereupon the following proceedings of the Committee as kept by the Chief Clerk were reported to the House:

H. F. Nos. 256, 129, 169, 90, 326 and 598 which it recommended to pass.

S. F. Nos. 267 and 11 which it recommended to pass.

H. F. Nos. 521, 105 and 7 which it recommended progress.

H. F. No. 332 which it recommended re-referral to the Committee on Financial Institutions and Insurance.

H. F. No. 705 which it recommended to pass with the following amendment offered by White:

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

H. F. No. 75 which it recommended to pass with the following amendment offered by Sieben, M.:

Page 1, line 15, after "government" insert "or nonprofit fire fighting corporation".

Page 2, line 6, after "government" insert "or nonprofit fire fighting corporation".

Page 2, line 14, after "government" insert "or nonprofit fire fighting corporation".

Page 2, line 15, after "government" insert "or nonprofit fire fighting corporation".

Further, amend the title, page 1, line 3, after "governments" insert "and nonprofit fire fighting corporations".

On the motion of Anderson, I., the report of the Committee of the Whole was adopted.

ROLL CALLS IN COMMITTEE OF THE WHOLE

Pursuant to rule 1.6, the following roll calls were taken in the Committee of the Whole:

Carlson, A., moved to amend H. F. No. 129, as follows:

Page 1, line 14, delete "all private colleges."

The question was taken on the adoption of the amendment and the roll was called. There were 30 yeas and 74 nays as follows:

Those who voted in the affirmative were:

Albrecht	Den Ouden	Friedrich	Nelsen, B.	Searles
Anderson, B.	Erickson	Kaley	Niehaus	Sherwood
Brandl	Esau	King	Rose	Skoglund
Carlson, A.	Evans	Knickerbocker	Savelkoul	Vanasek
Carlson, D.	Ewald	Lehto	Schulz	Waldorf
Dean	Forsythe	Munger	Searle	Wynia

Those who voted in the negative were:

Abeln	Corbid	Jacobs	McEachern	Sieben, H.
Anderson, G.	Cummiskey	Jaros	Murphy	Sieben, M.
Anderson, I.	Dahl	Johnson	Neisen	Simoneau
Anderson, R.	Eckstein	Jude	Nelsen, M.	Smogard
Arlandson	Ellingson	Kahn	Nelson	Stoa
Battaglia	Enebo	Kelly, R.	Novak	Suss
Begich	Faricy	Kempe, R.	Osthoff	Swanson
Berglin	Fjoslien	Kostohryz	Pehler	Tomlinson
Berkelman	Fugina	Kroening	Peterson	Welch
Braun	George	Laidig	Petrafeso	Wenstrom
Brinkman	Gunter	Langseth	Pleasant	Wenzel
Byrne	Hanson	Mangan	Reding	White
Carlson, L.	Haugerud	Mann	St. Onge	Wieser
Clawson	Heinitz	McCarron	Samuelson	Williamson
Cohen	Hokanson	McCollar	Scheid	

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

The question was taken on the motion by Kahn to re-refer H. F. No. 129 to the Committee on Appropriations and the roll was called. There were 12 yeas and 89 nays as follows:

Those who voted in the affirmative were:

Brandl	Forsythe	Lehto	Searle	Wynia
Carlson, A.	Kahn	Petrafeso	Searles	
Dean	Kempe, A.	Rose		

Those who voted in the negative were:

Abeln	Den Ouden	Johnson	Neisen	Skoglund
Anderson, B.	Eckstein	Jude	Nelsen, B.	Smogard
Anderson, G.	Eken	Kaley	Nelsen, M.	Spanish
Anderson, I.	Ellingson	Kalis	Niehaus	Stanton
Anderson, R.	Enebo	Kelly, R.	Norton	Stoa
Battaglia	Evans	Kempe, R.	Novak	Suss
Begich	Fjoslien	King	Osthoff	Swanson
Berg	Friedrich	Kostohryz	Pehler	Tomlinson
Berkelman	Fugina	Kroening	Peterson	Vanasek
Birnsthil	George	Laidig	Pleasant	Waldorf
Braun	Gunter	Langseth	Reding	Welch
Brinkman	Hanson	Mangan	Rice	Wenstrom
Byrne	Haugerud	Mann	St. Onge	Wenzel
Carlson, L.	Heinitz	McCarron	Savelkoul	White
Clawson	Hokanson	McCollar	Scheid	Wieser
Corbid	Jacobs	McDonald	Sieben, H.	Williamson
Cummiskey	Jaros	McEachern	Sieben, M.	Speaker Sabo
Dahl	Jensen	Murphy	Simoneau	

The motion did not prevail.

MOTIONS AND RESOLUTIONS

King moved that the name of Eckstein be added as an author on H. F. No. 1006. The motion prevailed.

Clawson moved that the name of Brandl be stricken and the name of Gunter be added as an author on H. F. No. 575. The motion prevailed.

Jaros moved that the name of Murphy be stricken as an author on H. F. No. 831. The motion prevailed.

ADJOURNMENT

Anderson, I., moved that the House adjourn. The motion prevailed, and the Speaker declared the House stands adjourned until 2:00 p.m., Thursday, March 31, 1977.

EDWARD A. BURDICK, Chief Clerk, House of Representatives

STATE OF MINNESOTA

SEVENTIETH SESSION - 1977

TWENTY-NINTH DAY

SAINT PAUL, MINNESOTA, THURSDAY, MARCH 31, 1977

The House of Representatives convened at 2:00 p.m. and was called to order by the Speaker.

Prayer was offered by the Chaplain.

The roll was called and the following members were present:

Abeln	Corbid	Jacobs	Metzen	Searles
Albrecht	Cummiskey	Jaros	Moe	Sherwood
Anderson, B.	Dahl	Jensen	Munger	Sieben, H.
Anderson, D.	Dean	Johnson	Murphy	Sieben, M.
Anderson, G.	Den Ouden	Jude	Neisen	Simoneau
Anderson, I.	Eckstein	Kahn	Nelsen, B.	Skoglund
Anderson, R.	Eken	Kaley	Nelsen, M.	Smogard
Arlandson	Ellingson	Kalis	Nelson	Spanish
Battaglia	Enebo	Kelly, R.	Niehaus	Stanton
Begich	Erickson	Kempe, A.	Novak	Stoa
Berg	Esau	Kempe, R.	Osthoff	Suss
Berglin	Evans	King	Pehler	Swanson
Berkelman	Ewald	Knickerbocker	Peterson	Tomlinson
Birnstihl	Faricy	Kostohryz	Petrafeso	Vanasek
Brandl	Fjoslien	Kroening	Pleasant	Voss
Braun	Forsythe	Laidig	Prahl	Waldorf
Brinkman	Friedrich	Langseth	Reding	Welch
Byrne	Fudro	Lehto	Rice	Wenstrom
Carlson, A.	Fugina	Lemke	Rose	Wenzel
Carlson, D.	George	Mangan	St. Onge	White
Carlson, L.	Gunter	Mann	Samuelson	Wieser
Cassery	Hanson	McCarron	Savelkoul	Williamson
Clark	Hangerud	McCollar	Scheid	Wynia
Clawson	Heinitz	McDonald	Schulz	Speaker Sabo
Cohen	Hokanson	McEachern	Searle	

A quorum was present.

Adams; Beauchamp; Biersdorf; Kelly, W.; Kvam; Patton; Sarna; Wigley and Zubay were excused. Norton was excused until 2:25 p.m.

The Chief Clerk proceeded to read the Journal of the preceding day. Vanasek moved that further reading of the Journal be dispensed with and that the Journal be approved as corrected by the Chief Clerk. The motion prevailed.

REPORTS OF CHIEF CLERK

Pursuant to Rules of the House, printed copies of H. F. Nos. 465, 563, 337, 886, 203, 146, 218, 324, 193, 585, 705 and 75 and S. F. No. 170 have been placed in the members' files.

PETITIONS AND COMMUNICATIONS

The following communication was received:

STATE OF MINNESOTA
OFFICE OF THE GOVERNOR
ST. PAUL 55155

March 31, 1977

The Honorable Martin Sabo
Speaker of the House

Sir:

I have the honor to inform you that I received, approved, signed and deposited in the Office of the Secretary of State the following House File:

H. F. No. 260, An act relating to the military, abolishing the naval militia and deleting references thereto; correcting other terminology.

Sincerely,

RUDY PERPICH
Governor

REPORTS OF STANDING COMMITTEES

Mann from the Committee on Agriculture to which was referred:

H. F. No. 1005, A bill for an act relating to agriculture; dairy products; grade A pasteurized milk; increasing certification fees; amending Minnesota Statutes 1976, Section 32.394, Subdivisions 8 and 8a.

Reported the same back with the recommendation that the bill pass.

The report was adopted.

Mann from the Committee on Agriculture to which was referred:

H. F. No. 1006, A bill for an act relating to agriculture; transferring certain functions relating to county agricultural societies from the state auditor and the commissioner of finance to the commissioner of agriculture; providing for the reimbursement of expenses of the commissioner of agriculture incurred in examining the records and accounts of county agricultural societies and certain other agricultural related societies or associations; amending Minnesota Statutes 1976, Sections 17.07; 38.02, Subdivisions 1, 2 and 3; 38.04; and 38.13.

Reported the same back with the recommendation that the bill pass and be placed on the Consent Calendar.

The report was adopted.

Mann from the Committee on Agriculture to which was referred:

S. F. No. 74, A bill for an act relating to agriculture; potato grading; application; repealing Minnesota Statutes 1976, Section 30.101.

Reported the same back with the recommendation that the bill pass and be placed on the Consent Calendar.

The report was adopted.

Munger from the Committee on Environment and Natural Resources to which was referred:

H. F. No. 522, A bill for an act relating to energy; extending the life of the Minnesota energy agency; further defining large energy facility; requiring promulgation of certain energy conservation standards; revising certain requirements; prescribing penalties; amending Minnesota Statutes 1976, Chapter 116H, by adding sections; and Sections 116H.02, Subdivision 5; 116H.07, Subdivision 1; 116H.12, Subdivision 5; 116H.121; 116H.124; 116H.126; and 116H.13, Subdivision 4; repealing Laws 1974, Chapter 307, Section 19.

Reported the same back with the following amendments:

Strike everything after the enacting clause and insert the following:

"Section 1. Minnesota Statutes 1976, Section 16.84, is amended to read:

16.84 [DEFINITIONS, STATE BUILDING CODE.] Subdivision 1. For the purposes of (LAWS 1971, CHAPTER 561) sections 16.83 to 16.867, the terms defined in this section have the meanings given them.

Subd. 2. "Commissioner" means the commissioner of administration.

Subd. 3. "Municipality" means any *home rule charter or statutory city, county, TOWN ACTING THROUGH ITS TOWN BOARD OR OTHER INSTRUMENTALITY OF STATE GOVERNMENT OTHERWISE AUTHORIZED BY LAW TO ENACT A BUILDING CODE WHICH, AS OF MAY 27, 1971, HAS SUCH A BUILDING CODE OR WHICH SUBSEQUENTLY ENACTS A BUILDING CODE) or a town as defined in section 368.01, subdivision 1, and the university of Minnesota.*

Subd. 4. "Code" means the state building code or any amendment thereof promulgated by the commissioner in accordance with the terms of (LAWS 1971, CHAPTER 561) sections 16.83 to 16.867.

Subd. 5. "Committee" means the state building code standards committee established pursuant to (LAWS 1971, CHAPTER 561) sections 16.83 to 16.867.

Subd. 6. "Agricultural building" means a structure on agricultural land as defined in section 273.13, subdivision 6, designed, constructed and used to house farm implements, livestock or agricultural produce or products used by the owner, lessee and sublessee of the building and members of their immediate families, their employees, and persons engaged in the pickup or delivery of agricultural produce or products.

Sec. 2. Minnesota Statutes 1976, Section 16.851, is amended to read:

16.851 [STATE BUILDING CODE(,) ; MODIFICATIONS; APPLICATION.] Subdivision 1. Effective July 1, 1972, the state building code shall apply state-wide and supersede (AND TAKE THE PLACE OF) the building code of any municipality. (SPECIFICALLY, THE CODE SHALL APPLY TO ANY MUNICIPALITY WHICH AS OF THE EFFECTIVE DATE OF THIS ACT HAS A BUILDING CODE AND SHALL FURTHER APPLY TO ANY MUNICIPALITY WHICH CHOOSES TO ADOPT A BUILDING CODE THEREAFTER. SAID BUILDING CODE SHALL NOT APPLY TO FARM DWELLINGS AND BUILDINGS, EXCEPT WITH RESPECT TO OTHER STATE INSPECTIONS REQUIRED OR OTHER RULEMAKING AUTHORIZED BY MINNESOTA STATUTES 1971, SECTION 104.05 AS OF THE EFFECTIVE

DATE OF THIS ACT.) *The state building code shall not apply to agricultural buildings except with respect to state inspections required by section 326.244 or rulemaking authorized by sections 104.05 and 116H.12, subdivision 4, and no municipality may adopt or enforce construction regulations pertaining to agricultural buildings. Effective July 1, 1977, or as soon thereafter as possible, but not later than July 1, 1978, all municipalities shall adopt and enforce the state building code with respect to all construction within their jurisdictions. If a city has adopted or is enforcing the state building code on the effective date of this act, it shall be charged with enforcement of the code in the city unless the city enters into an agreement with a county or another city pursuant to section 471.59 to provide enforcement. In all other instances the county shall be charged with enforcement unless the county enters into an agreement with a city or another county pursuant to section 471.59 to provide enforcement.*

Subd. 2. If the commissioner determines that a municipality is not properly administering and enforcing the state building code as provided in section 16.867, the commissioner may cause administration and enforcement in the involved municipality to be undertaken by the state building inspector. The commissioner shall notify the affected municipality in writing immediately upon making the determination, and the municipality may challenge the determination as a contested case before the commissioner pursuant to the administrative procedure act. In municipalities not properly administering and enforcing the state building code, and municipalities who determine not to administer and enforce the state building code, the commissioner shall cause administration and enforcement in the involved municipality to be undertaken by the state building inspector or other inspector certified by the state. The commissioner shall determine appropriate fees to be charged for the administration and enforcement service rendered. Any cost to the state arising from the state administration and enforcement of the state building code shall be borne by the subject municipality.

Sec. 3. Minnesota Statutes 1976, Section 16.86, Subdivision 4, is amended to read:

Subd. 4. The commissioner, notwithstanding any law to the contrary, shall hold all state hearings and make all determinations regarding any subject matter dealt with in the code including those in which another department or agency proposes to adopt or amend (ITS) rules and regulations which are incorporated by reference into the code or whenever the commissioner proposes to incorporate such regulations into the state building code. In no event shall a state agency or department subsequently authorized to adopt rules and regulations involving state building code subject matter proceed to adopt the rules and regulations without prior consultation with the commissioner.

Sec. 4. [REPORT.] *No later than January 1, 1978, the commissioner of administration shall submit to the legislature a report containing his findings and recommendations on the method by which municipalities can best implement and finance enforcement of the state building code. In preparing the report the commissioner shall consult with representatives of municipalities and persons involved in the building industry. The report of the commissioner shall also recommend a method for financing operations of the building code division. If the commissioner determines that statutory amendments are necessary, he shall submit amendments in bill form to the legislature as part of the report required by this section.*

Sec. 5. Minnesota Statutes 1976, Section 16.861, Subdivision 4, is amended to read:

Subd. 4. [DUTIES.] Building officials shall, in the municipality for which they are appointed, attend to all aspects of code administration, including the issuance of all building permits and the inspection of all mobile home installations. The commissioner may direct a municipality having a building official to perform services for another municipality, and in such event the municipality being served shall pay the municipality rendering such services the reasonable costs thereof. Such costs may be subject to approval by the commissioner.

Sec. 6. Minnesota Statutes 1976, Chapter 116H, is amended by adding a section to read:

[116H.001] [EXPIRATION.] *Sections 116H.03 to 116H.06 shall expire on June 30, 1985, unless renewed by the legislature. In the event that sections 116H.03 to 116H.06 are allowed to expire, the governor is hereby empowered to transfer the duties and responsibilities under chapter 116H to whatever agency or department or combination thereof which the governor deems appropriate.*

Sec. 7. Minnesota Statutes 1976, Section 116H.02, Subdivision 5, is amended to read:

Subd. 5. "Large energy facility" means:

(a) Any electric power generating plant or combination of plants at a single site with a combined capacity of 50,000 kilowatts or more (.) or any such facility of smaller size where the environmental quality board determines that certification of need is in the public interest;

(b) Any high voltage transmission line with a capacity of 200 kilovolts or more and (HAVING) with more than (100) 50 miles of its length in Minnesota (.) or any such line of shorter

length where the environmental quality board determines that certification of need is in the public interest;

(c) Any facility on a single site designed for or capable of storing more than one million gallons of crude petroleum or petroleum fuels or oil or *their* derivatives (THEREOF), *unless the facility would be at an existing petroleum storage site and would constitute an increase of less than 20 percent in the storage capacity at that site;*

(d) Any pipeline greater than six inches in diameter and having more than 50 miles of its length in Minnesota used for the transportation of *coal* or crude petroleum or petroleum fuels or oil or *their* derivatives (THEREOF) ;

(e) Any pipeline for transporting natural or synthetic gas at pressures in excess of 200 pounds per square inch (AND HAVING) *with* more than 50 miles of its length in Minnesota (,);

(f) Any facility designed for or capable of storing on a single site more than 100,000 gallons of liquified natural gas or synthetic gas (,);

(g) Any underground gas storage facility requiring a permit pursuant to section 84.57 (,);

(h) Any facility designed or capable of serving as a depot for coal transported into this state for use within the state or transshipment from the state (AND);

(i) Any petroleum refinery (,);

(j) *Any nuclear fuel processing or nuclear waste disposal or storage facility; and*

(k) Any facility intended to convert (COAL) *any material* into any other combustible fuel and having the capacity to process in excess of 25 tons of *the material* per hour.

Sec. 8. Minnesota Statutes 1976, Section 116H.07, Subdivision 1, is amended to read:

116H.07 [DUTIES.] Subdivision 1. (IT SHALL BE THE DUTY OF) The director (TO) *shall*:

(a) Manage the agency as the central repository within the state government for the collection of data on energy;

(b) Prepare and adopt an emergency allocation plan specifying actions to be taken in the event of an impending serious

shortage of energy, or a threat to public health, safety, or welfare;

(c) Undertake a continuing assessment of trends in the consumption of all forms of energy and analyze the social, economic, and environmental consequences of these trends;

(d) Carry out energy conservation measures as specified by the legislature and recommend to the governor and the legislature additional energy policies and conservation measures as required to meet the objectives of sections 116H.01 to 116H.15;

(e) Collect and analyze data relating to present and future demands and resources for all sources of energy, and specify energy needs for the state and various service areas as a basis for planning large energy facilities;

(f) Require certificate of need for construction of large energy facilities;

(g) Evaluate policies governing the establishment of rates and prices for energy as related to energy conservation, and other goals and policies of sections 116H.01 to 116H.15, and make recommendations for changes in energy pricing policies and rate schedules;

(h) Study the impact and relationship of the state energy policies to international, national, and regional energy policies;

(i) Design a state program for the conservation of energy; this program shall include but not be limited to, general commercial, industrial, and residential areas; such program shall also provide for the evaluation of energy systems as they relate to lighting, heating, refrigeration, air conditioning, building design and operation, and appliance manufacturing and operation;

(j) Inform and educate the public about the *sources and uses of energy and the ways in which persons can conserve energy*;

(k) Dispense funds made available for the purpose of research studies and projects of professional and civic orientation, which are related to either energy conservation or the development of alternative energy technologies which conserve non-renewable energy resources while creating minimum environmental impact;

(l) Charge other governmental departments and agencies involved in energy related activities with specific information gathering goals and require that those goals be met.

Sec. 9. Minnesota Statutes 1976, Section 116H.07, is amended by adding a subdivision to read:

Subd. 2. The director, in cooperation with the director of the state planning agency, the executive director of the pollution control agency, and the commissioners of natural resources and transportation, shall carry out the coal use impact study defined in this subdivision and provide the legislature with an interim report and recommendations by January 1, 1978, and a final report by June 30, 1978. The study shall project coal demands for Minnesota by user type and location, estimate environmental impacts, examine transportation and handling system needs, and address the major economic and institutional questions involved in bringing about major shifts by energy users from other fuels to coal.

Sec. 10. Minnesota Statutes 1976, Section 116H.12, is amended by adding subdivisions to read:

Subd. 1a. No outdoor display lighting shall be operated between the hours of 11:00 p.m. and 4:00 p.m. For purposes of this section, "outdoor display lighting" shall include building facade lighting, other decorative lighting, and all billboards and advertising signs except those which identify a commercial establishment which is open for business at that hour.

Subd. 1b. The director may promulgate rules, pursuant to chapter 15, setting further standards covering the hours of operation, quantity, and efficiency of outdoor display lighting.

Sec. 11. Minnesota Statutes 1976, Section 116H.12, Subdivision 5, is amended to read:

Subd. 5. The director (, IN CONJUNCTION WITH THE COMMISSIONER OF ADMINISTRATION,) shall conduct studies of the (STATE'S) purchase and use by the state and its political subdivisions of supplies, automobiles and equipment having a significant impact on energy use in order to determine the potential for energy conservation. The director may promulgate (REGULATIONS) rules pursuant to chapter 15 to insure that energy use and conservation will be considered in (STATE) purchasing by the state and its political subdivisions and, where appropriate, to require certain minimum energy efficiency standards in purchased products and equipment. No (STATE) purchasing of equipment or (MATERIAL) use (SHALL OCCUR THAT IS NOT IN CONFORMITY WITH THESE REGULATIONS) of materials by the state or its political subdivisions may violate the rules promulgated by the director pursuant to this subdivision.

Sec. 12. Minnesota Statutes 1976, Section 116H.12, Subdivision 10, is amended to read:

Subd. 10. (THE DIRECTOR SHALL REPORT TO THE LEGISLATURE NOT LATER THAN MARCH 1, 1977, ON

THE ECONOMIC AND TECHNOLOGICAL FEASIBILITY OF IMPLEMENTING A PROGRAM OF ENERGY CONSERVATION IN MINNESOTA WITH RESPECT TO ROOM AIR CONDITIONERS AND STANDING PILOT LIGHT EQUIPMENT. THE STUDY SHALL INCLUDE CONSIDERATION OF:)

((1) THE ECONOMIC FEASIBILITY OF THE PROGRAM AND THE IMPACT ON CONSUMERS, AGRICULTURE, BUSINESS AND INTERSTATE COMMERCE;)

((2) THE TECHNOLOGICAL FEASIBILITY OF IMPLEMENTING THE PROGRAM INCLUDING SAFETY CONSIDERATIONS;)

((3) THE POTENTIAL REDUCTION IN ENERGY CONSUMED IN MINNESOTA WHICH WOULD RESULT FROM IMPLEMENTING THE PROGRAM;)

((4) SUBSTANTIAL STATE NEED FOR THE PROGRAM IN RELATION TO THE PROGRESS OF SIMILAR ENERGY CONSERVATION PROGRAMS UNDERTAKEN BY THE FEDERAL ENERGY AGENCY UNDER THE MANDATE OF THE FEDERAL ENERGY POLICY AND CONSERVATION ACT OF 1975.)

(FOR THE PURPOSES OF THIS SUBDIVISION "ECONOMIC FEASIBILITY" MEANS THAT THE BENEFITS FROM REDUCED ENERGY CONSUMPTION AND THE SAVINGS IN OPERATING COSTS THROUGHOUT THE ESTIMATED AVERAGE LIFE OF THE PRODUCT OUTWEIGH:)

((A) ANY INCREASE TO PURCHASERS IN INITIAL CHARGES FOR, OR, MAINTENANCE EXPENSES OF, THE PRODUCT WHICH IS LIKELY TO RESULT FROM IMPLEMENTING THE PROGRAM;)

((B) ANY LESSENING OF THE UTILITY, SAFETY, DEPENDABILITY OR PERFORMANCE OF THE PRODUCT; AND)

((C) ANY NEGATIVE EFFECTS ON COMPETITION.)

Beginning January 1, 1978, no new room air conditioner shall be sold or installed in Minnesota unless it has an energy efficiency ratio of 7.0 or higher. Beginning January 1, 1980, no new room air conditioner shall be sold or installed in Minnesota unless it has an energy efficiency ratio of 8.0 or higher. For purposes of this subdivision, "energy efficiency ratio" means the ratio of the cooling capacity of the air conditioner in British thermal units per hour to the total electrical input in watts under designated operating conditions.

Sec. 13. Minnesota Statutes 1976, Section 116H.12, is amended by adding a subdivision to read:

Subd. 10a. Beginning January 1, 1979, no new residential space heating, cooking or clothes drying equipment designed to burn natural gas and equipped with a continuously burning pilot light shall be sold or installed in Minnesota.

Sec. 14. Minnesota Statutes 1976, Section 116H.121, is amended to read:

116H.121 [ENERGY CONSERVATION STANDARDS IN CERTAIN PUBLIC BUILDINGS.] *Subdivision 1. Before February 1, 1977, the commissioner of administration in consultation with the director, shall amend the rules concerning heat loss, illumination, and climate control standards promulgated pursuant to (MINNESOTA STATUTES, 1975 SUPPLEMENT,) section 116H.12, subdivision 4, to include standards for all existing buildings heated by oil, coal, gas, or electric units which are owned by the state, the university of Minnesota, any city, any county, or any school district. Compliance with standards adopted pursuant to this section shall not be mandatory for buildings owned by any city, county or school district, except as otherwise provided by this section.*

Subd. 2. Effective January 1, 1978, the illumination standards promulgated pursuant to subdivision 1, shall be mandatory for all public buildings where economically feasible. For the purposes of this subdivision, "public building" means any building which is open to the public during normal business hours and which exceeds 5,000 square feet in gross floor area. The director shall specify the formula for determining economic feasibility and shall take appropriate measures prior to January 1, 1978, to inform building owners and managers of the requirements of this subdivision and to assist them in complying with it.

Subd. 3. No enclosed structure or portion of an enclosed structure constructed after January 1, 1978, and intended to be used primarily as a parking facility for three or more motor vehicles shall be heated. However, incidental heating resulting from building exhaust air passing through such a facility shall not be prohibited, provided that substantially all useful heat has previously been removed from such air.

Sec. 15. Minnesota Statutes 1976, Section 116H.124, is amended to read:

116H.124 [LOCAL GOVERNMENTAL SURVEYS AND FUEL COST ESTIMATES.] Before January 1, 1980, the governing body of each city and county shall complete a survey of all existing city owned or county owned buildings within their respective jurisdictions which buildings are heated by oil, coal, electric, or gas units. Buildings heated by oil or interruptable

gas shall be surveyed first. The survey shall determine, based upon a formula specified by the director, the estimated remaining useful life of each building, together with the present degree and estimated cost of compliance with the energy conservation standards promulgated pursuant to section 116H.121. The governing body of a city or county may contract with any municipal building official appointed pursuant to section 16.861, or with the state building inspector to perform the energy conservation survey. Each governing body shall estimate, based upon a formula specified by the director, the annual potential savings in fuel procurement costs for existing heating and cooling systems, which savings would be realized for each building within its jurisdiction if that building were improved to comply with the energy conservation standards. Each governing body shall file the energy conservation survey and estimated fuel procurement data for *at least half* the buildings within its jurisdiction with the director before December 31, 1978, and *all remaining buildings by December 31, 1979*, for his review and comment.

Sec. 16. Minnesota Statutes 1976, Section 116H.126, is amended to read:

116H.126 [PUBLIC SCHOOL SURVEYS.] Before January 1, 1980, each school district shall complete a survey of all existing public school buildings which it owns or operates and which are heated by oil, gas, coal, or electric units in order to determine the estimated remaining useful life of each building, together with the present degree and estimated cost of compliance with the energy conservation standards promulgated pursuant to section 116H.121. Buildings heated by oil or interruptable gas shall be surveyed first. The results of the energy conservation survey shall be recorded on a form furnished by the director. A school district may contract with any municipal building official appointed pursuant to section 16.861 or with the state building inspector to perform the energy conservation survey. Each school district shall estimate, based upon a formula specified by the director, the annual savings in fuel procurement costs for existing heating and cooling systems, which savings would be realized for each public school building within the district if it were improved to comply with the energy conservation standards.

Each school district shall file the energy conservation survey and estimated fuel procurement data for (EACH) *at least half* the public school (BUILDING) *buildings* within the district with the director before December 31, 1978, and *all remaining buildings by December 31, 1979*, for his review and comment.

Sec. 17. Minnesota Statutes 1976, Chapter 116H, is amended by adding a section to read:

[116H.129] [ENERGY CONSERVATION IN RESIDENTIAL BUILDINGS.] *Subdivision 1. Before January 1, 1978, the commissioner of administration, in consultation with the director, shall promulgate minimum energy efficiency standards for existing residential buildings. The standards shall be economically feasible in that the resultant savings in energy procurement costs, based on current average residential energy costs in Minnesota as certified by the director, will exceed the cost of the energy conserving requirements amortized over a period of five years.*

Subd. 2. Commencing July 1, 1978, any person who lends money secured by mortgage agreement related to the transfer of ownership of a residential building shall, prior to making any such loan, cause an inspection to be made of the subject property to determine the degree of compliance with all applicable standards under subdivision 1. If the subject property does not meet such standards, the person shall not make such loan unless the proposed mortgagor agrees that an amount of money sufficient to improve the property to meet such standards shall be added to the loan, such amount to be placed in escrow pending the completion of the improvement.

Subd. 3. Before January 1, 1978, the commissioner of administration, in consultation with the director, shall by rule amend the standards concerning heat loss, illumination, and climate control promulgated pursuant to section 116H.12, subdivision 4, to require that electrical service to individual dwelling units in buildings containing two or more units be separately metered, with individual metering readily accessible to the individual occupants. The standards authorized by this subdivision shall only apply to buildings constructed after the effective date of the amended standards. Buildings intended for occupancy exclusively by persons who are 62 years of age or older or handicapped, or which contain a majority of units not equipped with complete kitchen facilities, shall be exempt from the provisions of this subdivision.

Sec. 18. Minnesota Statutes 1976, Section 116H.13, Subdivision 4, is amended to read:

Subd. 4. After promulgation of the criteria for assessment of need, any (UTILITY, COAL SUPPLIER OR PETROLEUM SUPPLIER) person proposing to construct a new large energy facility shall apply for a certificate of need (TO CONSTRUCT A NEW LARGE ENERGY) prior to application for siting the facility under sections 116C.51 to 116C.69. The application shall be on forms and in a manner established by the director. In reviewing each application the director shall hold at least one public hearing pursuant to chapter 15.

Sec. 19. Minnesota Statutes 1976, Section 126.111, is amended to read:

126.111 [ENVIRONMENTAL CONSERVATION EDUCATION.] *Subdivision 1.* The state department of education with the cooperation of the department of natural resources shall prepare an interdisciplinary program of instruction for elementary and secondary schools in the field of environmental conservation education. The program shall provide integrated approaches to environmental management consistent with socioecological principles, the production of appropriate curriculum materials and implementation in the public schools in the state.

Subd. 2. The state department of education with the cooperation of the energy agency and the environmental education board shall prepare an interdisciplinary program in the field of energy sources, uses, conservation, and management. The first phase shall be an assessment of available curriculum materials, the amount and type of energy curriculum already being taught, and what needs to be developed to provide an integrated approach to energy education consistent with socioeconomic and ecological principles. Subsequent phases shall include development of curriculum guidelines and materials and a plan for their implementation as funds become available.

Sec. 20. [APPROPRIATIONS.] *Subdivision 1.* The sum of \$50,000 is appropriated from the general fund to the commissioner of administration for the purposes of sections 1 to 4 and 16 during the biennium beginning July 1, 1977.

Subd. 2. The following sums are appropriated from the general fund for the purposes of section 8 during the fiscal year beginning July 1, 1977:

Minnesota energy agency	\$159,433
State planning agency	\$ 28,034
Pollution control agency	\$ 36,050
Department of natural resources	\$ 29,742
Department of transportation	\$ 16,741

Subd. 3. The sum of \$25,000 is appropriated from the general fund to the commissioner of education for the purposes of section 18, subdivision 2, during the biennium beginning July 1, 1977.

Sec. 21. Laws 1974, Chapter 307, Section 19, is repealed.

Sec. 22. This act is effective the day following its final enactment."

Further amend the title as follows:

Page 1, delete lines 2 to 12 and insert: "relating to energy; extending the application of the state building code to all cities and counties; clarifying state agency rulemaking regarding the building code subject matter; extending and clarifying the expiration of the Minnesota energy agency; requiring promulgation of certain energy conservation standards; revising certain requirements; requiring certain efficiencies for air conditioners; prohibiting certain open flame pilot lights; appropriating money; amending Minnesota Statutes 1976, Sections 16.84; 16.851; 16.86, Subdivision 4; 16.861, Subdivision 4; 116H.02, Subdivision 5; 116H.07, Subdivision 1, and by adding a subdivision; 116H.12, Subdivisions 5 and 10, and by adding subdivisions; 116H.121; 116H.124; 116H.126; 116H.13, Subdivision 4; 126.111; and Chapter 116H, by adding sections; repealing Laws 1974, Chapter 307, Section 19."

With the recommendation that when so amended the bill pass and be re-referred to the Committee on Appropriations.

The report was adopted.

Brinkman from the Committee on Financial Institutions and Insurance to which was referred:

H. F. No. 971, A bill for an act relating to insurance; providing financial requirements for nonprofit health service plan corporations; amending Minnesota Statutes 1976, Section 62C.-09, Subdivision 3.

Reported the same back with the recommendation that the bill pass and be placed on the Consent Calendar.

The report was adopted.

Sieben, H., from the Committee on Governmental Operations to which was referred:

H. F. No. 53, A bill for an act relating to the Minnesota municipal board; providing for per diem compensation and reimbursement of expenses for board members; amending Minnesota Statutes 1976, Section 414.01, Subdivision 6a.

Reported the same back with the recommendation that the bill pass.

The report was adopted.

Sieben, H., from the Committee on Governmental Operations to which was referred:

H. F. No. 68, A bill for an act relating to the tax court; establishing the tax court as a full time court; creating a small claims division; providing penalties; appropriating money; amending Minnesota Statutes 1976, Sections 15A.083, Subdivision 4; 124.212, Subdivision 11; 271.01, Subdivisions 1 and 4a, and by adding a subdivision; 271.02; 271.04; 271.06, Subdivisions 1, 2, 3, 4, 6, and by adding a subdivision; 271.07; 271.08; 271.09, Subdivisions 1, 2, and 3; 271.10, Subdivision 2; 271.12; 271.13; 271.15; 271.17; 271.18; 271.20; and 490.121, Subdivision 2; and Chapter 271, by adding sections; repealing Minnesota Statutes 1976, Sections 271.001; 271.01, Subdivisions 2, and 2a; 271.11; 271.14; and 271.16.

Reported the same back with the following amendments:

Page 6, line 3, after "be" insert "*, at the election of the taxpayer,*".

Page 15, line 25, strike "20" and insert "60".

Page 15, line 28, strike "and in any case within 60 days after".

Page 15, line 29, strike "the making and filing of such order,".

With the recommendation that when so amended the bill pass and be re-referred to the Committee on Appropriations.

The report was adopted.

Sieben, H., from the Committee on Governmental Operations to which was referred:

H. F. No. 613, A bill for an act relating to the operation of state government; establishing an office of volunteer services within the office of the governor; coordinating volunteer programs throughout the state; appropriating money.

Reported the same back with the following amendments:

Page 1, lines 19 to 23, delete all of subdivision 2.

Renumber the remaining subdivisions.

With the recommendation that when so amended the bill pass and be re-referred to the Committee on Appropriations.

The report was adopted.

Sieben, H., from the Committee on Governmental Operations to which was referred:

H. F. No. 679, A bill for an act relating to employment services; authorizing the summer employment of young persons for state and local service; appropriating money.

Reporting the same back with the following amendments:

Page 1, line 17, delete "is hereby authorized to" and insert "shall".

Page 2, line 12, delete "Prior to October 15,".

Page 2, delete lines 13 to 16 and insert "The department shall have emergency powers to implement rules for carrying out this act.".

Page 2, lines 22 to 27, delete all of subdivision 1.

Page 2, line 28, delete "Subd. 2.".

Page 4, delete all of "Section 7" and insert:

"Sec. 7. [APPROPRIATIONS.] The sum of \$9,000,000 is appropriated from the general fund to the commissioner of employment services for summer youth employment as provided in sections 1 to 6, to be available until June 30, 1979. The commissioner of employment services shall establish rules to insure, as far as practical, that no less than \$5,000,000 of the appropriations shall be used to provide employment for youth from the ages of 18 years up to 22 years currently enrolled or intending to enroll in a post secondary educational program.

Sec. 8. [EFFECTIVE DATE.] This act is effective the day following final enactment.".

With the recommendation that when so amended the bill pass and be re-referred to the Committee on Appropriations.

The report was adopted.

Sieben, H., from the Committee on Governmental Operations to which was referred:

H. F. No. 691, A bill for an act relating to state lands; directing the exchange of certain public lands bordering on public waters in Lincoln county.

Reported the same back with the recommendation that the bill pass and be placed on the Consent Calendar.

The report was adopted.

SECOND READING OF HOUSE BILLS

H. F. Nos. 1005, 1006, 971, 53 and 691 were read for the second time.

SECOND READING OF SENATE BILLS

S. F. No. 74 was read for the second time.

INTRODUCTION AND FIRST READING
OF HOUSE BILLS

The following House Files were introduced:

Eken; Kelly, W.; Corbid; Braun and Nelsen, B., introduced:

H. F. No. 1172, A bill for an act relating to agriculture; produce; inspection; fees; potato grading; labeling and inspection; prohibiting certain sales of artificially colored potatoes; amending Minnesota Statutes 1976, Sections 27.07; 30.10; 30.20; and Chapter 30, by adding sections; repealing Minnesota Statutes 1976, Sections 30.121; 30.13; 30.14; and 30.478.

The bill was read for the first time and referred to the Committee on Agriculture.

Clawson, Welch, Gunter, Anderson, B., and Erickson introduced:

H. F. No. 1173, A bill for an act relating to agriculture; establishing pilot programs for direct farmers' market facilities, and prescribing the duties of the commissioner of agriculture in relation thereto; providing for research, promotional and informational services relating to direct farmer markets to be furnished by the university of Minnesota, college of agriculture; and appropriating money.

The bill was read for the first time and referred to the Committee on Agriculture.

Jude, Berg, Voss, Savelkoul and Samuelson introduced:

H. F. No. 1174, A bill for an act relating to health care; providing funds for certain medical research at the Hennepin county medical center; appropriating money.

The bill was read for the first time and referred to the Committee on Appropriations.

Arlandson; Sieben, H.; Kahn; Rose and Novak introduced:

H. F. No. 1175, A bill for an act relating to corporations; requiring domestic corporations to file a biennial report with the secretary of state; requiring the secretary of state to perform certain duties; providing that corporations that fail to file reports are inactive; permitting corporations and others to utilize the names of inactive corporations; establishing filing fees; appropriating money; amending Minnesota Statutes 1976, Chapter 301, by adding a section; Sections 301.02, by adding a subdivision; 301.05, Subdivision 2; and 301.071, Subdivision 2.

The bill was read for the first time and referred to the Committee on Commerce and Economic Development.

Berglin, Berg, Clawson, Wynia and Pleasant introduced:

H. F. No. 1176, A bill for an act relating to human rights; prohibiting certain discrimination; amending Minnesota Statutes 1976, Sections 363.01, by adding a subdivision; and 363.03, Subdivisions 1, 2, 5 and 8.

The bill was read for the first time and referred to the Committee on Commerce and Economic Development.

McEachern and Jacobs introduced:

H. F. No. 1177, A bill for an act relating to highway safety; providing state reimbursement for driver education courses; imposing a tax; appropriating money.

The bill was read for the first time and referred to the Committee on Education.

Mangan, Williamson, Brandl, Knickerbocker and Kostohryz introduced:

H. F. No. 1178, A bill for an act relating to education; Montessori schools; providing licensing procedure and exempting Montessori schools from certain regulations; providing penalties; amending Minnesota Statutes 1976, Section 245.791.

The bill was read for the first time and referred to the Committee on Education.

McCollar, Brinkman, Suss, Johnson and Heinitz introduced:

H. F. No. 1179, A bill for an act relating to nonprofit health service plan corporations; modifying retained surplus requirements; amending Minnesota Statutes 1976, Section 62C.09, Subdivision 3.

The bill was read for the first time and referred to the Committee on Financial Institutions and Insurance.

Hanson and Suss introduced:

H. F. No. 1180, A bill for an act relating to financial institutions; permitting the establishment and operation of electronic funds transfer facilities; prescribing the powers and duties of the commissioner of banks in relation to funds transfer facilities; protecting the privacy and security of customers of financial institutions who use electronic funds transfer facilities; prescribing penalties.

The bill was read for the first time and referred to the Committee on Financial Institutions and Insurance.

Osthoff, Kostohryz, Knickerbocker, Neisen and Lehto introduced:

H. F. No. 1181, A bill for an act relating to elections; recognizing the effect of election day registration on activities in the polling place; amending Minnesota Statutes 1976, Sections 200.02, Subdivision 16; 204A.11; 204A.12, Subdivision 3; 204A.-34, by adding a subdivision; and 204A.37, Subdivision 1.

The bill was read for the first time and referred to the Committee on General Legislation and Veterans Affairs.

Osthoff, Lehto, Kostohryz, Hokanson and Knickerbocker introduced:

H. F. No. 1182, A bill for an act relating to elections; authorizing the designation of more than one polling place for a precinct; amending Minnesota Statutes 1976, Section 204A.09, Subdivision 1.

The bill was read for the first time and referred to the Committee on General Legislation and Veterans Affairs.

Berg, Savelkoul, Petrafeso, Sieben, H., and Rice introduced:

H. F. No. 1183, A bill for an act relating to ethics; limiting the future employment of former public officials; providing a penalty; repealing Minnesota Statutes 1976, Section 271.18.

The bill was read for the first time and referred to the Committee on General Legislation and Veterans Affairs.

White and Jensen introduced:

H. F. No. 1184, A bill for an act relating to the city of Lakeville; authorizing an increase in firemen's service pensions; amending Laws 1975, Chapter 125, Section 1.

The bill was read for the first time and referred to the Committee on Governmental Operations.

Sherwood, Wenstrom, Reding, Wieser and Nelsen, B., introduced:

H. F. No. 1185, A bill for an act relating to courts; providing for uniform conciliation court forms.

The bill was read for the first time and referred to the Committee on Governmental Operations.

Berglin, Simoneau, Neisen, Ewald and George introduced:

H. F. No. 1186, A bill for an act relating to public employment; state civil service; clarifying standards for examination, promotion, probation, filling of vacancies, relocation expenses, and travel expenses; amending Minnesota Statutes 1976, Sections 43.13, Subdivision 1; 43.14, Subdivision 1; 43.18; 43.19, Subdivision 1; 43.20, Subdivision 3, and by adding a subdivision; and 43.327, Subdivisions 1 and 2.

The bill was read for the first time and referred to the Committee on Governmental Operations.

Jude, Ewald, Hokanson, Sarna and Searles introduced:

H. F. No. 1187, A bill for an act relating to retirement; membership of Hennepin county soil and water conservation district employees in the public employees retirement association; amending Minnesota Statutes 1976, Chapter 353, by adding a section.

The bill was read for the first time and referred to the Committee on Governmental Operations.

Eckstein, Vanasek, Peterson, Cummiskey and Johnson introduced:

H. F. No. 1188, A bill for an act relating to health and welfare; Title XX funds for social services; establishing a formula for allocating Title XX funds to counties.

The bill was read for the first time and referred to the Committee on Health and Welfare.

Clark, Welch, Forsythe, Anderson, B., and Berglin introduced:

H. F. No. 1189, A bill for an act relating to public welfare; authorizing dispositions of persons in the welfare system; allocating costs; requiring treatment of tuberculosis; amending Minnesota Statutes 1976, Sections 144.422, Subdivision 6 and 9; 144.424, Subdivisions 8 and 11; 144.425; 197.01; 251.043, Subdivision 1; 251.053; 259.24, Subdivision 5; and 260.45; repealing Minnesota Statutes 1976, Sections 246.014, Subdivision 8; 251.01; 251.011, Subdivisions 2 and 5; 251.02; 251.03; 251.11; and 256.01, Subdivision 9.

The bill was read for the first time and referred to the Committee on Health and Welfare.

Stanton, Faricy, Fugina, Erickson and Anderson, B., introduced:

H. F. No. 1190, A bill for an act relating to education; creating a higher education consortium for southwestern Minnesota; appropriating money.

The bill was read for the first time and referred to the Committee on Higher Education.

Pehler, Berg, Kelly, W., and Sabo introduced:

H. F. No. 1191, A bill for an act relating to taxation; creating special districts to be called tax increment financing districts; providing for tax increment financing of renewal and development projects; amending Minnesota Statutes 1976, Chapter 273, by adding sections; Sections 458.192, Subdivision 11; 462.585, Subdivision 1; 472A.06; 473F.02, Subdivision 3; 474.10, Subdivisions 1 and 4; and repealing Minnesota Statutes 1976, Sections 462.545, Subdivision 5; 462.585, Subdivisions 2, 3 and 4; 472A.07; 472A.08; and 474.10, Subdivisions 2 and 3.

The bill was read for the first time and referred to the Committee on Local and Urban Affairs.

Lehto, Jaros, Berkelman, Munger and Spanish introduced:

H. F. No. 1192, A bill for an act relating to the city of Duluth; clarifying the prohibition on recording and filing conveyances of unplatted property; amending Laws 1933, Chapter 93, Sections 7 and 10, as amended.

The bill was read for the first time and referred to the Committee on Local and Urban Affairs.

Abeln, Pleasant, Williamson and Swanson introduced:

H. F. No. 1193, A bill for an act relating to the city of Bloomington; housing and redevelopment authority; providing that the housing and redevelopment authority may make loans and grants for home improvement, rental assistance, and financial assistance; amending Laws 1971, Chapter 616, Sections 1 and 2.

The bill was read for the first time and referred to the Committee on Local and Urban Affairs.

Stanton introduced:

H. F. No. 1194, A bill for an act relating to the city of Marshall; authorizing the issuance of general obligation airport bonds.

The bill was read for the first time and referred to the Committee on Local and Urban Affairs.

Prahl introduced:

H. F. No. 1195, A bill for an act relating to the town of Bass Brook; authorizing the town board to exercise the powers described in Minnesota Statutes, Section 368.01 and Chapters 412, 429, 474 and 475.

The bill was read for the first time and referred to the Committee on Local and Urban Affairs.

McEachern, St. Onge, Fugina and Tomlinson introduced:

H. F. No. 1196, A bill for an act relating to municipalities; severance pay for employees; amending Minnesota Statutes 1976, Section 465.72.

The bill was read for the first time and referred to the Committee on Local and Urban Affairs.

Pehler; Kelly, W.; Skoglund; Prah! and Pleasant introduced:

H. F. No. 1197, A bill for an act proposing an amendment to the Minnesota Constitution; repealing Article X, Section 6; repealing the taconite amendment.

The bill was read for the first time and referred to the Committee on Taxes.

Kelly, R.; Tomlinson and Kempe, A., introduced:

H. F. No. 1198, A bill for an act relating to taxation; changing definitions of "current tax" for purposes of qualified property tax credit and "property taxes payable" for purposes of income adjusted homestead credit; amending Minnesota Statutes 1976, Sections 273.011, Subdivision 5; and 290A.03, Subdivision 13.

The bill was read for the first time and referred to the Committee on Taxes.

Simoneau, Cohen, Novak, Berkelman and Neisen introduced:

H. F. No. 1199, A bill for an act relating to taxation; imposing a property tax on residential leasehold interests; amending Minnesota Statutes 1976, Sections 273.13, by adding a subdivision; 274.01, Subdivision 1; 278.01; 290A.03, Subdivisions 8 and 13; 290A.04, Subdivision 1; 290A.05; 290A.07, Subdivision 2; 290A.09; 290A.10; and 290A.19; and Chapter 276, by adding a section; repealing Minnesota Statutes 1976, Section 290A.03, Subdivisions 11 and 12.

The bill was read for the first time and referred to the Committee on Taxes.

Berg, Savelkoul, Anderson, I., and Nelson introduced:

H. F. No. 1200, A bill for an act relating to the organization and operation of state government; creating a crime control planning board to supersede the governor's commission on crime prevention and control; requiring a statewide comprehensive plan for law enforcement and criminal justice administration; empowering the board to make grants to governmental agencies; designating the board as the state planning agency for purposes of federal legislation; prescribing other powers and duties; requiring annual reports; creating regional crime control advisory councils; requiring the preparation of regional plans; appropriating money.

The bill was read for the first time and referred to the Committee on Criminal Justice.

George, Corbid, Norton, Dean and Ellingson introduced:

H. F. No. 1201, A bill for an act relating to insurance; requiring insurers to supply cover sheets for insurance policies; requiring insurers to issue readable insurance policies; establishing testing procedures for readability.

The bill was read for the first time and referred to the Committee on Financial Institutions and Insurance.

Skoglund, Sabo, Pleasant, Anderson, I., and Kelly, W., introduced:

H. F. No. 1202, A bill for an act relating to taxation; changing the method of collecting the excise tax on liquor; appropriating money; amending Minnesota Statutes 1976, Section 340.485, Subdivision 1; and Chapter 340, by adding a section.

The bill was read for the first time and referred to the Committee on Taxes.

Fugina; Anderson, I.; Begich; Battaglia and Prahl introduced:

H. F. No. 1203, A bill for an act relating to mineral resources; requiring owners and lessees of mineral rights to file exploration data with the commissioner of revenue; authorizing the commissioner of revenue to project the future availability, value, and utilization of mineral resources; providing penalties; amending Minnesota Statutes 1976, Chapter 298, by adding a section.

The bill was read for the first time and referred to the Committee on Taxes.

HOUSE ADVISORIES

Pursuant to rule 5.3, the following House Advisories were introduced:

Cummiskey introduced:

H. A. No. 22, A proposal for state liability insurance for non-employees.

The advisory was referred to the Committee on Governmental Operations.

Mann, Eckstein, Hokanson, Carlson, D., and Kahn introduced:

H. A. No. 23, A proposal for a subcommittee to study dread human and animal diseases.

The advisory was referred to the Committee on Health and Welfare.

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Mr. Speaker:

I hereby announce the passage by the Senate of the following House File, herewith returned:

H. F. No. 464, A bill for an act relating to licensed occupations; providing for reciprocity in licensing for plumbers licensed in other states; amending Minnesota Statutes 1976, Chapter 326, by adding a section.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

I hereby announce the passage by the Senate of the following House File, herewith returned, as amended by the Senate, in which amendment the concurrence of the House is respectfully requested:

H. F. No. 382, A bill for an act relating to highway traffic regulations; motorcycle equipment for operators and passengers; noise regulations; amending Minnesota Statutes 1976, Section 169.974, Subdivisions 2 and 4, and by adding a subdivision; and Chapter 169, by adding a section.

PATRICK E. FLAHAVEN, Secretary of the Senate

CONCURRENCE AND REPASSAGE

Cummiskey moved that the House concur in the Senate amendments to H. F. No. 382 and that the bill be repassed as amended by the Senate. The motion prevailed.

H. F. No. 382, A bill for an act relating to highway traffic regulations; limiting the motorcycle helmet requirement to persons under 18 and persons holding instruction permits; including motorcycles within state noise regulations; providing for

admission of certain evidence for determination of damages in negligence actions; requiring a report; amending Minnesota Statutes 1976, Section 169.974, Subdivisions 2 and 4, and by adding subdivisions.

The bill was read for the third time, as amended by the Senate, and placed upon its repassage.

The question was taken on the repassage of the bill and the roll was called. There were 94 yeas and 23 nays as follows:

Those who voted in the affirmative were:

Abeln	Clawson	Heinitz	McDonald	Schulz
Albrecht	Cohen	Hokanson	Moe	Searle
Anderson, B.	Corbid	Jacobs	Munger	Searles
Anderson, I.	Cummiskey	Jensen	Murphy	Sherwood
Anderson, R.	Dean	Johnson	Neisen	Sieben, H.
Arlandson	Den Ouden	Jude	Nelsen, B.	Simoneau
Begich	Eckstein	Kahn	Nelsen, M.	Stanton
Berglin	Ellingson	Kaley	Nelson	Stoa
Berkelman	Erickson	Kelly, R.	Niehaus	Swanson
Birnstihl	Esau	Kempe, R.	Novak	Tomlinson
Brandl	Evans	King	Osthoff	Vanasek
Braun	Ewald	Knickerbocker	Peterson	Waldorf
Brinkman	Fjoslien	Kostohryz	Pleasant	Welch
Byrne	Friedrich	Kroening	Prahl	White
Carlson, A.	Lehto	Lehto	Reding	Wieser
Carlson, D.	George	Lemke	Rose	Williamson
Carlson, L.	Gunter	Mangan	Samuelson	Wynia
Casserly	Hanson	Mann	Savelkoul	Speaker Sabo
Clark	Haugerud	McCarron	Scheid	

Those who voted in the negative were:

Anderson, D.	Eken	Kalis	McEachern	Voss
Anderson, G.	Faricy	Kempe, A.	Pehler	Wenstrom
Battaglia	Forsythe	Laidig	Sieben, M.	Wenzel
Berg	Fugina	Langseth	Skoglund	
Dahl	Jaros	McCollar	Smogard	

The bill was repassed, as amended by the Senate, and its title agreed to.

Mr. Speaker:

I hereby announce the passage by the Senate of the following House File, herewith returned, as amended by the Senate, in which amendment the concurrence of the House is respectfully requested:

H. F. No. 383, A bill for an act relating to agriculture; potato industry promotion; providing for an increase in the assessment levied; amending Minnesota Statutes 1976, Section 30.469.

PATRICK E. FLAHAVEN, Secretary of the Senate

CONCURRENCE AND REPASSAGE

Corbid moved that the House concur in the Senate amendments to H. F. No. 383 and that the bill be repassed as amended by the Senate. The motion prevailed.

H. F. No. 383, A bill for an act relating to agriculture; potato industry promotion; providing for an increase in the assessment levied; amending Minnesota Statutes 1976, Section 30.469.

The bill was read for the third time, as amended by the Senate, and placed upon its repassage.

The question was taken on the repassage of the bill and the roll was called. There were 118 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Abeln	Cohen	Hokanson	McDonald	Searle
Albrecht	Corbid	Jacobs	McEachern	Searles
Anderson, B.	Cummiskey	Jaros	Moe	Sherwood
Anderson, D.	Dahl	Jensen	Munger	Sieben, H.
Anderson, G.	Dean	Johnson	Murphy	Sieben, M.
Anderson, I.	Den Ouden	Jude	Neisen	Simoneau
Anderson, R.	Eckstein	Kahn	Nelsen, B.	Skoglund
Arlandson	Eken	Kaley	Nelsen, M.	Smogard
Battaglia	Ellingson	Kais	Nelson	Stanton
Begich	Erickson	Kelly, R.	Niehaus	Stoa
Berg	Esau	Kempe, A.	Novak	Swanson
Berglin	Evans	Kempe, R.	Osthoff	Tomlinson
Berkelman	Ewald	King	Peher	Voss
Birnstihl	Faricy	Knickerbocker	Peterson	Waldorf
Brandl	Fjoslien	Kostohryz	Petrafaso	Welch
Braun	Forsythe	Kroening	Pleasant	Wenstrom
Brinkman	Friedrich	Laidig	Prahl	Wenzel
Byrne	Fudro	Langseth	Reding	White
Carlson, A.	Fugina	Lehto	Rose	Wieser
Carlson, D.	George	Lemke	St. Onge	Williamson
Carlson, L.	Gunter	Mangan	Samuelson	Wynia
Casserly	Hanson	Mann	Savelkoul	Speaker Sabo
Clark	Haugerud	McCarron	Scheid	
Clawson	Heinitz	McCollar	Schulz	

The bill was repassed, as amended by the Senate, and its title agreed to.

Mr. Speaker:

I hereby announce the adoption by the Senate of the following Senate Concurrent Resolution as amended by the House:

Senate Concurrent Resolution No. 7, A Concurrent Resolution relating to joint rules; providing for joint rules for the Legislature of the State of Minnesota.

PATRICK E. FLAHAVER, Secretary of the Senate

Mr. Speaker:

I hereby announce the passage by the Senate of the following Senate File, herewith transmitted:

S. F. No. 147.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

I hereby announce the passage by the Senate of the following Senate Files, herewith transmitted:

S. F. Nos. 194, 226, 319 and 401.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

I hereby announce the passage by the Senate of the following Senate Files, herewith transmitted:

S. F. Nos. 49 and 193.

PATRICK E. FLAHAVEN, Secretary of the Senate

FIRST READING OF SENATE BILLS

S. F. No. 147, A bill for an act relating to commerce; limiting deficiency judgments in consumer transactions; restricting waiver of garnishment exemptions; amending Minnesota Statutes 1976, Section 550.37, Subdivision 4.

The bill was read for the first time and referred to the Committee on Commerce and Economic Development.

S. F. No. 194, A bill for an act relating to cemeteries; prohibiting trespassing on public or private cemeteries; providing penalties; amending Minnesota Statutes 1976, Section 609.605.

The bill was read for the first time and referred to the Committee on General Legislation and Veterans Affairs.

S. F. No. 226, A bill for an act relating to minimum wage; providing a higher minimum wage; amending Minnesota Statutes 1976, Section 177.24.

The bill was read for the first time.

Faricy moved that S. F. No. 226 and H. F. No. 169, now on the Calendar, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 319, A bill for an act relating to crimes; regulating public dances; amending Minnesota Statutes 1976, Sections 624.42, and 624.46.

The bill was read for the first time and referred to the Committee on Commerce and Economic Development.

S. F. No. 401, A bill for an act relating to motor vehicles, modifying certain motor vehicle dealer licensing requirements; amending Minnesota Statutes 1976, Section 168.27, Subdivisions 2 and 10.

The bill was read for the first time.

Rose moved that S. F. No. 401 and H. F. No. 725, now on General Orders, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 49, A bill for an act relating to business or agricultural loans; rate of interest therein; amending Minnesota Statutes 1976, Section 334.011, Subdivisions 1 and 4.

The bill was read for the first time and referred to the Committee on Financial Institutions and Insurance.

S. F. No. 193, A bill for an act relating to courts; providing terms for district judges designated as juvenile judges in Hennepin and Ramsey counties; providing terms for district judges designated as family court judges in Hennepin county; amending Minnesota Statutes 1976, Sections 260.021, Subdivisions 2 and 3; and 484.65, Subdivisions 1 and 6.

The bill was read for the first time and referred to the Committee on Governmental Operations.

CALENDAR

H. F. No. 256, A bill for an act relating to insurance; providing for regulation of aircraft and inland marine insurance; amending Minnesota Statutes 1976, Sections 70A.02, Subdivision 2; and 70A.06, Subdivision 3.

The bill was read for the third time and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 91 yeas and 27 nays as follows:

Those who voted in the affirmative were:

Abeln	Dahl	Jensen	Neisen	Smogard
Albrecht	Dean	Jude	Nelsen, M.	Spanish
Anderson, G.	Eken	Kahn	Nelson	Stanton
Arlandson	Ellingson	Kelly, R.	Novak	Suss
Berg	Enebo	Kempe, A.	Pehler	Swanson
Berglin	Evans	Kempe, R.	Petrafeso	Tomlinson
Berkelman	Ewald	King	Pleasant	Vanasek
Birnstihl	Faricy	Knickerbocker	Prahl	Voss
Brandl	Forsythe	Kroening	Reding	Waldorf
Braun	Friedrich	Laidig	Rice	Welch
Byrne	Fudro	Langseth	Rose	Wenzel
Carlson, A.	Fugina	Lehto	Scheid	White
Carlson, L.	George	Lemke	Schulz	Williamson
Casserly	Gunter	Mangan	Searles	Wynia
Clark	Hanson	McCarron	Sherwood	Speaker Sabo
Clawson	Heinitz	McCollar	Sieben, H.	
Cohen	Hokanson	Moe	Sieben, M.	
Corbid	Jacobs	Munger	Simoneau	
Cummiskey	Jaros	Murphy	Skoglund	

Those who voted in the negative were:

Anderson, D.	Den Ouden	Johnson	Niehaus	Stoa
Anderson, I.	Eckstein	Kaley	Peterson	Wenstrom
Anderson, R.	Erickson	Kalis	St. Onge	Wieser
Battaglia	Esau	Mann	Samuelson	
Begich	Fjoslien	McDonald	Savelkoul	
Carlson, D.	Haugerud	Nelsen, B.	Searle	

The bill was passed and its title agreed to.

H. F. No. 129, A bill for an act relating to education; encouraging post-secondary institutions to grant comparable credit for comparable work at another institution; directing the higher education coordinating board to perform certain duties.

The bill was read for the third time and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 99 yeas and 22 nays as follows:

Those who voted in the affirmative were:

Abeln	Carlson, L.	Friedrich	Kaley	McCarron
Anderson, B.	Casserly	Fudro	Kalis	McCollar
Anderson, G.	Clark	Fugina	Kelly, R.	McEachern
Anderson, I.	Clawson	George	Kempe, A.	Moe
Anderson, R.	Cohen	Gunter	Kempe, R.	Murphy
Arlandson	Corbid	Hanson	King	Neisen
Battaglia	Cummiskey	Haugerud	Knickerbocker	Nelsen, B.
Begich	Dahl	Heinitz	Kostohryz	Nelsen, M.
Berglin	Dean	Hokanson	Kroening	Nelson
Berkelman	Ellingson	Jacobs	Laidig	Niehaus
Birnstihl	Enebo	Jaros	Langseth	Novak
Braun	Ewald	Jensen	Lemke	Osthoff
Byrne	Faricy	Johnson	Mangan	Pehler
Carlson, D.	Fjoslien	Jude	Mann	Peterson

Pleasant	Scheid	Skoglund	Swanson	Wenzel
Prahl	Schulz	Smogard	Tomlinson	White
Reding	Searles	Spanish	Vanasek	Wieser
Rice	Sieben, H.	Stanton	Voss	Williamson
St. Onge	Sieben, M.	Stoa	Welch	Speaker Sabo
Samuelson	Simoneau	Suss	Wenstrom	

Those who voted in the negative were:

Albrecht	Den Ouden	Evans	Munger	Waldorf
Anderson, D.	Eckstein	Forsythe	Petrafeso	Wynia
Berg	Eken	Kahn	Rose	
Brandl	Erickson	Lehto	Searle	
Carlson, A.	Esau	McDonald	Sherwood	

The bill was passed and its title agreed to.

H. F. No. 90, A bill for an act relating to intoxicating liquor; authorizing cities to issue additional on-sale licenses by referendum; amending Minnesota Statutes 1976, Section 340.11, Subdivision 18.

The bill was read for the third time and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 120 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Abeln	Cohen	Hokanson	McDonald	Searles
Albrecht	Corbid	Jacobs	McEachern	Sherwood
Anderson, B.	Cummiskey	Jaros	Moe	Sieben, H.
Anderson, D.	Dahl	Jensen	Munger	Sieben, M.
Anderson, G.	Dean	Johnson	Murphy	Simoneau
Anderson, I.	Den Ouden	Jude	Neisen	Skoglund
Anderson, R.	Eckstein	Kahn	Nelsen, B.	Smogard
Arlandson	Eken	Kaley	Nelsen, M.	Spanish
Battaglia	Ellingson	Kalis	Nelson	Stanton
Begich	Enebo	Kelly, R.	Niehaus	Stoa
Berg	Erickson	Kempe, A.	Novak	Suss
Berglin	Evans	Kempe, R.	Osthoff	Swanson
Berkelman	Ewald	King	Pehler	Tomlinson
Birnstihl	Faricy	Knickerbocker	Peterson	Vanasek
Brandl	Fjoslien	Kostohryz	Petrafeso	Voss
Braun	Forsythe	Kroening	Pleasant	Waldorf
Brinkman	Friedrich	Laidig	Prahl	Welch
Byrne	Fudro	Langseth	Reding	Wenstrom
Carlson, A.	Fugina	Lehto	Rice	Wenzel
Carlson, D.	George	Lemke	Rose	White
Carlson, L.	Gunter	Mangan	Samuelson	Wieser
Casserly	Hanson	Mann	Savelkoul	Williamson
Clark	Haugerud	McCarron	Scheid	Wynia
Clawson	Heinitz	McCollar	Schulz	Speaker Sabo

The bill was passed and its title agreed to.

H. F. No. 326, A bill for an act relating to taxation; Kittson and Marshall counties; providing for the imposition of a tax upon persons, copartnerships, companies, joint stock companies, corporations, and associations however organized engaged therein in the business of removing gravel from gravel pits or deposits of gravel, for enforcing and collecting the same and prescribing penalties for violations thereof.

The bill was read for the third time and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 119 yeas and 1 nay as follows:

Those who voted in the affirmative were:

Abeln	Corbid	Hokanson	Moe	Searles
Albrecht	Cummiskey	Jacobs	Munger	Sherwood
Anderson, B.	Dahl	Jaros	Murphy	Sieben, H.
Anderson, D.	Dean	Jensen	Neisen	Sieben, M.
Anderson, G.	Den Ouden	Johnson	Nelsen, B.	Simoneau
Anderson, I.	Eckstein	Jude	Nelsen, M.	Skoglund
Anderson, R.	Eken	Kahn	Nelson	Smogard
Arlandson	Ellingson	Kaley	Niehaus	Spanish
Battaglia	Enebo	Kalis	Novak	Stanton
Begich	Erickson	Kelly, R.	Osthoff	Stoa
Berglin	Esau	Kempe, A.	Pehler	Suss
Berkelman	Evans	Kempe, R.	Peterson	Swanson
Birnstihl	Ewald	King	Petrafeso	Tomlinson
Brandl	Faricy	Knickerbocker	Pleasant	Vanasek
Braun	Fjoslien	Kostohryz	Prahl	Waldorf
Brinkman	Forsythe	Kroening	Reding	Welch
Byrne	Friedrich	Laidig	Rice	Wenstrom
Carlson, A.	Fudro	Langseth	Rose	Wenzel
Carlson, D.	Fugina	Lehto	St. Onge	White
Carlson, L.	George	Lemke	Samuelson	Wieser
Casserly	Gunter	Mangan	Savelkoul	Williamson
Clark	Hanson	McCarron	Scheid	Wynia
Clawson	Haugerud	McCollar	Schulz	Speaker Sabo
Cohen	Heinitz	McDonald	Searle	

Those who voted in the negative were:

Berg

The bill was passed and its title agreed to.

S. F. No. 267, A bill for an act relating to taxation; defining "common carrier" for certain purposes in connection with the sales and use tax; amending Minnesota Statutes 1976, Section 297A.211, Subdivision 1.

The bill was read for the third time and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 122 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Abeln	Corbid	Jacobs	Moe	Sherwood
Albrecht	Cummiskey	Jaros	Munger	Sieben, H.
Anderson, B.	Dahl	Jensen	Murphy	Sieben, M.
Anderson, D.	Dean	Johnson	Neisen	Simoneau
Anderson, G.	Den Ouden	Jude	Neisen, B.	Skoglund
Anderson, I.	Eckstein	Kahn	Nelsen, M.	Smogard
Anderson, R.	Eken	Kaley	Nelson	Spanish
Arlandson	Ellingson	Kalis	Niehaus	Stoa
Battaglia	Enebo	Kelly, R.	Novak	Suss
Begich	Erickson	Kempe, A.	Osthoff	Swanson
Berg	Esau	Kempe, R.	Pehler	Tomlinson
Berglin	Evans	King	Peterson	Vanasek
Berkelman	Ewald	Knickerbocker	Petrafaso	Voss
Birnstihl	Faricy	Kostohryz	Pleasant	Waldorf
Brandl	Fjoslien	Kroening	Prahl	Welch
Braun	Forsythe	Laidig	Reding	Wenstrom
Brinkman	Friedrich	Langseth	Rice	Wenzel
Byrne	Fudro	Lehto	Rose	White
Carlson, A.	Fugina	Lemke	St. Onge	Wieser
Carlson, D.	George	Mangan	Samuelson	Williamson
Carlson, L.	Gunter	Mann	Savelkoui	Wynia
Casserly	Hanson	McCarron	Scheid	Speaker Sabo
Clark	Haugerud	McCollar	Schulz	
Clawson	Heinitz	McDonald	Searle	
Cohen	Hokanson	McEachern	Searles	

The bill was passed and its title agreed to.

H. F. No. 598, A bill for an act relating to Becker county; providing for the imposition of a tax upon persons, copartnerships, companies, joint stock companies, corporations, and associations however organized engaged therein in the business of removing gravel from gravel pits or deposits of gravel, for enforcing the same and prescribing penalties for violations thereof.

The bill was read for the third time and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 120 yeas and 3 nays as follows:

Those who voted in the affirmative were:

Abeln	Brinkman	Eken	Haugerud	Kostohryz
Albrecht	Byrne	Ellingson	Heinitz	Kroening
Anderson, B.	Carlson, A.	Enebo	Hokanson	Laidig
Anderson, D.	Carlson, D.	Erickson	Jacobs	Langseth
Anderson, G.	Carlson, L.	Esau	Jaros	Lehto
Anderson, I.	Casserly	Evans	Jensen	Lemke
Anderson, R.	Clark	Ewald	Johnson	Mangan
Arlandson	Clawson	Fjoslien	Jude	Mann
Battaglia	Cohen	Forsythe	Kahn	McCarron
Begich	Corbid	Friedrich	Kaley	McCollar
Berglin	Cummiskey	Fudro	Kalis	McDonald
Berkelman	Dahl	Fugina	Kelly, R.	McEachern
Birnstihl	Dean	George	Kempe, R.	Moe
Brandl	Den Ouden	Gunter	King	Munger
Braun	Eckstein	Hanson	Knickerbocker	Murphy

Neisen	Petrafeso	Scheid	Smogard	Waldorf
Nelsen, B.	Pleasant	Schulz	Spanish	Welch
Nelsen, M.	Prahl	Searle	Stanton	Wenstrom
Neilson	Reding	Searles	Stoa	Wenzel
Niehaus	Rice	Sherwood	Suss	White
Novak	Rose	Sieben, H.	Swanson	Wieser
Osthoff	St. Onge	Sieben, M.	Tomlinson	Williamson
Pehler	Samuelson	Simoneau	Vanasek	Wynia
Peterson	Savelkoul	Skoglund	Voss	Speaker Sabo

Those who voted in the negative were:

Berg	Faricy	Kempe, A.
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The bill was passed and its title agreed to.

H. F. No. 705, A bill for an act relating to taxation; providing for revocation of motor carrier licenses for failure to file road tax reports; providing credit for tax paid on gasoline or fuel used in other states; amending Minnesota Statutes 1976, Section 296.17, Subdivisions 3, 11, and 12; and Chapter 296, by adding a section; repealing Minnesota Statutes 1976, Section 296.18, Subdivision 1a.

The bill was read for the third time and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 123 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Abeln	Corbid	Jacobs	Moe	Searles
Albrecht	Cummiskey	Jaros	Munger	Sherwood
Anderson, B.	Dahl	Jensen	Murphy	Sieben, H.
Anderson, D.	Dean	Johnson	Neisen	Sieben, M.
Anderson, G.	Den Ouden	Jude	Nelsen, B.	Simoneau
Anderson, I.	Eckstein	Kahn	Nelsen, M.	Skoglund
Anderson, R.	Eken	Kaley	Nelson	Smogard
Arlandson	Ellingson	Kalis	Niehaus	Spanish
Battaglia	Enebo	Kelly, R.	Norton	Stanton
Begich	Erickson	Kempe, A.	Novak	Stoa
Berg	Esau	Kempe, R.	Osthoff	Suss
Berglin	Evans	King	Pehler	Swanson
Berkelman	Ewald	Knickerbocker	Peterson	Tomlinson
Birnstihl	Faricy	Kostohryz	Petrafeso	Vanasek
Brandl	Fjoslien	Kroening	Pleasant	Voss
Braun	Forsythe	Laidig	Prahl	Waldorf
Brinkman	Friedrich	Langseth	Reding	Welch
Byrne	Fudro	Lehto	Rice	Wenstrom
Carlson, A.	Fugina	Lemke	Rose	Wenzel
Carlson, D.	George	Mangan	St. Onge	Wieser
Carlson, L.	Gunter	Mann	Samuelson	Williamson
Casserly	Hanson	McCarron	Savelkoul	Wynia
Clark	Haugerud	McCollar	Scheid	Speaker Sabo
Clawson	Heinitz	McDonald	Schulz	
Cohen	Hokanson	McEachern	Searle	

The bill was passed and its title agreed to.

H. F. No. 75, A bill for an act relating to public safety; requiring railroad companies to reimburse local governments and non-profit fire fighting corporations for expenses incurred to extinguish locomotive caused fires.

The bill was read for the third time and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 120 yeas and 3 nays as follows:

Those who voted in the affirmative were:

Abeln	Cohen	Jacobs	Moe	Searles
Albrecht	Corbid	Jaros	Munger	Sherwood
Anderson, B.	Dahl	Jensen	Murphy	Sieben, H.
Anderson, D.	Den Ouden	Johnson	Neisen	Sieben, M.
Anderson, G.	Eckstein	Jude	Nelsen, B.	Simoneau
Anderson, I.	Eken	Kahn	Nelsen, M.	Skoglund
Anderson, R.	Ellingson	Kaley	Nelson	Smogard
Arlandson	Enebo	Kalis	Niehaus	Spanish
Battaglia	Erickson	Kelly, R.	Norton	Stanton
Begich	Esau	Kempe, A.	Novak	Stoa
Berg	Evans	Kempe, R.	Pehler	Suss
Berglin	Ewald	King	Peterson	Swanson
Berkelman	Faricy	Knickerbocker	Petrafeso	Tomlinson
Birnstihl	Fjoslien	Kostohryz	Pleasant	Vanasek
Brandl	Forsythe	Kroening	Prahl	Voss
Braun	Friedrich	Laidig	Reding	Waldorf
Brinkman	Fudro	Langseth	Rice	Welch
Byrne	Fugina	Lehto	Rose	Wenstrom
Carlson, A.	George	Lemke	St. Onge	Wenzel
Carlson, D.	Gunter	Mangan	Samuelson	White
Carlson, L.	Hanson	Mann	Savelkoul	Wieser
Casserly	Haugerud	McCollar	Scheid	Williamson
Clark	Heinitz	McDonald	Schulz	Wynia
Clawson	Hokanson	McEachern	Searle	Speaker Sabo

Those who voted in the negative were:

Cummiskey Dean Osthoff

The bill was passed and its title agreed to.

S. F. No. 11, A bill for an act authorizing the city of Kenyon to construct, furnish and equip a medical clinic, to lease the medical clinic, to issue general obligation bonds for such purpose; validating action heretofore taken.

The bill was read for the third time and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 122 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Abeln	Cummiskey	Jaros	Murphy	Sieben, H.
Albrecht	Dahl	Jensen	Neisen	Sieben, M.
Anderson, B.	Dean	Johnson	Nelsen, B.	Simoneau
Anderson, D.	Den Ouden	Jude	Nelsen, M.	Skoglund
Anderson, G.	Eckstein	Kahn	Nelson	Smogard
Anderson, I.	Eken	Kaley	Niehaus	Spanish
Anderson, R.	Ellingson	Kalis	Norton	Stanton
Arlandson	Enebo	Kelly, R.	Novak	Stoa
Battaglia	Erickson	Kempe, A.	Osthoff	Suss
Begich	Esau	Kempe, R.	Pehler	Swanson
Berg	Evans	King	Peterson	Tomlinson
Berglin	Ewald	Knickerbocker	Petrafaso	Vanasek
Berkelman	Faricy	Kostohryz	Pleasant	Voss
Birnstihl	Fjoslien	Kroening	Prahl	Waldorf
Brandl	Forsythe	Laidig	Reding	Welch
Braun	Friedrich	Langseth	Rice	Wenstrom
Brinkman	Fudro	Lemke	Rose	Wenzel
Byrne	Fugina	Mangan	St. Onge	White
Carlson, A.	George	Mann	Samuelson	Wieser
Carlson, D.	Gunter	McCarron	Savelkoul	Williamson
Casserly	Hanson	McCollar	Scheid	Wynia
Clark	Haugerud	McDonald	Schulz	Speaker Sabo
Clawson	Heinitz	McEachern	Searle	
Cohen	Hokanson	Moe	Searles	
Corbid	Jacobs	Munger	Sherwood	

The bill was passed and its title agreed to.

Swanson was excused at 2:30 p.m. Mann was excused at 2:50 p.m., and Kempe, A., was excused at 3:15 p.m.

GENERAL ORDERS

Pursuant to rules of the House, the House resolved itself into the Committee of the Whole, with Sabo in the Chair, for the consideration of bills pending on General Orders of the Day. After some time spent therein the Committee arose.

REPORT OF COMMITTEE OF THE WHOLE

The Speaker resumed the Chair, whereupon the following proceedings of the Committee as kept by the Chief Clerk were reported to the House:

H. F. Nos. 521, 242, 681, 398, 384 and 442 which it recommended to pass.

S. F. No. 86 which it recommended to pass.

H. F. Nos. 105, 7 and 339 which it recommended progress.

H. F. Nos. 40 and 728 which it recommended progress until Thursday, April 7, 1977.

H. F. No. 315 which it recommended to pass with the following amendments:

Offered by Haugerud:

Page 1, line 15, after "senate." strike "The commissioner of economic development or his".

Page 1, strike lines 16, 17 and 18.

Offered by Neisen:

As amended by the Haugerud amendment, page 1, line 18, after the stricken period insert "*A person designated by the Dakota county board shall be an ex-officio member of the board but shall not have a vote.*".

On the motion of Anderson, I., the report of the Committee of the Whole was adopted.

MOTIONS AND RESOLUTIONS

Jacobs moved that the name of Abeln be added as an author on H. F. No. 1148. The motion prevailed.

Hanson moved that the names of Corbid, Abeln, and Ewald be added as authors on H. F. No. 1180. The motion prevailed.

Stanton moved that the name of Anderson, B., be shown as chief author and the name of Stanton be shown as second author on H. F. No. 251. The motion prevailed.

Welch moved that H. F. No. 1080 be recalled from the Committee on Appropriations and be re-referred to the Committee on Higher Education. The motion prevailed.

Kelly, R., moved that the name of Cohen be added as an author on H. F. No. 1198. The motion prevailed.

ADJOURNMENT

Anderson, I., moved that when the House adjourns today it adjourn until 2:00 p.m., Monday, April 4, 1977. The motion prevailed.

Anderson, I., moved that the House adjourn. The motion prevailed, and the Speaker declared the House stands adjourned until 2:00 p.m., Monday, April 4, 1977.

EDWARD A. BURDICK, Chief Clerk, House of Representatives

STATE OF MINNESOTA
SEVENTIETH SESSION - 1977

THIRTIETH DAY

SAINT PAUL, MINNESOTA, MONDAY, APRIL 4, 1977

The House of Representatives convened at 2:00 p.m. and was called to order by the Speaker.

Prayer was offered by the Chaplain.

The roll was called and the following members were present:

Abeln	Cohen	Jaros	Moe	Sieben, H.
Adams	Corbid	Jensen	Munger	Sieben, M.
Albrecht	Cummiskey	Johnson	Murphy	Simoneau
Anderson, B.	Dahl	Jude	Neisen	Skoglund
Anderson, D.	Dean	Kahn	Nelsen, B.	Smogard
Anderson, G.	Den Ouden	Kaley	Nelsen, M.	Spanish
Anderson, I.	Eckstein	Kalis	Nelson	Stanton
Anderson, R.	Eken	Kelly, R.	Niehaus	Stoa
Arlandson	Ellingson	Kelly, W.	Norton	Suss
Battaglia	Enebo	Kempe, A.	Novak	Swanson
Beauchamp	Erickson	Kempe, R.	Osthoff	Tomlinson
Begich	Esau	King	Patton	Vanasek
Berg	Evans	Knickerbocker	Pehler	Voss
Berglin	Ewald	Kostohryz	Peterson	Waldorf
Berkelman	Fariy	Kroening	Petrafeso	Welch
Biersdorf	Fjoslien	Kvam	Pleasant	Wenstrom
Birnstihl	Forsythe	Laidig	Prahl	Wenzel
Brandl	Friedrich	Langseth	Reding	White
Braun	Fudro	Lehto	Rice	Wieser
Brinkman	Fugina	Lemke	Rose	Wigley
Byrne	George	Mangan	St. Onge	Williamson
Carlson, A.	Gunter	Mann	Samuelson	Wynia
Carlson, D.	Hanson	McCarron	Sarna	Zubay
Carlson, L.	Haugerud	McCollar	Savelkoul	Speaker Sabo
Casserly	Heinitz	McDonald	Scheid	
Clark	Hokanson	McEachern	Schulz	
Clawson	Jacobs	Metzen	Sherwood	

A quorum was present.

Searle and Searles were excused.

The Chief Clerk proceeded to read the Journal of the preceding day. Vanasek moved that further reading of the Journal be dispensed with and that the Journal be approved as corrected by the Chief Clerk. The motion prevailed.

REPORTS OF CHIEF CLERK

Pursuant to Rules of the House, printed copies of H. F. Nos. 1005, 1006, 971, 53, 691 and 315 and S. F. Nos. 147, 194, 226, 319, 401, 49 and 193 have been placed in the members' files.

S. F. No. 401 and H. F. No. 725, which had been referred to the Chief Clerk for comparison, were examined and found to be identical.

Rose moved that S. F. No. 401 be substituted for H. F. No. 725 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 226 and H. F. No. 169, which had been referred to the Chief Clerk for comparison, were examined and found to be identical with certain exceptions.

SUSPENSION OF RULES

Faricy moved that the rules be so far suspended that S. F. No. 226 be substituted for H. F. No. 169 and that the House File be indefinitely postponed. The motion prevailed.

PETITIONS AND COMMUNICATIONS

The following reports were received and filed in the Chief Clerk's Office: Report to Legislature on Bemidji Service Center, Commissioner of Administration; Sale and Disposition of Surplus State Lands, Commissioner of Administration; Actions taken by the Legislative Advisory Commission Fiscal Years 1975 through January 31, 1977, Commissioner of Finance; and Energy Conservation in State-Owned Buildings, Commissioner of Administration.

The following communication was received:

STATE OF MINNESOTA
OFFICE OF THE SECRETARY OF STATE
ST. PAUL 55155

March 31, 1977

The Honorable Martin O. Sabo
Speaker of the House of Representatives
The Honorable Edward J. Gearty
President of the Senate

I have the honor to inform you that the following enrolled Acts of the 1977 Session of the State Legislature have been received from the Office of the Governor and are deposited in the Office

of the Secretary of State for preservation, pursuant to the State Constitution, Article IV, Section 23:

<i>S.F. No.</i>	<i>H.F. No.</i>	<i>Session Laws Chapter No.</i>	<i>Date Approved 1977</i>	<i>Date Filed 1977</i>
21		7	March 31	March 31
107		8	March 31	March 31
183		9	March 31	March 31
250		10	March 31	March 31
	260	11	March 31	March 31

Sincerely,

JOAN ANDERSON GROWE
Secretary of State

REPORTS OF STANDING COMMITTEES

Norton from the Committee on Appropriations to which was referred:

H. F. No. 800, A bill for an act relating to crimes; regulating the transfer of pistols; requiring a waiting period for pistol transfers; requiring police checks of pistol transferees; prohibiting transfers of pistols to certain persons; prescribing penalties; amending Minnesota Statutes 1976, Sections 609.135, Subdivision 1; 624.712, by adding a subdivision; and Chapter 624, by adding a section.

Reported the same back with the recommendation that the bill pass.

The report was adopted.

Hanson from the Committee on Commerce and Economic Development to which was referred:

H. F. No. 720, A bill for an act relating to commerce; regulation of subdivision of lands by the commissioner of securities; extending time for filing reports of subdivided land; amending Minnesota Statutes 1976, Section 83.30, Subdivision 1.

Reported the same back with the recommendation that the bill pass and be placed on the Consent Calendar.

The report was adopted.

Munger from the Committee on Environment and Natural Resources to which was referred:

H. F. No. 293, A bill for an act relating to waters; authorizing conveyance of a dam easement and empowering the town of Hines in Beltrami county to maintain and operate a dam.

Reported the same back with the following amendments:

Strike everything after the enacting clause and insert:

“Section 1. The governor, upon recommendation of the commissioner of administration, shall convey by appropriate instrument of conveyance in a form approved by the attorney general, to the town of Hines in Beltrami county, the state-owned Blackduck Lake outlet dam situated in Government Lot 7, Section 4, Township 149 North, Range 31 West, Beltrami county, and all the state’s right, title and interests appurtenant thereto, including a damsite easement acquired therefor in 1937.

Sec. 2. Notwithstanding any limitations upon the powers of a town, the town board of the town of Hines shall possess all of the powers of a county pursuant to Minnesota Statutes, Sections 378.31, Subdivision 4; 378.34; and 378.35 in the acquisition, maintenance and operation of the dam conveyed pursuant to section 1.”.

Further, amend the title by striking it in its entirety, and inserting:

“A bill for an act relating to waters; authorizing conveyance of the Blackduck Lake outlet dam and empowering the town of Hines in Beltrami county to acquire, maintain and operate it.”.

With the recommendation that when so amended the bill pass and be placed on the Consent Calendar.

The report was adopted.

Munger from the Committee on Environment and Natural Resources to which was referred:

H. F. No. 445, A bill for an act relating to natural resources; acquisition, development, and maintenance of recreational sites along designated canoe and boating routes; amending Minnesota Statutes 1976, Section 85.32, Subdivision 2.

Reported the same back with the recommendation that the bill pass and be placed on the Consent Calendar.

The report was adopted.

Munger from the Committee on Environment and Natural Resources to which was referred:

H. F. No. 524, A bill for an act relating to beverage containers; detachable parts of noncarbonated beverage cans; amending Minnesota Statutes 1976, Section 325.248, Subdivision 1.

Reported the same back with the following amendments:

Page 1, after line 16, insert a new section to read:

"Sec. 2. This act shall take effect the day following final enactment."

With the recommendation that when so amended the bill pass and be placed on the Consent Calendar.

The report was adopted.

Brinkman from the Committee on Financial Institutions and Insurance to which was referred:

H. F. No. 676, A bill for an act relating to intoxicating liquor; civil liability for illegal sale, barter or gift thereof; amending Minnesota Statutes 1976, Sections 340.95 and 340.951.

Reported the same back with the following amendments:

Page 2, line 5, delete "\$100,000" and insert "\$300,000".

Page 2, line 27, reinsert the stricken language and delete the new language.

With the recommendation that when so amended the bill pass.

The report was adopted.

Rice from the Committee on General Legislation and Veterans Affairs to which was referred:

H. F. No. 48, A bill for an act proposing an amendment to the Minnesota Constitution, Article VII, Section 6; providing that all eligible voters may hold most elective offices.

Reported the same back with the recommendation that the bill pass and be re-referred to the Committee on Rules and Legislative Administration.

The report was adopted.

Rice from the Committee on General Legislation and Veterans Affairs to which was referred:

H. F. No. 489, A bill for an act relating to legal newspapers; simplifying procedures for receiving reimbursement for publication of proposed constitutional amendments; amending Minnesota Statutes 1976, Section 3.22.

Reported the same back with the following amendments:

Page 1, line 12, after "publication" insert "*and prior to the first day of January following an election year*".

With the recommendation that when so amended the bill pass and be placed on the Consent Calendar.

The report was adopted.

Kelly, W., from the Committee on Taxes to which was referred:

H. F. No. 707, A bill for an act relating to taxation; changing certain procedures for objecting to real estate taxes; providing for city and town attorneys to handle prosecutions; amending Minnesota Statutes 1976, Sections 278.01 and 278.05.

Reported the same back with the following amendments:

Page 1, after line 8 insert:

"Section 1. Minnesota Statutes 1976, Section 277.011, Subdivision 1, is amended to read:

277.011 [DEFENSE OR OBJECTION TO TAX ON PERSONAL PROPERTY.] Subdivision 1. [SERVICE AND FILING OF PETITION.] Any person who claims that his personal property has been unfairly or unequally assessed, or that such property has been assessed at a valuation greater than its real or actual value, or that the tax levied against the same is illegal, in whole or in part, or has been paid, or that the property is exempt from the tax so levied, may have the validity of his claim, defense or objection determined by the district court of the county in which the tax is levied by serving *two* copies of a petition for such determination upon the county auditor(,) *and one copy each on the county treasurer(,) and the county attorney and filing the same, with proof of such service, in the office of the clerk of the district court on or before the first day of July of the year in which such tax becomes payable. The county auditor shall immediately forward one copy of the petition to the appropriate governmental authority in a home rule charter or statutory city or town in which the property is located, if that city or town employs its own certified assessor.*

Sec. 2. Minnesota Statutes 1976, Section 277.011, Subdivision 5, is amended to read:

Subd. 5. [TRIAL OF ISSUES.] Such petition, without any answer, return, or other pleadings thereto, shall stand for trial at any general term in session when the same is filed; or, if the court be not then in session, at the next general or special term appointed to be held in the county; and, if no such term be appointed to be held within 30 days thereafter, the same shall be brought to trial at any general term appointed to be held within the judicial district upon ten days notice. *If the property on which the taxes have been levied is located in a home rule charter or statutory city or town, which employs its own certified assessor, the attorney for that governmental unit may, within 20 days after receipt by the governmental unit of the copy of the petition forwarded by the county auditor, give notice to the county attorney and to the petitioner or his attorney that the home rule charter or statutory city or town is taking charge of and prosecuting the proceeding. If the attorney for the home rule charter or statutory city or town does not give such notice, the attorney of the county in which these taxes are levied shall take charge of and prosecute such proceedings, but the county board may employ any other attorney to assist him. At the term at which such petition comes on for trial it shall take precedence of all other business before the court. The court shall without delay summarily hear and determine the claims, objections, or defenses made by the petition and shall direct judgment accordingly, and the trial thereof shall disregard all technicalities and matters of form not affecting the substantial merits.*"

Page 2, line 7, after "located" insert "*if that city or town employs its own certified assessor*".

Page 2, line 20, after "town" insert "*which employs its own certified assessor*".

Page 3, line 11, after "state" insert "*, county, city or town*".

Page 3, line 17, after "attorney" insert "*, or the attorney for the city or town,*".

Page 3, line 24, after "state," insert "*county, city or town,*".

Page 3, after line 31, insert:

"Sec. 5. [EFFECTIVE DATE.] *This act is effective the day after final enactment.*"

Renumber the sections accordingly.

Further, amend the title:

Page 1, line 3, delete "estate" and insert "or personal property".

Page 1, line 5, after "Sections" insert "277.011, Subdivisions 1 and 5;".

With the recommendation that when so amended the bill pass.

The report was adopted.

Kelly, W., from the Committee on Taxes to which was referred:

H. F. No. 993, A bill for an act relating to taxation; providing an alternative tax on liquor in metric containers; authorizing commissioner of revenue to order metric conversion; increasing bonding requirements; defining certain responsibilities of commissioners of public safety and revenue; amending Minnesota Statutes 1976, Sections 299A.02, Subdivision 1; 340.44; 340.47, by adding subdivisions; 340.485, Subdivisions 1 and 2; 340.51; 340.54, Subdivision 1; and 340.55.

Reported the same back with the following amendments:

Page 5, line 6, after "commissioner" insert "*of revenue*".

Page 5, line 8, after "commissioner" insert "*of revenue*".

Page 5, line 12, after "*commissioner*" insert "*of revenue*".

Page 8, after line 4, insert:

"Sec. 10. [EFFECTIVE DATE.] *This act shall be effective the day following its final enactment.*"

With the recommendation that when so amended the bill pass.

The report was adopted.

SECOND READING OF HOUSE BILLS

H. F. Nos. 800, 720, 293, 445, 524, 676, 489, 707 and 993 were read for the second time.

SECOND READING OF SENATE BILLS

S. F. Nos. 401 and 226 were read for the second time.

INTRODUCTION AND FIRST READING
OF HOUSE BILLS

The following House Files were introduced:

Jude; Sieben, H.; Swanson; Ewald and Osthoff introduced:

H. F. No. 1204, A bill for an act relating to sheet metal, heating, ventilation and air conditioning contractors; providing for licensure and regulation; establishing a board of sheet metal, heating, ventilation and air conditioning within the building code division in the department of administration; prescribing powers and duties; requiring insurance and bonding for such contractors; appropriating money.

The bill was read for the first time and referred to the Committee on Commerce and Economic Development.

Hanson introduced:

H. F. No. 1205, A bill for an act relating to commerce; clarifying provisions for reports of charitable funds; amending Minnesota Statutes 1976, Section 45.16, Subdivision 2.

The bill was read for the first time and referred to the Committee on Commerce and Economic Development.

Neisen, Simoneau, Kelly, R., and Hanson introduced:

H. F. No. 1206, A bill for an act relating to commerce; providing a penalty for violation of an assurance of discontinuance or an order of the court; amending Minnesota Statutes 1976, Section 325.907, by adding a subdivision.

The bill was read for the first time and referred to the Committee on Commerce and Economic Development.

Neisen, Simoneau, Kelly, R., and Hanson introduced:

H. F. No. 1207, A bill for an act relating to commerce; creating a lien in favor of persons making prepayments for goods or services; requiring bonds; providing penalties.

The bill was read for the first time and referred to the Committee on Commerce and Economic Development.

Simoneau, Clawson, Neisen, Haugerud and Voss introduced:

H. F. No. 1208, A bill for an act relating to commerce; regulating mobile home lot payments; prohibiting entrance fees; specifying required notice for termination of tenancies; amending Minnesota Statutes 1976, Sections 327.43, Subdivision 1; and 327.44.

The bill was read for the first time and referred to the Committee on Commerce and Economic Development.

Adams; Kempe, A.; Neisen; Fudro and Heinitz introduced:

H. F. No. 1209, A bill for an act relating to statutes of limitations; providing for limits on time to commence certain real estate actions; amending Minnesota Statutes 1976, Section 541.-051, Subdivision 1.

The bill was read for the first time and referred to the Committee on Commerce and Economic Development.

Corbid, Samuelson, Nelson, Moe and Laidig introduced:

H. F. No. 1210, A bill for an act relating to corrections; establishing a facility for the care and treatment of inmates of correctional institutions who become mentally ill; providing for their commitment and detention for treatment; appropriating money.

The bill was read for the first time and referred to the Committee on Criminal Justice.

Sieben, M.; Jacobs; Wenzel and Kempe, R., introduced:

H. F. No. 1211, A bill for an act relating to crime; providing penalties for persons who are unlawfully engaged in receiving, recording or forwarding bets or offers for bets; amending Minnesota Statutes 1976, Section 609.76.

The bill was read for the first time and referred to the Committee on Criminal Justice.

Anderson, B.; Sieben, M.; Cohen; Clawson and Erickson introduced:

H. F. No. 1212, A bill for an act relating to highway traffic regulations; driving, operating or being in physical control of a motor vehicle while under the influence of alcohol and narcotic drugs; right to confer with legal counsel prior to administering chemical test; amending Minnesota Statutes 1976, Section 169.123, Subdivision 2.

The bill was read for the first time and referred to the Committee on Criminal Justice.

Fugina, Tomlinson, Clawson, Sieben, M., and Novak introduced:

H. F. No. 1213, A bill for an act relating to education; teachers; transferring certain functions of teacher licensing from the state board of education and the commissioner of education to the state board of teaching; amending Minnesota Statutes 1976, Sections 125.05, Subdivision 1; 125.08; 125.182, Subdivision 2; 125.185, Subdivisions 4, 5 and 6; repealing Minnesota Statutes 1976, Section 125.182, Subdivision 4.

The bill was read for the first time and referred to the Committee on Education.

Lemke; Sieben, H.; Schulz; Friedrich and Wieser introduced:

H. F. No. 1214, A bill for an act relating to natural resources; creating an advisory council on land purchases and condemnations in a certain region in the state; providing an appropriation.

The bill was read for the first time and referred to the Committee on Environment and Natural Resources.

Hanson and Munger introduced:

H. F. No. 1215, A bill for an act relating to environmental protection; prohibiting the storage of certain radioactive wastes in Minnesota; providing a penalty.

The bill was read for the first time and referred to the Committee on Environment and Natural Resources.

Sieben, H., introduced:

H. F. No. 1216, A bill for an act relating to aircraft insurance; prohibiting certain policy defenses; amending Minnesota Statutes 1976, Section 60A.081, Subdivision 1.

The bill was read for the first time and referred to the Committee on Financial Institutions and Insurance.

Cassery, Knickerbocker, Rice, McCarron and Osthoff introduced:

H. F. No. 1217, A bill for an act relating to civil actions; abolishing all civil causes of action for breach of promise to marry, alienation of affections, criminal conversation and seduction; providing penalties.

The bill was read for the first time and referred to the Committee on General Legislation and Veterans Affairs.

Cohen introduced:

H. F. No. 1218, A bill for an act relating to the state auditor; changing the required balances of the state auditor revolving fund; amending Minnesota Statutes 1976, Section 6.58.

The bill was read for the first time and referred to the Committee on Governmental Operations.

Simoneau and Fudro introduced:

H. F. No. 1219, A bill for an act relating to the city of Columbia Heights fire department relief association; an establishment of paid division and volunteer division of the association and the administration of each division; benefits and contributions; membership of certain fire personnel in the public employees' police and fire fund.

The bill was read for the first time and referred to the Committee on Governmental Operations.

Kempe, A.; Suss; White; Kempe, R., and Anderson, I., introduced:

H. F. No. 1220, A bill for an act relating to courts; providing for law clerks to assist district judges; amending Minnesota Statutes 1976, Section 484.545, Subdivision 1.

The bill was read for the first time and referred to the Committee on Governmental Operations.

Kempe, A.; Faricy; Tomlinson; Moe and Nelson introduced:

H. F. No. 1221, A bill for an act relating to Spanish-speaking people; creating a state board on affairs of the Spanish-speaking people; appropriating money.

The bill was read for the first time and referred to the Committee on Governmental Operations.

Stanton introduced:

H. F. No. 1222, A bill for an act relating to retirement; providing a proportionate annuity to certain teachers terminated by reason of declining enrollment; amending Minnesota Statutes 1976, Section 354.44, Subdivision 1.

The bill was read for the first time and referred to the Committee on Governmental Operations.

Sieben, H.; Patton; Beauchamp; Petrafeso and Laidig introduced:

H. F. No. 1223, A bill for an act relating to administrative procedures; providing for notice and hearing in various administrative decisions; amending Minnesota Statutes 1976, Sections 10A.20, Subdivision 10; 17A.06, Subdivisions 2 and 3; 27.06; 53.03, Subdivisions 1 and 2; 144.802; 155.11, Subdivisions 1 and 2; 216A.05, Subdivision 5; 218.041, Subdivision 3; 219.46, Subdivision 7; 219.47; and 219.741; repealing Minnesota Statutes 1976, Section 53.03, Subdivision 3.

The bill was read for the first time and referred to the Committee on Governmental Operations.

Langseth, Smogard, Eken, McDonald and Gunter introduced:

H. F. No. 1224, A bill for an act relating to workers' compensation; excluding family farm corporations; amending Minnesota Statutes 1976, Section 176.041, Subdivision 1.

The bill was read for the first time and referred to the Committee on Governmental Operations.

Kelly, R.; Hanson; Byrne; Cohen and Waldorf introduced:

H. F. No. 1225, A bill for an act relating to Ramsey county and the city of Saint Paul; changing the name of the Ramsey county hospital and sanitarium commission; further prescribing its powers and duties, removing obsolete provisions; amending Laws 1974, Chapter 435, Section 3.14.

The bill was read for the first time and referred to the Committee on Local and Urban Affairs.

Adams, George, Knickerbocker, McEachern and Rice introduced:

H. F. No. 1226, A bill for an act relating to metropolitan airports; authorizing reimbursement to commission members; clarifying its organization and authority; granting emergency authority to expend funds; amending Minnesota Statutes 1976, Sections 473.605, Subdivisions 1 and 2; 473.606, Subdivisions 1 and 4; 473.608, Subdivisions 1, 15 and 17; 473.611, Subdivision 5; 473.621, Subdivisions 2 and 4; 473.641, Subdivision 2; 473.652; repealing Minnesota Statutes 1976, Sections 473.611, Subdivisions 1, 2, 3 and 4; and 473.621, Subdivision 1.

The bill was read for the first time and referred to the Committee on Local and Urban Affairs.

George, Pehler, Pleasant and Voss introduced:

H. F. No. 1227, A bill for an act relating to commerce; providing for deposits of public funds in thrift institutions; amending Minnesota Statutes 1976, Sections 118.005; 118.01; 118.09; 118.11; and 118.16; repealing Minnesota Statutes 1976, Section 118.17.

The bill was read for the first time and referred to the Committee on Local and Urban Affairs.

Kvam, Pleasant and Kroening introduced:

H. F. No. 1228, A bill for an act relating to taxation; providing for a deduction from gross income for amounts paid for post secondary school expenses; amending Minnesota Statutes 1976, Section 290.09, by adding a subdivision.

The bill was read for the first time and referred to the Committee on Taxes.

Anderson, I.; Murphy; Prahl and Samuelson introduced:

H. F. No. 1229, A bill for an act relating to taxation; altering means of calculating attached machinery aid; amending Minnesota Statutes 1976, Section 273.138, Subdivisions 2 and 5.

The bill was read for the first time and referred to the Committee on Taxes.

Savelkoul introduced:

H. F. No. 1230, A bill for an act relating to taxation; providing for annual adjustments of individual income tax brackets, individual credits and maximum standard deductions according to rate of change in the cost of living index; amending Minnesota Statutes 1976, Sections 290.06, Subdivisions 2c and 3c, and by adding a subdivision; and 290.09, Subdivision 15.

The bill was read for the first time and referred to the Committee on Taxes.

Savelkoul and Pleasant introduced:

H. F. No. 1231, A bill for an act relating to taxation; increasing personal credits against income tax; amending Minnesota Statutes 1976, Section 290.06, Subdivision 3c, and by adding a subdivision.

The bill was read for the first time and referred to the Committee on Taxes.

Savelkoul, Vanasek and Eken introduced:

H. F. No. 1232, A bill for an act relating to taxation; providing an alternative valuation of certain family farm or business property in estates for inheritance tax purposes; amending Minnesota Statutes 1976, Chapter 291, by adding a section.

The bill was read for the first time and referred to the Committee on Taxes.

Faricy, Hanson and Wynia introduced:

H. F. No. 1233, A bill for an act relating to taxation; eliminating city excise taxes on utility charges; providing for replacement of revenues lost by the cities due to elimination of that revenue; appropriating funds; amending Minnesota Statutes 1976, Section 477A.01, by adding a subdivision.

The bill was read for the first time and referred to the Committee on Taxes.

Munger, Haugerud and Mann introduced:

H. F. No. 1234, A bill for an act relating to water resources; creating a water planning board; prescribing its duties; appropriating money.

The bill was read for the first time and referred to the Committee on Environment and Natural Resources.

Munger, Haugerud, Erickson and Mann introduced:

H. F. No. 1235, A bill for an act relating to water resources; establishing emergency restrictions on the use of state waters for irrigation and other purposes; establishing procedures for the processing of irrigation permits; requiring municipal water supply authorities to conserve water during shortages; amending Minnesota Statutes 1976, Section 105.44, Subdivision 9; repealing Minnesota Statutes 1976, Section 105.44, Subdivision 8.

The bill was read for the first time and referred to the Committee on Environment and Natural Resources.

Birnstihl, Mann, Munger, Eken and Erickson introduced:

H. F. No. 1236, A bill for an act relating to water; requiring that new domestic wells be registered with the local soil and water conservation district; requiring that the commissioner of natural resources be notified of the appropriation of water for domestic use; requiring pumping tests and monitoring on large wells, and providing for exceptions; changing criteria for issuance of groundwater appropriation permits; transferring the water well contractor licensing program from the state board of health to the commissioner of natural resources; appropriating money; amending Minnesota Statutes 1976, Sections 105.41, Subdivisions 1 and 1a; 105.44, by adding subdivisions; 105.45; 156A.03; 156A.04; 156A.05; 156A.06, Subdivision 1; 156A.07, Subdivisions 1, 4, 5, 6, 7 and 8; and 156A.08; and repealing Minnesota Statutes 1976, Section 105.44, Subdivision 8.

The bill was read for the first time and referred to the Committee on Agriculture.

CONSENT CALENDAR

H. F. No. 337, A bill for an act relating to public utilities; customers service option on electric service in certain instances; amending Minnesota Statutes 1976, Section 216B.40; and Chapter 216B, by adding a section.

The bill was read for the third time and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 121 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Abeln	Clawson	Jaros	Munger	Simoneau
Adams	Cohen	Jensen	Murphy	Skoglund
Albrecht	Corbid	Johnson	Neisen	Smogard
Anderson, B.	Cummiskey	Jude	Nelsen, B.	Spanish
Anderson, D.	Dean	Kahn	Nelson	Stanton
Anderson, G.	Den Ouden	Kaley	Niehaus	Stoa
Anderson, I.	Eckstein	Kalis	Novak	Suss
Anderson, R.	Eken	Kelly, W.	Osthoff	Swanson
Arlandson	Ellingson	Kempe, A.	Patton	Vanasek
Battaglia	Enebo	Kempe, R.	Peterson	Voss
Begich	Erickson	King	Petrafeso	Waldorf
Berg	Esau	Knickerbocker	Pleasant	Welch
Berglin	Evans	Kroening	Prahl	Wenstrom
Berkelman	Ewald	Kvam	Reding	Wenzel
Biersdorf	Faricy	Laidig	Rice	White
Birnstihl	Fjoslien	Lehto	Rose	Wieser
Brandl	Forsythe	Lemke	St. Onge	Wigley
Braun	Friedrich	Mangan	Samuelson	Williamson
Brinkman	Fudro	Mann	Sarna	Wynia
Byrne	Fugina	McCarron	Savelkoul	Zubay
Carlson, A.	George	McCollar	Scheid	Speaker Sabo
Carlson, D.	Gunter	McDonald	Schulz	
Carlson, L.	Haugerud	McEachern	Sherwood	
Cassery	Hokanson	Metzen	Sieben, H.	
Clark	Jacobs	Moe	Sieben, M.	

The bill was passed and its title agreed to.

H. F. No. 563, A bill for an act relating to Independent School District No. 721 (New Prague) and Independent School District No. 194 (Lakeville); providing for certain land to be detached from Independent School District No. 721 and annexed to Independent School District No. 194.

The bill was read for the third time and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 124 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Abeln	Berglin	Clark	Esau	Heinitz
Adams	Berkelman	Clawson	Evans	Hokanson
Albrecht	Biersdorf	Cohen	Ewald	Jacobs
Anderson, B.	Birnstihl	Corbid	Faricy	Jaros
Anderson, D.	Brandl	Cummiskey	Fjoslien	Jensen
Anderson, G.	Braun	Dahl	Forsythe	Johnson
Anderson, I.	Brinkman	Dean	Fudro	Jude
Anderson, R.	Eyrne	Den Ouden	Fugina	Kahn
Arlandson	Carlson, A.	Eckstein	George	Kaley
Battaglia	Carlson, D.	Eken	Gunter	Kalis
Begich	Carlson, L.	Enebo	Hanson	Kelly, W.
Berg	Cassery	Erickson	Haugerud	Kempe, A.

Kempe, R.	McEachern	Peterson	Sherwood	Voss
King	Metzen	Petrafaso	Sieben, H.	Waldorf
Knickerbocker	Moe	Pleasant	Sieben, M.	Welch
Kroening	Munger	Prahl	Simoneau	Wenstrom
Kvam	Murphy	Reding	Skoglund	Wenzel
Laidig	Neisen	Rice	Smogard	White
Lehto	Nelsen, B.	Rose	Spanish	Wieser
Lemke	Nelson	St. Onge	Stanton	Wigley
Mangan	Niehaus	Samuelson	Stoa	Williamson
Mann	Novak	Sarna	Suss	Wynia
McCarron	Osthoff	Savelkoul	Swanson	Zubay
McCollar	Patton	Scheid	Tomlinson	Speaker Sabo
McDonald	Pehler	Schulz	Vanasek	

The bill was passed and its title agreed to.

H. F. No. 146, A bill for an act relating to cities of the first class; establishing procedures for refunds of certain special assessments; amending Minnesota Statutes 1976, Section 430.07.

The bill was read for the third time and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 127 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Abeln	Clawson	Hokanson	Metzen	Sieben, H.
Adams	Cohen	Jacobs	Moe	Sieben, M.
Albrecht	Corbid	Jaros	Munger	Simoneau
Anderson, B.	Cummiskey	Jensen	Murphy	Skoglund
Anderson, D.	Dahl	Johnson	Neisen	Spanish
Anderson, G.	Dean	Jude	Nelsen, B.	Stanton
Anderson, I.	Den Ouden	Kahn	Nelson	Stoa
Anderson, R.	Eckstein	Kaley	Niehaus	Suss
Arlandson	Eken	Kalis	Novak	Swanson
Battaglia	Ellingson	Kelly, W.	Osthoff	Tomlinson
Beauchamp	Enebo	Kempe, A.	Patton	Vanasek
Begich	Erickson	Kempe, R.	Pehler	Voss
Berg	Esau	King	Peterson	Waldorf
Berglin	Evans	Knickerbocker	Petrafaso	Welch
Berkelman	Ewald	Kostohryz	Pleasant	Wenstrom
Biersdorf	Faricy	Kroening	Prahl	Wenzel
Birnstihl	Fjoslien	Kvam	Reding	White
Brandl	Forsythe	Laidig	Rice	Wieser
Braun	Friedrich	Lehto	Rose	Wigley
Brinkman	Fudro	Lemke	St. Onge	Williamson
Byrne	Fugina	Mangan	Samuelson	Wynia
Carlson, A.	George	Mann	Sarna	Zubay
Carlson, D.	Gunter	McCarron	Savelkoul	Speaker Sabo
Carlson, L.	Hanson	McCollar	Scheid	
Casserly	Haugerud	McDonald	Schulz	
Clark	Heinitz	McEachern	Sherwood	

The bill was passed and its title agreed to.

H. F. No. 465, A bill for an act relating to redevelopment; providing for membership on regional development commissions;

amending Minnesota Statutes 1976, Section 462.388, Subdivision 1.

The bill was read for the third time and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 130 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Abeln	Clawson	Jacobs	McEachera	Schulz
Adams	Cohen	Jaros	Metzen	Sherwood
Albrecht	Corbid	Jensen	Moe	Sieben, H.
Anderson, B.	Dahl	Johnson	Munger	Sieben, M.
Anderson, D.	Dean	Jude	Murphy	Simoneau
Anderson, G.	Den Ouden	Kahn	Neisen	Skoglund
Anderson, I.	Eckstein	Kaley	Nelsen, B.	Smogard
Anderson, R.	Eken	Kalis	Nelsen, M.	Spanish
Arlandson	Ellingson	Kelly, R.	Nelson	Stanton
Battaglia	Enebo	Kelly, W.	Niehau	Stoa
Beauchamp	Erickson	Kempe, A.	Norton	Suss
Begich	Esau	Kempe, R.	Novak	Swanson
Berg	Evans	King	Osthoff	Tomlinson
Berglin	Ewald	Knickerbocker	Patton	Vanasek
Berkelman	Faricy	Kostohryz	Pehler	Voss
Biersdorf	Fjoslien	Kroening	Peterson	Waldorf
Birnstihl	Forsythe	Kvam	Petrafeso	Welch
Brandl	Friedrich	Laidig	Prahl	Wenstrom
Braun	Fudro	Langseth	Reding	Wenzel
Brinkman	Fugina	Lehto	Rice	White
Byrne	George	Lemke	Rose	Wieser
Carlson, A.	Gunter	Mangan	St. Onge	Wigley
Carlson, D.	Hanson	Mann	Samuelson	Williamson
Carlson, L.	Haugerud	McCarron	Sarna	Wynia
Casserly	Heinitz	McCollar	Savelkoul	Zubay
Clark	Hokanson	McDonald	Scheid	Speaker Sabo

The bill was passed and its title agreed to.

H. F. No. 193, A bill for an act relating to the military; financing of armory construction; amending Minnesota Statutes 1976, Sections 193.143; 193.145, Subdivision 2; and 193.146, Subdivision 1; repealing Minnesota Statutes 1976, Section 193.1431.

The bill was read for the third time and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 130 yeas and 1 nay as follows:

Those who voted in the affirmative were:

Abeln	Anderson, G.	Beauchamp	Biersdorf	Byrne
Adams	Anderson, I.	Begich	Birnstihl	Carlson, A.
Albrecht	Anderson, R.	Berg	Brandl	Carlson, D.
Anderson, B.	Arlandson	Berglin	Braun	Carlson, L.
Anderson, D.	Battaglia	Berkelman	Brinkman	Casserly

Clark	George	Kvam	Novak	Skoglund
Clawson	Gunter	Laidig	Osthoff	Smogard
Cohen	Hanson	Langaeth	Patton	Spanish
Corbid	Haugerud	Lehto	Pehler	Stanton
Cummiskey	Heinitz	Lemke	Peterson	Stoa
Dahl	Hokanson	Mangan	Petraleso	Suss
Dean	Jacobs	Mann	Pleasant	Swanson
Den Ouden	Jaros	McCarron	Prahl	Tomlinson
Eckstein	Jensen	McCollar	Reding	Vanasek
Eken	Johnson	McDonald	Rice	Voss
Ellingson	Jude	McEachern	Rose	Waldorf
Enebo	Kahn	Metzen	St. Onge	Welch
Erickson	Kaley	Moe	Samuelson	Wenstrom
Esau	Kalis	Munger	Sarna	Wenzel
Evans	Kelly, R.	Murphy	Savelkoul	White
Ewald	Kempe, A.	Neisen	Scheid	Wieser
Fjoslien	Kempe, R.	Nelsen, B.	Schulz	Wigley
Forsythe	King	Nelsen, M.	Sherwood	Williamson
Friedrich	Knickerbocker	Nelson	Sieben, H.	Wynia
Fudro	Kostohryz	Niehaus	Sieben, M.	Zubay
Fugina	Kroening	Norton	Simoneau	Speaker Sabo

Those who voted in the negative were:

Faricy

The bill was passed and its title agreed to.

H. F. No. 1006, A bill for an act relating to agriculture; transferring certain functions relating to county agricultural societies from the state auditor and the commissioner of finance to the commissioner of agriculture; providing for the reimbursement of expenses of the commissioner of agriculture incurred in examining the records and accounts of county agricultural societies and certain other agricultural related societies or associations; amending Minnesota Statutes 1976, Sections 17.07; 38.02, Subdivisions 1, 2 and 3; 38.04; and 38.13.

The bill was read for the third time and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 131 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Abeln	Berkelman	Corbid	Fjoslien	Johnson
Adams	Biersdorf	Cummiskey	Forsythe	Jude
Albrecht	Birnstihl	Dahl	Friedrich	Kahn
Anderson, B.	Brandl	Dean	Fudro	Kaley
Anderson, D.	Braun	Den Ouden	Fugina	Kalis
Anderson, G.	Brinkman	Eckstein	George	Kelly, R.
Anderson, I.	Byrne	Eken	Gunter	Kelly, W.
Anderson, R.	Carlson, A.	Ellingson	Hanson	Kempe, A.
Arlandson	Carlson, D.	Enebo	Haugerud	Kempe, R.
Battaglia	Carlson, L.	Erickson	Heinitz	King
Beauchamp	Casserly	Esau	Hokanson	Knickerbocker
Begich	Clark	Evans	Jacobs	Kostohryz
Berg	Clawson	Ewald	Jaros	Kroening
Berglin	Cohen	Faricy	Jensen	Kvam

Laidig	Murphy	Pleasant	Sieben, M.	Wenstrom
Langseth	Neisen	Prahl	Simoneau	Wenzel
Lehto	Nelsen, B.	Reding	Skoglund	White
Lemke	Nelsen, M.	Rice	Smogard	Wieser
Mangan	Nelson	Rose	Spanish	Wigley
Mann	Niehaus	St. Onge	Stanton	Williamson
McCarron	Norton	Samuelson	Stoa	Wynia
McCollar	Novak	Sarna	Suss	Zubay
McDonald	Osthoff	Savelkoul	Swanson	Speaker Sabo
McEachern	Patton	Scheid	Tomlinson	
Metzen	Pehler	Schulz	Vanasek	
Moe	Peterson	Sherwood	Waldorf	
Munger	Petrafeso	Sieben, H.	Welch	

The bill was passed and its title agreed to.

H. F. No. 971 was reported to the House.

There being no objection, H. F. No. 971 was continued on the Consent Calendar for one day.

H. F. No. 691, A bill for an act relating to state lands; directing the exchange of certain public lands bordering on public waters in Lincoln county.

The bill was read for the third time and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 130 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Abeln	Clawson	Hokanson	Metzen	Schulz
Adams	Cohen	Jacobs	Moe	Sherwood
Albrecht	Corbid	Jaros	Munger	Sieben, H.
Anderson, B.	Cummiskey	Jensen	Murphy	Sieben, M.
Anderson, D.	Dahl	Johnson	Neisen	Simoneau
Anderson, G.	Dean	Jude	Nelsen, B.	Skoglund
Anderson, I.	Den Ouden	Kaley	Nelsen, M.	Smogard
Anderson, R.	Eckstein	Kalis	Nelson	Spanish
Arlandson	Eken	Kelly, R.	Niehaus	Stanton
Battaglia	Ellingson	Kelly, W.	Norton	Stoa
Beauchamp	Enebo	Kempe, A.	Novak	Suss
Begich	Erickson	Kempe, R.	Osthoff	Swanson
Berg	Esau	King	Patton	Tomlinson
Berglin	Evans	Knickerbocker	Pehler	Vanasek
Berkelman	Ewald	Kostohryz	Peterson	Voss
Biersdorf	Farcy	Kroening	Petrafeso	Waldorf
Birnstihl	Fjoslien	Kvam	Pleasant	Welch
Brandl	Forsythe	Laidig	Prahl	Wenstrom
Braun	Friedrich	Langseth	Reding	Wenzel
Brinkman	Fudro	Lehto	Rice	White
Byrne	Fugina	Lemke	Rose	Wieser
Carlson, A.	George	Mangan	St. Onge	Wigley
Carlson, D.	Gunter	Mann	Samuelson	Williamson
Carlson, L.	Hanson	McCollar	Sarna	Wynia
Casserly	Haugerud	McDonald	Savelkoul	Zubay
Clark	Heinitz	McEachern	Scheid	Speaker Sabo

The bill was passed and its title agreed to.

S. F. No. 74, A bill for an act relating to agriculture; potato grading; application; repealing Minnesota Statutes 1976, Section 30.101.

The bill was read for the third time and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 129 yeas and 1 nay as follows:

Those who voted in the affirmative were:

Abeln	Clawson	Hokanson	McDonald	Schulz
Adams	Cohen	Jacobs	Metzen	Sherwood
Albrecht	Corbid	Jaros	Moe	Sieben, H.
Anderson, B.	Cummiskey	Jensen	Munger	Sieben, M.
Anderson, D.	Dahl	Johnson	Murphy	Simoneau
Anderson, G.	Dean	Jude	Neisen	Skoglund
Anderson, I.	Den Ouden	Kahn	Nelsen, B.	Smogard
Anderson, R.	Eckstein	Kaley	Nelsen, M.	Stanton
Arlandson	Eken	Kalis	Nelson	Stoa
Battaglia	Ellingson	Kelly, R.	Niehaus	Suss
Beauchamp	Enebo	Kelly, W.	Norton	Swanson
Begich	Erickson	Kempe, A.	Novak	Tomlinson
Berg	Esau	Kempe, R.	Osthoff	Vanasek
Berglin	Evans	King	Patton	Voss
Berkelman	Ewald	Knickerbocker	Pehler	Waldorf
Biersdorf	Farcy	Kostohryz	Peterson	Welch
Birnstihl	Fjoslien	Kroening	Petrafaso	Wenstrom
Brandl	Forsythe	Kvam	Prahl	Wenzel
Braun	Friedrich	Laidig	Reding	White
Brinkman	Fudro	Langseth	Rice	Wieser
Byrne	Fugina	Lehto	Rose	Wigley
Carlson, A.	George	Lemke	St. Onge	Williamson
Carlson, D.	Gunter	Mangan	Samuelson	Wynia
Carlson, L.	Hanson	Mann	Sarna	Zubay
Casserly	Haugerud	McCarron	Savelkoul	Speaker Sabo
Clark	Heinitz	McCollar	Scheid	

Those who voted in the negative were:

McEachern

The bill was passed and its title agreed to.

CALENDAR

H. F. No. 521, A bill for an act relating to Independent School District No. 196 (Rosemount) and Independent School District No. 194 (Lakeville); providing for certain land to be detached from Independent School District No. 196 and annexed to Independent School District No. 194.

The bill was read for the third time and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 131 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Abeln	Cohen	Jaros	Moe	Sieben, M.
Adams	Corbid	Jensen	Murphy	Simoneau
Albrecht	Cummiskey	Johnson	Neisen	Skoglund
Anderson, B.	Dahl	Jude	Nelsen, B.	Smogard
Anderson, D.	Dean	Kahn	Nelsen, M.	Spanish
Anderson, G.	Den Ouden	Kaley	Nelson	Stanton
Anderson, I.	Eckstein	Kahis	Niehaus	Stoa
Anderson, R.	Eken	Kelly, R.	Norton	Suss
Arlandson	Ellingson	Kelly, W.	Novak	Swanson
Battaglia	Enebo	Kempe, A.	Osthoff	Tomlinson
Beauchamp	Erickson	Kempe, R.	Patton	Vanasek
Begich	Esau	King	Pehler	Voss
Berg	Evans	Knickerbocker	Peterson	Waldorf
Berglin	Ewald	Kostohryz	Petraleso	Welch
Berkelman	Faricy	Kroening	Pleasant	Wenstrom
Biersdorf	Fjoslien	Kvam	Prahl	Wenzel
Birnstihl	Forsythe	Laidig	Reding	White
Brandl	Friedrich	Langseth	Rice	Wieser
Braun	Fudro	Lehto	Rose	Wigley
Brinkman	Fugina	Lemke	St. Onge	Williamson
Byrne	George	Mangan	Samuelson	Wynia
Carlson, A.	Gunter	Mann	Sarna	Zubay
Carlson, D.	Hanson	McCarron	Savelkoul	Speaker Sabo
Carlson, L.	Haugerud	McCollar	Scheid	
Casserly	Heinitz	McDonald	Schulz	
Clark	Hokanson	McEachern	Sherwood	
Clawson	Jacobs	Metzen	Sieben, H.	

The bill was passed and its title agreed to.

S. F. No. 86, A bill for an act relating to real property; registration of title thereto; providing for changes in the persons who may register land and in the contents of the application for registration; permitting the registration of appurtenant easements over unregistered land and establishing procedures for such registration; changing the period during which the application shall constitute notice; changing the period for appeal from a final decree and establishing a period for appeal to the supreme court from an order of the district court made after the original registration of land; providing that money judgments may be filed on certificates of title only when the judgment debtor has a registered interest therein; prescribing fees of the registrar for the assurance fund; amending Minnesota Statutes 1976, Sections 508.03; 508.04; 508.06; 508.11; 508.23; 508.29; 508.63 and 508.74.

The bill was read for the third time and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 127 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Abeln	Anderson, B.	Anderson, I.	Battaglia	Berg
Adams	Anderson, D.	Anderson, R.	Beauchamp	Berglin
Albrecht	Anderson, G.	Arlandson	Begich	Berkelman

Biersdorf	Ewald	Kempe, R.	Nelson	Smogard
Birnstihl	Faricy	King	Niehaus	Spanish
Braun	Fjoslien	Knickerbocker	Norton	Stanton
Brinkman	Forsythe	Kostohryz	Novak	Stoa
Byrne	Friedrich	Kroening	Osthoff	Suss
Carlson, A.	Fudro	Kvam	Patton	Swanson
Carlson, D.	Fugina	Laidig	Peterson	Tomlinson
Carlson, L.	George	Langseth	Petrafeso	Vanasek
Casserly	Gunter	Lehto	Pleasant	Voss
Clark	Hanson	Lemke	Prahl	Waldorf
Clawson	Haugerud	Mangan	Reding	Welch
Cohen	Heinitz	Mann	Rice	Wenstrom
Corbid	Hokanson	McCarron	Rose	Wenzel
Dahl	Jacobs	McCollar	St. Onge	White
Dean	Jaros	McDonald	Samuelson	Wieser
Den Ouden	Jensen	McEachern	Sarna	Wigley
Eckstein	Johnson	Metzen	Savelkoul	Williamson
Eken	Jude	Moe	Scheid	Wynia
Ellingson	Kaley	Munger	Schulz	Zubay
Enebo	Kalis	Murphy	Sherwood	Speaker Sabo
Erickson	Kelly, R.	Neisen	Sieben, H.	
Esau	Kelly, W.	Nelsen, B.	Sieben, M.	
Evans	Kempe, A.	Nelsen, M.	Skoglund	

The bill was passed and its title agreed to.

H. F. No. 242 was reported to the House and given its third reading.

There being no objection, H. F. No. 242 was continued on the Calendar for one day.

H. F. No. 681, A bill for an act relating to commerce; providing for state procurement from small business; providing a bonding mechanism for small business; amending Minnesota Statutes 1976, Sections 16.082, by adding a subdivision; and 16.083, Subdivision 2.

The bill was read for the third time and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 132 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Abein	Berglin	Clawson	Evans	Hokanson
Adams	Berkelman	Cohen	Ewald	Jacobs
Albrecht	Biersdorf	Corbid	Faricy	Jaros
Anderson, B.	Birnstihl	Cummiskey	Fjoslien	Jensen
Anderson, D.	Brandl	Dahl	Forsythe	Johnson
Anderson, G.	Braun	Dean	Friedrich	Jude
Anderson, I.	Brinkman	Den Ouden	Fudro	Kahn
Anderson, R.	Byrne	Eckstein	Fugina	Kaley
Arlandson	Carlson, A.	Eken	George	Kalis
Battaglia	Carlson, D.	Ellingson	Gunter	Kelly, R.
Beauchamp	Carlson, L.	Enebo	Hanson	Kelly, W.
Begich	Casserly	Erickson	Haugerud	Kempe, A.
Berg	Clark	Esau	Heinitz	Kempe, R.

King	McEachern	Pehler	Sherwood	Waldorf
Knickerbocker	Metzen	Peterson	Sieben, H.	Welch
Kostohryz	Moe	Petrafeso	Sieben, M.	Wenstrom
Kroening	Munger	Pleasant	Simoneau	Wenzel
Kvam	Murphy	Prahl	Skoglund	White
Laidig	Neisen	Reding	Smogard	Wieser
Langseth	Nelsen, B.	Rice	Spanish	Wigley
Lehto	Nelsen, M.	Rose	Stanton	Williamson
Lemke	Nelson	St. Onge	Stoa	Wynia
Mangan	Niehaus	Samuelson	Suss	Zubay
Mann	Norton	Sarna	Swanson	Speaker Sabo
McCarron	Novak	Savelkoul	Tomlinson	
McCollar	Osthoff	Scheid	Vanasek	
McDonald	Patton	Schulz	Voss	

The bill was passed and its title agreed to.

Anderson, I., moved that the remaining bills on the Calendar for today be continued on the Calendar for one day. The motion prevailed.

GENERAL ORDERS

There being no objection, the bills on General Orders for today were continued on General Orders until Wednesday, April 6, 1977.

MOTIONS AND RESOLUTIONS

George moved that the name of Adams be added as chief author and the name of George be shown as second author on H. F. No. 1227. The motion prevailed.

Pehler moved that the name of Heinitz be added as an author on H. F. No. 1191. The motion prevailed.

Anderson, I., moved that when the House adjourns today it adjourn until 2:00 p.m., Wednesday, April 6, 1977. The motion prevailed.

Anderson, I., moved that the House recess subject to the call of the Chair to meet with the Senate in Joint Convention. The motion prevailed.

RECESS

RECONVENED

The House reconvened and was called to order by the Speaker.

The Sergeant at Arms announced the arrival of the members of the Senate, and they were escorted to the seats reserved for them in the House Chamber.

JOINT CONVENTION

At 4:00 p.m. pursuant to House Concurrent Resolution No. 4, the Speaker of the House as President of the Joint Convention called the Joint Convention of the Senate and the House of Representatives to order.

Prayer was offered by the Chaplain.

The roll being called, the following Senators answered to their names: Anderson, Ashbach, Bang and Benedict.

Anderson, I., moved that further proceedings of the roll call be dispensed with. The motion prevailed.

A quorum was declared present.

Hughes and Fugina moved that the following be the procedure of this Joint Convention:

The report of the Joint Meeting of the Senate Committee on Education and the House Committee on Higher Education, pursuant to House Concurrent Resolution No. 4, shall submit a slate of two At-Large, one At-Large student or recent graduate member as required by Minnesota Statutes 1976, Section 137.023, and two Congressional District members on the Board of Regents of the University of Minnesota.

Nominations may be made from the floor of the Convention but shall be in the form of an amendment to the report as submitted by the Joint Meeting of the Senate Committee on Education and the House Committee on Higher Education. Such amendment shall be in the form of striking a designated nominee's name and inserting the name of the proposed nominee.

The roll shall be called on the election of the five members on the Board of Regents of the University of Minnesota. The nominee for each position receiving the highest number of votes shall be declared elected, provided however, that no nominee shall be elected unless the nominee receives at least 101 affirmative votes.

The motion prevailed and the report on procedure was adopted.

REPORT OF JOINT MEETING OF SENATE COMMITTEE ON
EDUCATION AND HOUSE COMMITTEE ON HIGHER EDUCATION

To the Honorable Martin Olav Sabo, Speaker of the House of Representatives, as President of the Joint Convention of the Senate and House of Representatives meeting for the purpose of electing members of the Board of Regents of the University of Minnesota:

The Senate Committee on Education and the House Committee on Higher Education, respectively, having met in a joint meeting and having adopted a slate of nominations for membership on the Board of Regents of the University of Minnesota, make the following report:

We have met and selected the following named persons as nominees for membership on the Board of Regents of the University of Minnesota, each to hold his or her respective office for the term specified from the first Monday of February, 1977:

Charles F. McGuiggan, At Large, six years

Wenda Moore, At Large, six years

Michael Unger (Student or recent graduate), At Large, six years

Mary Schertler, 4th Congressional District, two years

David M. Lebedoff, 5th Congressional District, six years

We hereby submit the names of said persons in nomination for the offices and terms hereinbefore designated.

Respectfully submitted,

JEROME M. HUGHES, Chairman
Senate Education Committee
PETER X. FUGINA, Chairman
House Higher Education Committee

Hughes and Fugina moved that the report of the joint meeting of the Senate Committee on Education and the House Committee on Higher Education nominating five persons for membership on the Board of Regents of the University of Minnesota be adopted.

Senator Ashbach moved pursuant to the procedure adopted by the Joint Convention to amend the report by striking the name of Charles F. McGuiggan and inserting the name of Loanne Thrane. The motion did not prevail and the amendment to the report of nominees was not adopted.

The question recurred on the adoption of the report of nominees for membership on the Board of Regents of the University of Minnesota. The motion prevailed and the report was adopted.

Hughes and Fugina moved that nominations be closed and that the Joint Convention proceed to the election of five persons for membership on the Board of Regents of the University of Minnesota. The motion prevailed.

ELECTION OF BOARD OF REGENTS

The Secretary called the roll on the election.

The following voted for Charles F. McGuiggan, At Large, for a six year term:

SENATE ROLL CALL

Anderson	Gunderson	Lewis	Olson	Staples
Benedict	Hanson	Luther	Penny	Stokowski
Borden	Hughes	McCutcheon	Perpich	Strand
Chenoweth	Humphrey	Menning	Peterson	Stumpf
Chmielewski	Johnson	Merriam	Purfeerst	Tennessee
Coleman	Keefe, S.	Milton	Schaaf	Vega
Dieterich	Knutson	Moe	Sikorski	Wegener
Dunn	Laufenburger	Nelson	Solon	
Gearty	Lessard	Nichols	Spear	

HOUSE OF REPRESENTATIVES ROLL CALL

Abeln	Cohen	Kahn	Murphy	Skoglund
Adams	Corbid	Kelly, R.	Neisen	Smogard
Anderson, B.	Cummiskey	Kelly, W.	Nelsen, M.	Spanish
Anderson, G.	Dahl	Kempe, A.	Nelson	Stanton
Anderson, I.	Eckstein	Kempe, R.	Norton	Stoa
Arlandson	Eken	King	Novak	Swanson
Battaglia	Ellingson	Kostohryz	Osthoff	Tomlinson
Beauchamp	Enebo	Kroening	Patton	Vanasek
Begich	Faricy	Langseth	Pehler	Voss
Berg	Fudro	Lehto	Petraleso	Waldorf
Berglin	Fugina	Lemke	Prahl	Welch
Berkelman	George	Mangan	Rice	Wenstrom
Brandl	Gunter	Mann	Samuelson	White
Braun	Hanson	McCarron	Sarna	Wieser
Byrne	Haugerud	McCollar	Scheid	Williamson
Carlson, L.	Hokanson	McEachern	Schulz	Wynia
Casserly	Jacobs	Metzen	Sieben, H.	Speaker Sabo
Clark	Jaros	Moe	Sieben, M.	
Clawson	Jensen	Munger	Simoneau	

The following voted for Wenda Moore, At Large, for a six year term:

SENATE ROLL CALL

Anderson	Gunderson	Lewis	Perpich	Staples
Ashbach	Hanson	Luther	Peterson	Stokowski
Bang	Hughes	McCutcheon	Pillsbury	Strand
Benedict	Humphrey	Menning	Purfeerst	Stumpf
Bernhagen	Jensen	Merriam	Schaaf	Tennessee
Borden	Johnson	Milton	Schmitz	Ueland, A.
Brataas	Keefe, J.	Moe	Schrom	Ulland, J.
Chenoweth	Keefe, S.	Nelson	Setzepfandt	Vega
Coleman	Kirchner	Nichols	Sieloff	Wegener
Dieterich	Kleinbaum	Ogdahl	Sikorski	
Engler	Knoll	Olhoft	Sillors	
Frederick	Laufenburger	Olson	Solon	
Gearty	Lessard	Penny	Spear	

HOUSE OF REPRESENTATIVES ROLL CALL

Abeln	Clark	Jacobs	Moe	Sieben, H.
Adams	Clawson	Jaros	Munger	Sieben, M.
Albrecht	Cohen	Jensen	Murphy	Simoneau
Anderson, B.	Corbid	Johnson	Neisen	Skoglund
Anderson, D.	Cummiskey	Kahn	Nelsen, B.	Smogard
Anderson, I.	Dahl	Kaley	Nelsen, M.	Spanish
Anderson, R.	Dean	Kalis	Nelson	Stanton
Arlandson	Den Ouden	Kelly, R.	Niehhaus	Stoa
Battaglia	Eckstein	Kelly, W.	Norton	Suss
Beauchamp	Ellingson	Kempe, A.	Novak	Swanson
Begich	Enebo	King	Osthoff	Tomlinson
Berg	Erickson	Knickerbocker	Patton	Vanasek
Berglin	Esau	Kostohryz	Petraleso	Voss
Berkelman	Faricy	Kroening	Pleasant	Waldorf
Birnstihl	Fjoslien	Langseth	Prahl	Welch
Brandl	Forsythe	Lehto	Reding	Wenstrom
Braun	Fudro	Lemke	Rice	Wenzel
Brinkman	Fugina	Mangan	Rose	White
Byrne	George	Mann	St. Onge	Williamson
Carlson, A.	Hanson	McCarron	Samuelson	Wynia
Carlson, D.	Haugerud	McCollar	Sarna	Zubay
Carlson, L.	Heintz	McEachern	Savelkoul	Speaker Sabo
Casserly	Hokanson	Metzen	Schulz	

The following voted for Michael Unger (Student or recent graduate), At Large, for a six year term:

SENATE ROLL CALL

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

HOUSE OF REPRESENTATIVES ROLL CALL

Abeln	Brandl	Ellingson	Jacobs	Lehto
Adams	Braun	Enebo	Jaros	Lemke
Albrecht	Brinkman	Erickson	Jensen	Mangan
Anderson, B.	Byrne	Esau	Johnson	Mann
Anderson, D.	Carlson, A.	Evans	Jude	McCarron
Anderson, G.	Carlson, D.	Ewald	Kahn	McCollar
Anderson, I.	Carlson, L.	Faricy	Kaley	McDonald
Anderson, R.	Casserly	Fjoslien	Kalis	McEachern
Arlandson	Clark	Forsythe	Kelly, R.	Metzen
Battaglia	Clawson	Friedrich	Kelly, W.	Moe
Beauchamp	Cohen	Fudro	Kempe, A.	Munger
Begich	Corbid	Fugina	Kempe, R.	Murphy
Berg	Cummiskey	George	King	Neisen
Berglin	Dahl	Gunter	Kostohryz	Nelsen, B.
Berkelman	Dean	Hanson	Kroening	Nelsen, M.
Biersdorf	Eckstein	Haugerud	Laidig	Nelson
Birnstihl	Eken	Hokanson	Langseth	Niehhaus

Norton	Rice	Sherwood	Stoa	Wenzel
Novak	Rose	Sieben, H.	Swanson	White
Osthoff	St. Onge	Sieben, M.	Tomlinson	Wieser
Pehler	Samuelson	Simoneau	Vanasek	Williamson
Peterson	Sarna	Skoglund	Voss	Wynia
Petrafeso	Savelkoul	Smogard	Waldorf	Zubay
Prahl	Scheid	Spanish	Welch	Speaker Sabo
Reding	Schulz	Stanton	Wenstrom	

The following voted for Mary Schertler, 4th Congressional District, for a two year term:

SENATE ROLL CALL

Anderson	Gunderson	Lessard	Penny	Staples
Ashbach	Hanson	Lewis	Perpich	Stokowski
Bang	Hughes	Luther	Peterson	Strand
Benedict	Humphrey	McCutcheon	Pillsbury	Stumpf
Bernhagen	Jensen	Menning	Purfeerst	Tennessee
Borden	Johnson	Merriam	Schaaf	Ueland, A.
Brataas	Keefe, J.	Milton	Schmitz	Ulland, J.
Chenoweth	Keefe, S.	Moe	Setzepfandt	Vega
Coleman	Kirchner	Nelson	Sieloff	Wegener
Dieterich	Kleinbaum	Nichols	Sikorski	Willet
Engler	Knoll	Ogdahl	Sillers	
Frederick	Knutson	Olhoff	Solon	
Gearty	Laufenburger	Olson	Spear	

HOUSE OF REPRESENTATIVES ROLL CALL

Abeln	Clawson	Jacobs	Metzen	Sherwood
Adams	Cohen	Jaros	Moe	Sieben, H.
Albrecht	Corbid	Jensen	Munger	Sieben, M.
Anderson, B.	Cummiskey	Johnson	Murphy	Simoneau
Anderson, D.	Dahl	Jude	Neisen	Skoglund
Anderson, G.	Den Ouden	Kahn	Nelsen, B.	Smogard
Anderson, I.	Eckstein	Kaley	Nelsen, M.	Spanish
Anderson, R.	Eken	Kalis	Nelson	Stanton
Arlandson	Ellingson	Kelly, R.	Niehau	Stoa
Battaglia	Enebo	Kelly, W.	Norton	Suss
Beauchamp	Erickson	Kempe, A.	Novak	Swanson
Begich	Esau	Kempe, R.	Osthoff	Tomlinson
Berg	Evans	King	Patton	Vanasek
Berglin	Ewald	Knickerbocker	Pehler	Voss
Berkelman	Faricy	Kostohryz	Peterson	Waldorf
Biersdorf	Fjoslien	Kroening	Petrafeso	Welch
Birnstihl	Forsythe	Laidig	Prahl	Wenstrom
Brandl	Friedrich	Langseth	Reding	Wenzel
Braun	Fudro	Lehto	Rice	White
Brinkman	Fugina	Lemke	Rose	Wieser
Byrne	George	Mangan	St. Onge	Williamson
Carlson, A.	Gunter	Mann	Samuelson	Wynia
Carlson, D.	Hanson	McCarron	Sarna	Zubay
Carlson, L.	Haugerud	McCollar	Savelkoul	Speaker Sabo
Casserly	Heinitz	McDonald	Scheid	
Clark	Hokanson	McEachern	Schulz	

The following voted for David M. Lebedoff, 5th Congressional District, for a six year term:

SENATE ROLL CALL

Anderson	Gearty	Laufenburger	Olson	Solon
Ashbach	Gunderson	Lessard	Penny	Spear
Bang	Hanson	Lewis	Perpich	Staples
Benedict	Hughes	Luther	Peterson	Stokowski
Bernhagen	Humphrey	McCutcheon	Pillsbury	Strand
Borden	Jensen	Menning	Purfeerst	Stumpf
Brataas	Johnson	Merriam	Renneke	Tennessee
Chenoweth	Keefe, J.	Milton	Schaaf	Ueland, A.
Coleman	Keefe, S.	Moe	Schmitz	Ulland, J.
Dieterich	Kirchner	Nelson	Setzefandt	Vega
Dunn	Kleinbaum	Nichols	Sieloff	Wegener
Engler	Knoll	Ogdahl	Sikorski	Willett
Frederick	Knutson	Olhoft	Sillers	

HOUSE OF REPRESENTATIVES ROLL CALL

Abeln	Cohen	Jacobs	Metzen	Sherwood
Adams	Corbid	Jaros	Moe	Sieben, H.
Albrecht	Cummiskey	Jensen	Munger	Sieben, M.
Anderson, B.	Dahl	Johnson	Murphy	Simoneau
Anderson, D.	Dean	Jude	Neisen	Skoglund
Anderson, G.	Den Ouden	Kahn	Nelsen, B.	Smogard
Anderson, I.	Eckstein	Kaley	Nelsen, M.	Spanish
Anderson, R.	Eken	Kalis	Nelson	Stanton
Arlandson	Ellingson	Kelly, R.	Niehaus	Stoa
Battaglia	Enebo	Kelly, W.	Norton	Suss
Beauchamp	Erickson	Kempe, A.	Novak	Swanson
Begich	Esau	Kempe, R.	Osthoff	Tomlinson
Berg	Evans	King	Patton	Vanasek
Berglin	Ewald	Knickerbocker	Pehler	Voss
Berkelman	Faricy	Kostohryz	Peterson	Waldorf
Biersdorf	Fjoslien	Kroening	Petrafeso	Welch
Birnstihl	Forsythe	Laidig	Prahl	Wenstrom
Brandl	Friedrich	Langseth	Reding	Wenzel
Braun	Fudro	Lehto	Rice	White
Brinkman	Fugina	Lemke	Rose	Wieser
Byrne	George	Mangan	St. Onge	Williamson
Carlson, A.	Gunter	Mann	Samuelson	Wynia
Carlson, L.	Hanson	McCarron	Sarna	Zubay
Casserly	Haugerud	McCollar	Savelkoul	Speaker Sabo
Clark	Heinitz	McDonald	Scheid	
Clawson	Hokanson	McEachern	Schulz	

The following voted for Loanne Thrane, At Large, for a six year term:

SENATE ROLL CALL

Ashbach	Dunn	Kirchner	Renneke	Ueland, A.
Bang	Engler	Knutson	Schmitz	Ulland, J.
Bernhagen	Frederick	Ogdahl	Schrom	Willett
Brataas	Jensen	Olhoft	Sieloff	
Chmielewski	Keefe, J.	Pillsbury	Sillers	

HOUSE OF REPRESENTATIVES ROLL CALL

Albrecht	Den Ouden	Friedrich	McDonald	Sherwood
Anderson, D.	Eken	Heinitz	Nelsen, B.	Wenzel
Anderson, G.	Erickson	Jude	Niehaus	Wieser
Anderson, R.	Esau	Kaley	Peterson	Wigley
Biersdorf	Evans	Kempe, R.	Pleasant	Zubay
Carlson, A.	Ewald	Knickerbocker	Rose	
Carlson, D.	Fjoslien	Kvam	St. Onge	
Dean	Forsythe	Laidig	Savelkoul	

The following Senators voted for George Rauenhorst, At Large, for a six year term: Renneke and Setzepfandt. The following Representatives voted for George Rauenhorst, At Large, for a six year term: Biersdorf; Carlson, D.; Dean; Den Ouden; Ewald; Friedrich; Gunter; Kvam; Peterson; Reding and Wigley.

The following Senators voted for Richard Tanner, At Large, for a six year term: Knoll, Ulland, J., and Willet. The following Representatives voted for Richard Tanner, At Large, for a six year term: Evans, Heinitz, Knickerbocker, Laidig, McDonald, Pleasant, Scheid and Sherwood.

The following Representatives voted for William Dietrich, At Large, for a six year term: Birnstihl, Johnson, Kalis and Suss.

The following Senator voted for Roger Nierengarten, At Large, for a six year term: Kleinbaum. The following Representatives voted for Roger Nierengarten, At Large, for a six year term: Brinkman, Patton and Pehler.

The following Representative voted for Mary Willis, At Large, for a six year term: Jude.

Anderson, I., moved that the roll be closed. The motion prevailed.

DECLARATION OF ELECTION

Charles F. McGuiggan, At Large, six years; Wenda Moore, At Large, six years; Michael Unger (Student or recent graduate), At Large, six years; Mary Schertler, 4th Congressional District, two years; David M. Lebedoff, 5th Congressional District, six years; having received the largest number of votes of the Joint Convention were declared by the President to be elected to the Board of Regents of the University of Minnesota for terms beginning the first Monday of February, 1977.

Anderson, I., moved that the Joint Convention arise. The motion prevailed and the President declared the Joint Convention adjourned.

RECONVENED

The House reconvened and was called to order by the Speaker.

ADJOURNMENT

Anderson, I., moved that the House adjourn. The motion prevailed, and the Speaker declared the House stands adjourned until 2:00 p.m., Wednesday, April 6, 1977.

EDWARD A. BURDICK, Chief Clerk, House of Representatives

STATE OF MINNESOTA

SEVENTIETH SESSION - 1977

THIRTY-FIRST DAY

SAINT PAUL, MINNESOTA, WEDNESDAY, APRIL 6, 1977

The House of Representatives convened at 2:00 p.m. and was called to order by the Speaker.

Prayer was offered by the Chaplain.

The roll was called and the following members were present:

Abeln	Cohen	Jaros	Moe	Searles
Adams	Corbid	Jensen	Munger	Sherwood
Albrecht	Cummiskey	Johnson	Murphy	Sieben, H.
Anderson, B.	Dahl	Jude	Neisen	Sieben, M.
Anderson, D.	Dean	Kahn	Nelsen, B.	Simoneau
Anderson, G.	Den Ouden	Kaley	Nelsen, M.	Skoglund
Anderson, I.	Eckstein	Kalis	Nelson	Smogard
Anderson, R.	Eken	Kelly, R.	Niehaus	Spanish
Arlandson	Ellingson	Kelly, W.	Norton	Stanton
Battaglia	Enebo	Kempe, A.	Novak	Stoa
Beauchamp	Erickson	Kempe, R.	Osthoff	Suss
Begich	Esau	King	Patton	Swanson
Berg	Evans	Knickerbocker	Pehler	Tomlinson
Berglin	Ewald	Kostohryz	Peterson	Vanasek
Berkelman	Faricy	Kroening	Petrafaso	Voss
Biersdorf	Fjoslien	Kvam	Pleasant	Waldorf
Birnstihl	Forsythe	Laidig	Prahl	Welch
Brandl	Friedrich	Langseth	Reding	Wenstrom
Braun	Fudro	Lehto	Rice	Wenzel
Brinkman	Fugina	Lemke	Rose	White
Byrne	George	Mangan	St. Onge	Wieser
Carlson, A.	Gunter	Mann	Samuelson	Wigley
Carlson, D.	Hanson	McCarron	Sarna	Williamson
Carlson, L.	Hangerud	McCollar	Savelkoul	Wynia
Casserly	Heimitz	McDonald	Scheid	Zubay
Clark	Hokanson	McEachern	Schulz	Speaker Sabo
Clawson	Jacobs	Metzen	Searle	

A quorum was present.

The Chief Clerk proceeded to read the Journal of the preceding day. Erickson moved that further reading of the Journal be dispensed with and that the Journal be approved as corrected by the Chief Clerk. The motion prevailed.

REPORTS OF CHIEF CLERK

Pursuant to Rules of the House, printed copies of H. F. Nos. 800, 445, 720, 489, 524, 993, 707, 676 and 293 have been placed in the members' files.

PETITIONS AND COMMUNICATIONS

The following communication was received:

STATE OF MINNESOTA
OFFICE OF THE GOVERNOR
SAINT PAUL

April 6, 1977

The Honorable Martin Sabo
Speaker of the House

Dear Sir:

I have the honor to inform you that I received, approved, signed and deposited in the Office of the Secretary of State the following House Files:

H.F. No. 382, An act relating to highway traffic regulations; limiting the motorcycle helmet requirement to persons under 18 and persons holding instruction permits.

H.F. No. 383, An act relating to agriculture; potato industry promotion; providing for an increase in the assessment levied.

H.F. No. 464, An act relating to licensed occupations; providing for reciprocity in licensing for plumbers licensed in other states.

Sincerely,

RUDY PERPICH
Governor

REPORTS OF STANDING COMMITTEES

Mann from the Committee on Agriculture to which was referred:

H. F. No. 79, A bill for an act relating to real estate; placing restrictions on who may acquire title; providing enforcement powers; providing penalty; amending Minnesota Statutes 1976,

Chapter 500, by adding a section; repealing Minnesota Statutes 1976, Section 500.22.

Reported the same back with the following amendments:

Strike everything after the enacting clause and insert:

“Section 1. Minnesota Statutes 1976, Chapter 500, is amended by adding a section to read:

[500.221] [RESTRICTIONS ON ACQUISITION OF TITLE.] *Subdivision 1. [DEFINITIONS.] For purposes of this section, “agricultural land” means land capable of use in the production of agricultural crops, livestock or livestock products, poultry or poultry products, milk or dairy products, or fruit and other horticultural products. For the purposes of this section, “interest in agricultural land” includes any leasehold interest.*

Subd. 2. [ALIENS AND NONAMERICAN CORPORATIONS.] Except as hereinafter provided, no natural person shall hereafter acquire directly or indirectly any interest in agricultural land unless he be a citizen of the United States or a permanent resident alien of the United States and, in addition to the restrictions in section 500.24, no corporation, partnership, limited partnership, trustee, or other business entity shall hereafter, directly or indirectly, acquire or otherwise obtain any interest, whether legal, beneficial or otherwise, in any title to agricultural land unless at least 80 percent of each class of stock issued and outstanding or 80 percent of the ultimate beneficial interest of such entity is held directly or indirectly by citizens of the United States or permanent resident aliens. This section shall not apply to agricultural land that may be acquired by devise, inheritance, as security for indebtedness, by process of law in the collection of debts, or by any procedure for the enforcement of a lien or claim thereon, whether created by mortgage or otherwise; provided, that all agricultural land so acquired in the collection of debts or by the enforcement of a lien or claim shall be disposed of within three years after acquiring ownership. Further, the provisions of this section shall not apply to citizens or subjects of a foreign country whose rights to hold land are secured by treaty or lands used for transportation purposes by a common carrier, as defined in section 218.011, subdivision 2. Further, the provisions of this section shall not apply to agricultural land operated for research or experimental purposes, provided that the ownership of the agricultural land shall be incidental to the research or experimental objectives of the person or business entity, and provided that total acreage owned by the person or business entity does not exceed the acreage owned on the effective date of this section.

Subd. 3. [ENFORCEMENT.] If the attorney general has reason to believe that any person is violating subdivision 2, he

shall commence an action in the district court in which any agricultural land relative to the violation is situated, or if situated in two or more counties, in any county in which a substantial part of the land is situated. The attorney general shall file for record with the county recorder or the registrar of titles of each county in which any portion of said land is located a notice of the pendency of the action as provided in section 557.02. If the court finds that the land in question is being held in violation of subdivision 2, it shall enter an order so declaring. The attorney general shall file for record any such order with the county recorder or the registrar of titles of each county in which any portion of said land is located. Thereafter, the natural person, corporation, partnership, limited partnership, trustee or other business entity, owning such land shall have a period of one year from the date of the order to divest itself of the lands. The aforementioned one year limitation period shall be deemed a covenant running with the title to the land against any grantee or assignee or successor corporation. Any land not so divested within the time prescribed shall be sold at public sale in the manner prescribed by law for the foreclosure of a mortgage by action. In addition, any prospective or threatened violation may be enjoined by an action brought by the attorney general in the manner provided by law. No title to land shall be invalid or subject to forfeiture by reason of the alienage of any former owner or person having a former interest therein.

Subd. 4. [REPORTS.] Any natural person, corporation, partnership, limited partnership, trustee, or other business entity prohibited from future acquisition of agricultural land may retain title to any agricultural land within this state acquired prior to the effective date of this act, but it shall file a report with the commissioner of agriculture within 60 days after the effective date of this act containing a description of all agricultural land held within this state, the purchase price and market value of the land, the use to which it is put, the date of acquisition and any other reasonable information required by the commissioner. The commissioner shall make the information available to the public.

Subd. 5. [PENALTY.] Willful failure to properly register any parcel of land as required by subdivision 4 is a gross misdemeanor. Each full month of failure to register is a separate offense.

Sec. 2. [REPEALER.] Minnesota Statutes 1976, Section 500.22, is repealed.

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

With the recommendation that when so amended the bill pass.

The report was adopted.

Norton from the Committee on Appropriations to which was referred:

H. F. No. 689, A bill for an act relating to the operation of state government; raising base salaries for certain executive branch employees, metropolitan agency officers, legislators, judges and judicial branch employees; limiting possible increases for certain executive branch employees; limiting the ability of appointing authorities to fill certain unclassified positions; prohibiting salaries of employees of political subdivisions from exceeding the salary of the governor; amending Minnesota Statutes 1976, Sections 3.099; 3.102; 15A.081, Subdivision 1, and by adding subdivisions; 15A.083; 43.067; 43.069; 473.123, Subdivision 4; 473.141, Subdivision 7; 473.605, Subdivision 2; and 487.01, Subdivision 5; repealing Minnesota Statutes 1976, Sections 3.13; 15A.081, Subdivision 4; 43.066; 487.05 and 490.102, Subdivision 5.

Reported the same back with the following amendments:

Page 8, after line 29, insert: "*Fringe benefits for unclassified employees of the metropolitan waste control commission shall not exceed those fringe benefits received by unclassified employees of the metropolitan council.*"

Page 12, line 11, delete ", assistant majority leader".

Page 12, after line 15, insert:

"At the commencement of each biennial legislative session, each house of the legislature shall adopt a resolution designating the majority and minority leader of that respective body.

The majority leader shall be that person elected by a caucus of members in each house which constitutes the largest political affiliation within that body and the minority leader shall be that person elected by a caucus of members in each house which constitutes the second largest political affiliation within that body."

Page 13, line 14, after "judge" insert ", judge of county court (learned in the law), probate court, and municipal court".

Page 13, line 15, delete "43,000" and insert "40,000".

Page 13, delete lines 16 and 17.

Page 13, line 18, delete "(5)" and insert "(4)".

Page 14, line 16, after "*county*" insert "*, probate and municipal*".

Page 14, line 19, after "*treasury.*" insert "*All payments made pursuant to sections 490.11 and 490.12, subdivision 1, after the effective date of this act shall be made by the state regardless of whether the payments commenced before or commence after the effective date of this act.*".

Page 14, line 27, delete "\$33,000" and insert "\$35,000".

Page 17, line 26, after "487.05" delete "and" and insert a semicolon.

Page 17, line 27, after "Subdivision 5" insert "; and 526.18".

Further amend the title as follows:

Page 1, line 18, after "487.05" delete "and" and insert a semicolon.

Page 1, line 18, after "Subdivision 5" insert "; and 526.18".

With the recommendation that when so amended the bill pass.

The report was adopted.

Hanson from the Committee on Commerce and Economic Development to which was referred:

H. F. No. 882, A bill for an act relating to commerce; providing for disclosure of mileage traveled by motor vehicles; amending Minnesota Statutes 1976, Sections 168A.04, Subdivision 1; 168A.05, Subdivision 3; 168A.10, Subdivision 1; and 168A.11, Subdivisions 1 and 3.

Reported the same back with the following amendments:

Page 2, line 2, after "*true*" insert "*cumulative*".

Page 2, line 28, after "*true*" insert "*cumulative*".

Page 3, line 11, after "*true*" insert "*cumulative*".

Page 4, line 2, after "*true*" insert "*cumulative*".

Page 4, line 18, after "*actual*" insert "*cumulative*".

Page 4, after line 21, insert a new section to read:

"Sec. 6. [EFFECTIVE DATE.] *This act is effective July 1, 1978.*"

With the recommendation that when so amended the bill pass.

The report was adopted.

Johnson from the Committee on Education to which was referred:

H. F. No. 482, A bill for an act relating to education; teachers; interpreters for the deaf; including interpreters for the deaf in licensing requirements for teachers and interns under the jurisdiction of the board of teaching; amending Minnesota Statutes 1976, Section 125.185, Subdivision 4.

Reported the same back with the recommendation that the bill pass.

The report was adopted.

Johnson from the Committee on Education to which was referred:

H. F. No. 967, A bill for an act relating to education; quality education council; expanding duties and functions; amending Minnesota Statutes 1976, Sections 3.925; 3.926, Subdivision 2; and 3.927.

Reported the same back with the following amendments:

Strike everything after the enacting clause and insert the following:

"Section 1. Minnesota Statutes 1976, Section 3.925, is amended to read:

3.925 [PURPOSE.] The legislature of the state of Minnesota expresses concern over the future of elementary and secondary education in this state, its ability to meet the educational needs of the public school students, the professional growth and satisfaction of school staffs, the effectiveness and efficiency of present schools and their learning processes, continuing pupil unit cost escalation and the resulting financial crisis which this brings about. New approaches to the learning process, better utilization of professional staff and community resources, different requirements as to course offerings, course content, grading, graduation and school attendance must be researched and developed. It is believed that revised programs, innovations, new attitudes about learning and the public schools' responsibilities can be effectively achieved if such research and development are

performed *by the council on quality education and at the local school level by the school's staff and with involvement by the students and their community. Although funds spent now for such purposes can produce substantial educational and cost benefits in the future, such capital type funds are seldom available within any single school district's budget.*

The purpose of the council on quality education is, therefore, to encourage, promote (AND), aid (SUCH), and perform research and development (IN) *for quality education in Minnesota elementary and secondary schools, to evaluate the results of (SUCH) significant innovative programs and to disseminate information about (SAME) these programs throughout the state.*

To these ends, the council through the state board of education shall establish a venture fund from which grants or loans may be made (IN ACCORDANCE WITH SECTION 3.926. SUCH GRANTS OR LOANS SHALL BE MADE) in support of research and development programs relating to the problems and objectives heretofore described which shall include but not be limited to:

- (1) Effective utilization of community personnel and resources.
- (2) Developing model personnel policies and procedures, and new staffing concepts such as differentiated staffing.
- (3) Assessment and evaluation of education programs.
- (4) Developing a management and unit of instructional objectives design which will provide accountability by relating time and dollars to the amount of learning produced.
- (5) Determining responsibilities to be assumed by the schools exclusively or concurrently with other agencies or individuals.
- (6) Effective dissemination of educational information.
- (7) Developing new knowledge about learning and teaching.
- (8) Developing model educational programs as alternatives to existing educational practices and curricula.
- (9) Model programs and innovations to increase equality of educational opportunities.
- (10) Research and testing of new concepts of educational efficiency, effectiveness and cost benefits.

The council shall not be limited to supporting innovations, programs or procedures supplementary to existing school structures and programs but may assist *or research* entirely new (SCHOOLS OR) concepts such as open schools, informal schools and the like. It is the legislature's intent that any supported program shall hold promise of both educational and cost benefits and that the costs and improvements in learning effectiveness introduced thereby shall be measured and related.

The council may also review literature and other information about innovative programs in Minnesota and other states and disseminate the results of this research throughout the state. The council may identify ideas for innovative programs in the course of this research and solicit proposals from school boards for grants for such programs; provided not to exceed ten percent of the funds appropriated to the venture fund in any year may be expended to fund such research and programs.

The council shall make a report by November 15 of each even numbered year to the legislature concerning *all research and all proposals received and the dispositions made thereof by the council and the state board of education.*

Sec. 2. Minnesota Statutes 1976, Section 3.927, is amended to read:

3.927 [STATE BOARD AND COMMISSIONER.] The state board of education shall develop and promulgate such additional recommendatory guidelines as may be appropriate for the furtherance of sections 3.924 to 3.927 and the development and implementation of the programs contemplated herein, for its benefit and the benefit of the council and applicants. The commissioner of education shall make available to the council at its request such staff as the council deems necessary to perform its functions. The council may also employ or contract for the services of outside consultants, and as much of the annual appropriation to the state department of education, made (BY EXTRA SESSION LAWS 1971, CHAPTER 31, ARTICLE 15, SECTION 5,) *for the purposes of sections 3.924 to 3.927 as is necessary, shall be made available to the council for this purpose.*"

Further amend the title as follows:

Page 1, line 4, delete "; 3.926, Subdivision".

Page 1, line 5, delete "2;".

With the recommendation that when so amended the bill pass.

The report was adopted.

Swanson from the Committee on Health and Welfare to which was referred:

H. F. No. 205, A bill for an act relating to welfare; providing for personal allowances to disabled persons in care facilities; amending Minnesota Statutes 1976, Section 256B.36.

Reported the same back with the following amendments:

Page 1, line 12, strike "handicapped or mentally retarded".

Page 1, line 13, strike "confined" and insert "*residing*".

Page 1, line 22, delete "*an amount equal*".

Page 2, delete line 1.

Page 2, line 2, delete "(3)".

With the recommendation that when so amended the bill pass and be re-referred to the Committee on Appropriations.

The report was adopted.

Swanson from the Committee on Health and Welfare to which was referred:

H. F. No. 206, A bill for an act relating to welfare; increasing the personal allowance for persons in care facilities; amending Minnesota Statutes 1976, Section 256B.35, Subdivision 1.

Reported the same back with the following amendments:

Page 1, line 14, strike "confined" and insert "*residing*".

Page 1, line 15, after "facility" insert "*, including recipients of supplemental security income,*".

Page 1, line 16, delete "\$50" and insert "\$30".

Page 1, line 16, before the period insert "*from all sources*".

With the recommendation that when so amended the bill pass and be re-referred to the Committee on Appropriations.

The report was adopted.

Fugina from the Committee on Higher Education to which was referred:

H. F. No. 130, A bill for an act relating to local control of campus liquor policy; amending Minnesota Statutes 1976, Section 624.701, Subdivision 1.

Reported the same back with the following amendments:

Page 2, line 1, delete "or on".

Page 2, line 2, after "or" insert "on its".

Page 2, line 2, after "grounds" delete ", but" and insert "; however, this possession shall be allowed".

Page 2, line 3, delete "in the".

Page 2, line 4, delete "case".

Page 2, line 4, after "of" insert "each".

Page 2, line 4, after "individual" delete "institutions" and insert "post-secondary institution".

With the recommendation that when so amended the bill pass.

The report was adopted.

Fugina from the Committee on Higher Education to which was referred:

H. F. No. 1059, A bill for an act relating to education; authorizing the higher education coordinating board and regional consortium to cooperate in the development of health education programs; appropriating money.

Reported the same back with the following amendments:

Strike everything after the enacting clause and insert the following:

"Section 1. [DEFINITIONS.] Subdivision 1. For the purposes of sections 1 and 2 the following terms shall have the meanings given.

Subd. 2. "Consortium" means a community health education consortium.

Subd. 3. "Health education institution" means an organization or institution which offers a professional, pre-professional, or technical post-secondary education program leading to a de-

gree or certificate in a health occupation or which offers continuing education courses for health care personnel.

Subd. 4. "Health provider organization" means health care personnel or a public or private hospital, nursing home, clinic, or health planning agency.

Sec. 2. [REGIONAL COMMUNITY HEALTH EDUCATION CONSORTIA.] Subdivision 1. [FORMATION AND MEMBERSHIP.] Health education institutions and health provider organizations in any region may form a community health education consortium to develop and maintain a system of regional coordination of education for health care personnel. The membership of each consortium shall be subject to the approval of the higher education coordinating board. A consortium may be incorporated.

Subd. 2. [GOVERNANCE OF CONSORTIUM.] Each consortium shall be managed by a consortium board consisting of a representative of each member institution and organization. Each member institution or organization shall be represented on the board by its chief executive or the chief executive's designee. With the advice of the consortium board, the higher education coordinating board shall review, approve or disapprove, monitor, and evaluate all policies, plans, programs and activities of the consortium. The consortium board shall provide the higher education coordinating board with any information it requests concerning the management and activities of the consortium, including an annual accounting of all consortium funds from any source.

Subd. 3. [DUTIES OF HIGHER EDUCATION COORDINATING BOARD.] With the advice of the consortium board, the higher education coordinating board shall appoint and employ a director and other staff for each consortium. The higher education coordinating board shall provide technical and consultation assistance to each consortium.

Subd. 4. [DUTIES OF CONSORTIUM.] The consortium shall cooperate with the higher education coordinating board to improve efficiency and effectiveness and minimize duplication in meeting regional needs for health personnel education programs by utilizing the resources of existing institutions and organizations to:

(a) Plan and coordinate educational responses to health manpower needs in each region;

(b) Plan and coordinate regional instructional resources for consumer health education and continuing education for health care personnel;

(c) Obtain maximum use of existing public and private institutions for these educational programs for consumers and health care personnel;

(d) Obtain consultation and technical assistance necessary for the instituting of such programs;

(e) Insure accountability to the public by instituting standard record-keeping and accounting procedures.

Sec. 3. There is appropriated from the general fund to the higher education coordinating board for the purposes of this act the sum of \$ for the fiscal year ending June 30, 1978 and the sum of \$ for the fiscal year ending June 30, 1979. These amounts include no more than \$ per year for each consortium. Any unexpended balance from the appropriation in this section for fiscal year 1978 shall not cancel but shall be available for the second year of the biennium.”.

With the recommendation that when so amended the bill pass and be re-referred to the Committee on Appropriations.

The report was adopted.

Enebo from the Committee on Labor-Management Relations to which was referred:

H. F. No. 541, A bill for an act relating to labor; prohibiting the deduction of certain losses from wages without authorization by the employee; providing a cause of action for wrongful deduction.

Reported the same back with the following amendments:

Page 1, line 16, after the comma insert “voluntarily”.

Page 1, line 22, delete “, unless authorized in writing by the”.

Page 2, line 1, delete “employee,”.

Page 2, line 4, after the period insert “This section shall not apply where a contrary provision in a collective bargaining agreement exists.”.

With the recommendation that when so amended the bill pass.

The report was adopted.

Enebo from the Committee on Labor-Management Relations to which was referred:

H. F. No. 763, A bill for an act relating to labor; prohibiting certain terms in employment contracts relating to inventions by employees.

Reported the same back with the following amendments:

Strike everything after the enacting clause and insert:

“Section 1. [CERTAIN EMPLOYEE AGREEMENT PROVISIONS RELATING TO INVENTIONS UNENFORCEABLE.] Subdivision 1. Any provision in an employment agreement which provides that an employee shall assign any of his rights in an invention to his employer shall not apply to an invention which does not relate (1) directly to the business of the employer, or (2) to the employer’s actual or demonstrably anticipated research or development, or which does not result from any work performed by the employee for the employer, and for which no equipment, supplies, facility or trade secret information of the employer was used and which was developed entirely on the employee’s own time, and any provision which purports to apply to such an invention is to that extent against the public policy of this state and shall to that extent be void and unenforceable.

Subd. 2. No employer shall require a provision made void and unenforceable by subdivision 1 as a condition of employment or continuing employment.

Subd. 3. Every new employment agreement containing a provision requiring the employee to assign any of his rights in any invention to his employer must also include a notification to the employee that the agreement does not apply to an invention which does not relate (1) directly to the business of the employer, or (2) to the employer’s actual or demonstrably anticipated research or development or which does not result from any work performed by the employee for the employer, and for which no equipment, supplies, facility or trade secret information of the employer was used and which was developed entirely on the employee’s own time.”.

With the recommendation that when so amended the bill pass.

The report was adopted.

Enebo from the Committee on Labor-Management Relations to which was referred:

H. F. No. 805, A bill for an act relating to public employees; excluding supervisory employees from certain bargaining units; amending Minnesota Statutes 1976, Section 179.65, Subdivision 6.

Reported the same back with the following amendments:

Page 1, line 18, after the period insert "*Units of supervisory or confidential employees shall not participate in any joint negotiations which involve the participation of units of employees other than supervisory or confidential employees.*".

Page 1, line 19, delete "*or principal or assistant principal*".

Page 1, line 20, delete "*organization*".

Page 1, line 22, delete "*, or non-principals or non-assistant principals*".

With the recommendation that when so amended the bill pass.

The report was adopted.

Enebo from the Committee on Labor-Management Relations to which was referred:

H. F. No. 920, A bill for an act relating to labor; providing for union notification of a member's injury or death; amending Minnesota Statutes 1976, Chapter 181, by adding a section.

Reported the same back with the recommendation that the bill pass.

The report was adopted.

Enebo from the Committee on Labor-Management Relations to which was referred:

H. F. No. 922, A bill for an act relating to labor; authorizing certain payroll deductions; amending Minnesota Statutes 1976, Section 181.06.

Reported the same back with the following amendments:

Page 2, line 6, after the comma insert "*a local arts council, a local science council*".

With the recommendation that when so amended the bill pass and be placed on the Consent Calendar.

The report was adopted.

Kelly, W., from the Committee on Taxes to which was referred:

H. F. No. 215, A bill for an act relating to shade tree disease control; authorizing grants for municipal shade tree removal and reforestation programs; authorizing a shade tree disease control research program; appropriating money; amending Minnesota Statutes 1976, Sections 18.023, Subdivisions 1, 1a, 2, 3a, 4, 7, 8 and 11, and adding a subdivision; and 275.50, by adding a subdivision; repealing Minnesota Statutes 1976, Section 18.023, Subdivision 6.

Reported the same back with the following amendments:

Page 5, line 6, after "*expense*" insert "*, which shall be limited to the lowest contract rates available, provided said rates include wage levels which meet Minnesota minimum wage standards,*".

Page 6, line 32, delete "*not*".

Page 7, line 1, delete "*either*".

Page 7, line 1, delete "*on*" and insert "*, but shall not include*".

Page 7, line 26, after "*to*" insert "*nonprofit*".

Page 9, line 6, delete "*11*" and insert "*12*".

Page 9, after line 27, insert:

"Sec. 10. Minnesota Statutes 1976, Section 18.022, is amended by adding a subdivision to read:

Subd. 10. A livestock owner shall be compensated by the department of agriculture for livestock that is destroyed by a timber wolf or crippled so that it must be destroyed. The livestock owner shall be entitled to the fair market value of the destroyed livestock as determined by the county extension agent for the owner's county and a conservation officer. The agent and conservation officer shall determine whether the livestock was destroyed by a timber wolf. The owner shall file a complaint on forms provided by the department of agriculture and available at the county extension agent's office. For the purposes of this section, when a livestock owner suffers damage to more than one animal at a particular time it shall be considered one complaint."

Page 9, line 31, delete "*and*".

Page 9, line 32, delete "*reforestation*".

Page 9, line 32, after "*1,*" insert "*clause (h), but not including reforestation as defined in section 18.023, subdivision 1, clause (i),*".

Page 11, line 1, delete "*June 30*" and insert "*December 31*".

Page 11, line 2, after "*1979*" insert " *provided that \$6,500,-000 may not be expended prior to July 1, 1979*".

Page 11, after line 16, insert:

"(g) For payments and administrative costs incurred pursuant to section 10 \$200,000".

Renumber the sections accordingly.

Further, amend the title:

Page 1, line 2, delete "*shade tree disease*" and insert "*plant and animal pest*".

Page 1, line 5, after the semicolon insert "*providing compensation for timber wolf losses;*".

Page 1, line 7, after "*Sections*" insert "*18.022, by adding a subdivision;*".

With the recommendation that when so amended the bill pass and be re-referred to the Committee on Appropriations.

The report was adopted.

Fudro from the Committee on Transportation to which was referred:

H. F. No. 1003, A bill for an act relating to motor vehicles; licensing and taxation; providing for biennial payment of the tax assessed on trailers; dimensional specifications for trailer number plates; amending Minnesota Statutes 1976, Sections 168.013, Subdivision 1d; and 168.12.

Reported the same back with the following amendments:

Page 1, line 15, before "*payable*" insert "*provided, that the tax on trailers with a total gross weight of 3,000 pounds or less shall be*".

Page 3, line 2, delete "*1978*" and insert "*1981*".

Page 3, line 2, after "*trailers*" insert "*with a total gross weight of 3,000 pounds or less*".

Page 3, line 24, delete "*1977*" and insert "*1980*".

Page 3, line 25, delete "1978" and insert "1981".

With the recommendation that when so amended the bill pass and be placed on the Consent Calendar.

The report was adopted.

Fudro from the Committee on Transportation to which was referred:

H. F. No. 1076, A bill for an act relating to highway traffic regulations; prescribing the width of vehicles; amending Minnesota Statutes 1976, Section 169.80, Subdivision 2.

Reported the same back with the following amendments:

Page 2, line 6, after "*display*" insert "*12 inch square*".

Page 2, line 7, after "*markers*" insert "*, front and rear,*".

Page 2, line 7, delete the second "*as*".

Page 2, delete lines 8 and 9.

Page 2, line 10, delete the new language up to the period.

With the recommendation that when so amended the bill pass.

The report was adopted.

SECOND READING OF HOUSE BILLS

H. F. Nos. 79, 689, 882, 482, 967, 130, 541, 763, 805, 920, 922, 1003 and 1076 were read for the second time.

INTRODUCTION AND FIRST READING OF HOUSE BILLS

The following House Files were introduced:

Pehler, McCarron, Lemke, Dahl and Stanton introduced:

H. F. No. 1237, A bill for an act to regulate the vertical integration in agriculture; providing penalties.

The bill was read for the first time and referred to the Committee on Agriculture.

Peterson, Mann and Kalis introduced:

H. F. No. 1238, A bill for an act relating to the historical society; designating an agricultural interpretive center in the city of Fairmont.

The bill was read for the first time and referred to the Committee on Appropriations.

Pehler, Dean, Beauchamp, Jaros and Kelly, W., introduced:

H. F. No. 1239, A bill for an act relating to public radio; providing for grants to noncommercial public stations; authorizing planning and implementation funds for statewide public radio programming; appropriating money.

The bill was read for the first time and referred to the Committee on Appropriations.

Norton, Eckstein, Swanson and Haugerud introduced:

H. F. No. 1240, A bill for an act relating to the Minnesota historical society; Fort Snelling Officers' Row; authorizing the sale of the homes along Officers' Row; appropriating money; repealing Minnesota Statutes 1976, Section 138.05, Subdivision 9.

The bill was read for the first time and referred to the Committee on Appropriations.

Nelsen, M.; Hanson; Anderson, I., and Prahl introduced:

H. F. No. 1241, A bill for an act relating to public utilities; expiration, renewal, and transfer of telephone company certificates of authority; repealing Minnesota Statutes 1976, Section 237.16, Subdivisions 5 and 6.

The bill was read for the first time and referred to the Committee on Commerce and Economic Development.

Nelsen, M.; Hanson; Anderson, I.; Prahl and Anderson, G., introduced:

H. F. No. 1242, A bill for an act relating to public utilities; revoking the certificate of authority issued to a certain telephone company; providing for transfer of authority and property; declaring legislative findings in regard thereto.

The bill was read for the first time and referred to the Committee on Commerce and Economic Development.

Pehler introduced:

H. F. No. 1243, A bill for an act relating to public utilities; providing for base usage rates and quantities for electricity and natural gas; amending Minnesota Statutes 1976, Chapter 216B, by adding a section.

The bill was read for the first time and referred to the Committee on Commerce and Economic Development.

White; Adams; Sieben, H.; Ewald and Lemke introduced:

H. F. No. 1244, A bill for an act relating to commerce; providing for licensing and regulation of tree experts; providing a penalty.

The bill was read for the first time and referred to the Committee on Commerce and Economic Development.

Berglin, Nelson, Anderson, I., and Fugina introduced:

H. F. No. 1245, A bill for an act relating to appropriations; providing funds for a statutory Indian business assistance program.

The bill was read for the first time and referred to the Committee on Commerce and Economic Development.

Reding, Wieser, Sherwood, Beauchamp and Neisen introduced:

H. F. No. 1246, A bill for an act relating to charitable trusts; regulating the solicitation of charitable funds; clarifying and revising registration, filing and reporting requirements; coordinating charitable solicitations with general trust provisions; defining terms; amending Minnesota Statutes 1976, Sections 309.50, Subdivisions 3, 4 and 10; 309.515, Subdivision 1; 309.52, Subdivision 4; 309.53, Subdivisions 1a, 3 and 4; 309.532, Subdivisions 1 and 2; 309.555, Subdivisions 1, 2 and 3, and by adding a subdivision; 501.72; 501.74; 501.75; 501.76; 501.77; 501.78, Subdivisions 1, 2 and 4; 501.79, Subdivision 5; 501.81; and Chapter 525, by adding a section; repealing Minnesota Statutes 1976, Section 501.79, Subdivision 3.

The bill was read for the first time and referred to the Committee on Commerce and Economic Development.

Anderson, G., and Smogard introduced:

H. F. No. 1247, A bill for an act relating to the public service commission; rescinding and modifying certain actions and orders relating to telephone service and charges.

The bill was read for the first time and referred to the Committee on Commerce and Economic Development.

Eckstein, Esau and Johnson introduced:

H. F. No. 1248, A bill for an act relating to the city of Springfield; providing for city buildings and equipment and their use; providing for a bond issue.

The bill was read for the first time and referred to the Committee on Education.

Samuelson, McCollar and Berglin introduced:

H. F. No. 1249, A bill for an act relating to education; requiring school districts to provide special instruction and services for all educable or trainable mentally retarded adults; amending Minnesota Statutes 1976, Section 120.17; and Chapter 120, by adding a section.

The bill was read for the first time and referred to the Committee on Education.

Pehler introduced:

H. F. No. 1250, A bill for an act relating to education; authorizing the state board of education to establish the position and employ an industrial arts consultant; appropriating money.

The bill was read for the first time and referred to the Committee on Education.

Neisen introduced:

H. F. No. 1251, A bill for an act relating to game and fish; concerning public hunting grounds and game refuges; providing funds for maintenance of roads; defraying fire and police protection expenses; amending Minnesota Statutes 1976, Section 97.49, Subdivision 3.

The bill was read for the first time and referred to the Committee on Environment and Natural Resources.

Stoa; Munger; Anderson, G.; Sieben, M., and Evans introduced:

H. F. No. 1252, A bill for an act relating to the Minnesota state water pollution control fund; clarifying eligibility for 15 percent matching grants financed by the fund; eliminating certain matching grants; authorizing the issuance of Minnesota state water pollution control bonds; appropriating money; amending Minnesota Statutes 1976, Sections 116.16, Subdivision 6; and 116.18, Subdivisions 1 and 4.

The bill was read for the first time and referred to the Committee on Environment and Natural Resources.

Munger, Kahn, Searle, Faricy and Stanton introduced:

H. F. No. 1253, A bill for an act relating to natural resources; state parks; requiring compatible uses of private lands within state parks; providing the commissioner of natural resources with authority to enforce compatible use standards; providing for the acquisition of private land within parks; amending Minnesota Statutes 1976, Chapter 85, by adding a section.

The bill was read for the first time and referred to the Committee on Environment and Natural Resources.

Begich; Anderson, I.; Sabo; St. Onge and Biersdorf introduced:

H. F. No. 1254, A bill for an act relating to pollution; prohibiting littering; prescribing the powers and duties of the commissioner of transportation in regard thereto; requiring litter bags in certain vehicles and watercraft and litter receptacles in public places; prescribing a litter license fee on certain manufacturers, wholesalers, distributors, and retailers; prescribing penalties; appropriating money; repealing Minnesota Statutes 1976, Sections 169.42; and 609.68.

The bill was read for the first time and referred to the Committee on Environment and Natural Resources.

Anderson, I., introduced:

H. F. No. 1255, A bill for an act relating to state government; changing the duties of the legislative commission on Minnesota resources and providing for the personnel thereof; eliminating certain conservation work projects and land acquisition programs; amending Minnesota Statutes 1976, Sections 86.06; 86.08, Subdivision 2; 86.10, Subdivision 1; and 86.53; repealing Minnesota Statutes 1976, Sections 86.07, Subdivision 2; 86.11, Subdivisions 1, 2, 4, 7, 8 and 9; 86.31; 86.32; 86.33; 86.34; 86.35; 86.41; 86.42; and 86.51.

The bill was read for the first time and referred to the Committee on Environment and Natural Resources.

Fjoslien; Sieben, H.; McCollar; Brinkman and Mann introduced:

H. F. No. 1256, A bill for an act relating to aircraft; clarifying compulsory insurance requirements; requiring maintenance of liability coverage only during periods of contemplated aircraft operation; amending Minnesota Statutes 1976, Section 360.59, Subdivision 10.

The bill was read for the first time and referred to the Committee on Financial Institutions and Insurance.

Lehto, Kostohryz, Rice, Osthoff and Zubay introduced:

H. F. No. 1257, A bill for an act proposing an amendment to the Minnesota Constitution, changing Article IV, Sections 1, 2, 3, 4, 5, 6, 7, 9, 10, 11, 12, 13, 14, 15, 19, 20, 21, 22, 23, 24, 25 and 26, Article V, Sections 3 and 5, Article VIII, Section 1, Article IX, Sections 1 and 2, and Article XI, Section 5, and repealing Article IV, Section 18; providing for a unicameral legislature.

The bill was read for the first time and referred to the Committee on General Legislation and Veterans Affairs.

Cummiskey introduced:

H. F. No. 1258, A bill for an act relating to marriage; requiring the clerk of court to furnish certified copies of marriage license; amending Minnesota Statutes 1976, Section 517.08, Subdivision 3; and Chapter 517, by adding a section.

The bill was read for the first time and referred to the Committee on General Legislation and Veterans Affairs.

Suss introduced:

H. F. No. 1259, A bill for an act relating to the city of Savage; firemen's service pensions.

The bill was read for the first time and referred to the Committee on Governmental Operations.

Patton, Moe, Arlandson and Biersdorf introduced:

H. F. No. 1260, A bill for an act relating to the organization of state government; creating a fire service education and research advisory council in the department of public safety; superseding an executive order agency.

The bill was read for the first time and referred to the Committee on Governmental Operations.

McCollar; Anderson, G.; Lehto; Wigley and McDonald introduced:

H. F. No. 1261, A bill for an act relating to public health; permitting the use of the drug laetrile.

The bill was read for the first time and referred to the Committee on Health and Welfare.

Prahl, Anderson, I., and Mangan introduced:

H. F. No. 1262, A bill for an act relating to health; medical assistance for the needy; providing depreciation allowances for nursing homes; amending Minnesota Statutes 1976, Section 256B.43, by adding subdivisions.

The bill was read for the first time and referred to the Committee on Health and Welfare.

Clark; Enebo; Sieben, M.; Rice and Dean introduced:

H. F. No. 1263, A bill for an act relating to the university of Minnesota; providing for the establishment of a program for developmental disability; appropriating money.

The bill was read for the first time and referred to the Committee on Higher Education.

Kroening, McEachern, Dahl and Fugina introduced:

H. F. No. 1264, A bill for an act relating to education; higher education coordinating board; authorizing the board to contract for spaces for Minnesota residents in out of state schools of osteopathy and optometry; authorizing the board to explore the feasibility of a regional school of osteopathy and optometry; appropriating money.

The bill was read for the first time and referred to the Committee on Higher Education.

Jensen; Sieben, H.; White; Metzen and Kempe, A., introduced:

H. F. No. 1265, A bill for an act relating to Dakota county; housing and redevelopment authority; establishing powers of the authority; providing compensation for commissioners; amending Laws 1971, Chapter 333, Section 2, as amended; repealing Laws 1971, Chapter 333, Section 3.

The bill was read for the first time and referred to the Committee on Local and Urban Affairs.

Fugina and Begich introduced:

H. F. No. 1266, A bill for an act relating to the town of McDavitt; authorizing the town to issue general obligations for acquisition and betterment of a town hall.

The bill was read for the first time and referred to the Committee on Local and Urban Affairs.

Friedrich, Kaley, Zubay, Lemke and Haugerud introduced:

H. F. No. 1267, A bill for an act relating to Olmsted county; permitting sidewalk and related improvements to be financed by special assessment.

The bill was read for the first time and referred to the Committee on Local and Urban Affairs.

Neisen, McEachern, Adams, Schulz and Heinitz introduced:

H. F. No. 1268, A bill for an act relating to municipal obligations; revising provisions relating to advance refunding; amending Minnesota Statutes 1976, Section 475.67.

The bill was read for the first time and referred to the Committee on Local and Urban Affairs.

Abeln, Scheid, Pleasant, Casserly and Kelly, W., introduced:

H. F. No. 1269, A bill for an act relating to taxation; property taxes; changing certain requirements for taxing agricultural property; amending Minnesota Statutes 1976, Section 273.111, Subdivisions 3, 6, 8, 9, 11, and by adding a subdivision; repealing Minnesota Statutes 1976, Sections 273.111, Subdivision 2; and 273.112.

The bill was read for the first time and referred to the Committee on Taxes.

Patton, Prah, Jaros, Petrafeso and Peterson introduced:

H. F. No. 1270, A bill for an act relating to taxation; providing for use of cigarette tax stamping machines; appropriating money; amending Minnesota Statutes 1976, Section 297.03, Subdivision 6.

The bill was read for the first time and referred to the Committee on Taxes.

Jacobs, Sarna, Patton and Vanasek introduced:

H. F. No. 1271, A bill for an act relating to taxation; increasing homestead and income-adjusted homestead credits; amending Minnesota Statutes 1976, Sections 273.13, Subdivisions 6, 7 and 14a; and 290A.04, Subdivision 2.

The bill was read for the first time and referred to the Committee on Taxes.

Eckstein, Lemke, Birnstihl, Friedrich and Peterson introduced:

H. F. No. 1272, A bill for an act relating to taxation; providing that the trade in value of certain farm equipment be deducted from the purchase price of a motor vehicle for purposes of the motor vehicle excise tax; amending Minnesota Statutes 1976, Section 297B.01, Subdivision 8.

The bill was read for the first time and referred to the Committee on Taxes.

Skoglund, Vanasek, McCollar, Pehler and Kelly, W., introduced:

H. F. No. 1273, A bill for an act relating to taxation; imposing a tax on the gross revenues of certain electric utility companies in lieu of certain ad valorem taxes; prescribing penalties for failure to file reports or make payments; providing for distribution of the tax; amending Minnesota Statutes 1976, Sections 116C.04, by adding a subdivision; 124.212, Subdivisions 4 and 8a; 273.13, Subdivision 9; 298.25; 473F.04 and 473F.06.

The bill was read for the first time and referred to the Committee on Taxes.

MESSAGES FROM THE SENATE

The following message was received from the Senate:

Mr. Speaker:

I hereby announce the passage by the Senate of the following Senate File, herewith transmitted:

S. F. No. 32.

PATRICK E. FLAHAVERN, Secretary of the Senate

FIRST READING OF SENATE BILLS

S. F. No. 32, A bill for an act relating to shade tree disease control; authorizing grants for municipal shade tree removal and reforestation programs; authorizing a shade tree disease control research program; appropriating money; amending Minnesota Statutes 1976, Sections 18.023, Subdivisions 1, 1a, 2, 3a, 4, 7, 8 and 11, and adding a subdivision; 116.07, Subdivision 4; and 275.50, by adding a subdivision; repealing Minnesota Statutes 1976, Section 18.023, Subdivision 6.

The bill was read for the first time and referred to the Committee on Appropriations.

PROGRESS REPORTS ON CONFERENCE COMMITTEES

Pursuant to Joint Rule 2.06, progress on H. F. No. 38 was reported to the House.

CONSENT CALENDAR

H. F. No. 971, A bill for an act relating to insurance; providing financial requirements for nonprofit health service plan corporations; amending Minnesota Statutes 1976, Section 62C.09, Subdivision 3.

The bill was read for the third time and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 129 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Abeln	Cohen	Jensen	Moe	Sherwood
Adams	Corbid	Johnson	Munger	Sieben, H.
Albrecht	Cummiskey	Jude	Murphy	Sieben, M.
Anderson, B.	Dahl	Kahn	Neisen	Simoneau
Anderson, D.	Dean	Kaley	Nelsen, B.	Skoglund
Anderson, G.	Den Ouden	Kalis	Nelsen, M.	Smogard
Anderson, I.	Eckstein	Kelly, R.	Nelson	Spanish
Anderson, R.	Eken	Kelly, W.	Niehaus	Stanton
Arlandson	Enebo	Kempe, A.	Norton	Stoa
Battaglia	Erickson	Kempe, R.	Novak	Suss
Begich	Esau	King	Osthoff	Swanson
Berg	Evans	Knickerbocker	Patton	Tomlinson
Berglin	Ewald	Kostohryz	Pehler	Vanasek
Berkelman	Faricy	Kroening	Peterson	Voss
Biersdorf	Fjoslien	Kvam	Prahl	Waldorf
Birnstihl	Forsythe	Laidig	Reding	Welch
Brandl	Friedrich	Langseth	Rice	Wenstrom
Braun	Fudro	Lehto	Rose	Wenzel
Brinkman	Fugina	Lemke	St. Onge	White
Byrne	George	Mangan	Samuelson	Wieser
Carlson, A.	Gunter	Mann	Sarna	Wigley
Carlson, D.	Hanson	McCarron	Savelkoul	Williamson
Carlson, L.	Haugerud	McCollar	Scheid	Wynia
Casserly	Hokanson	McDonald	Schulz	Zubay
Clark	Jacobs	McEachern	Searle	Speaker Sabo
Clawson	Jaros	Metzen	Searles	

The bill was passed and its title agreed to.

H. F. No. 720, A bill for an act relating to commerce; regulation of subdivision of lands by the commissioner of securities; extending time for filing reports of subdivided land; amending Minnesota Statutes 1976, Section 83.30, Subdivision 1.

The bill was read for the third time and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 127 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Abeln	Cohen	Jaros	Metzen	Searles
Adams	Corbid	Jensen	Moe	Sherwood
Albrecht	Cummiskey	Johnson	Munger	Sieben, H.
Anderson, B.	Dahl	Jude	Murphy	Sieben, M.
Anderson, D.	Dean	Kahn	Neisen	Simoneau
Anderson, G.	Den Ouden	Kaley	Nelsen, B.	Skoglund
Anderson, I.	Eckstein	Kalis	Nelsen, M.	Smogard
Anderson, R.	Eken	Kelly, R.	Nelson	Spanish
Arlandson	Enebo	Kelly, W.	Niehaus	Stanton
Battaglia	Erickson	Kempe, A.	Norton	Stoa
Beauchamp	Esau	Kempe, R.	Novak	Suss
Begich	Evans	King	Osthoff	Swanson
Berg	Ewald	Knickerbocker	Patton	Tomlinson
Berglin	Faricy	Kostohryz	Pehler	Vanasek
Berkelman	Fjoslien	Kroening	Peterson	Voss
Biersdorf	Forsythe	Kvam	Petrafeso	Waldorf
Birnstihl	Friedrich	Laidig	Pleasant	Welch
Brandl	Fudro	Langseth	Prahl	Wenstrom
Braun	Fugina	Lehto	Reding	Wenzel
Brinkman	George	Lemke	Rose	Wigley
Byrne	Gunter	Mangan	Samuelson	Wynia
Carlson, A.	Hanson	Mann	Sarna	Zubay
Carlson, L.	Haugerud	McCarron	Savelkoul	Speaker Sabo
Casserly	Heinitz	McCollar	Scheid	
Clark	Hokanson	McDonald	Schulz	
Clawson	Jacobs	McEachern	Searle	

The bill was passed and its title agreed to.

H. F. No. 293 was reported to the House.

Anderson, I., moved that H. F. No. 293 be continued on the Consent Calendar until Monday, April 11, 1977. The motion prevailed.

H. F. No. 445, A bill for an act relating to natural resources; acquisition, development, and maintenance of recreational sites along designated canoe and boating routes; amending Minnesota Statutes 1976, Section 85.32, Subdivision 2.

The bill was read for the third time and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 131 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Abeln	Arlandson	Birnstihl	Casserly	Den Ouden
Adams	Battaglia	Brandl	Clark	Eckstein
Albrecht	Beauchamp	Braun	Clawson	Eken
Anderson, B.	Begich	Brinkman	Cohen	Ellingson
Anderson, D.	Berg	Byrne	Corbid	Enebo
Anderson, G.	Berglin	Carlson, A.	Cummiskey	Erickson
Anderson, I.	Berkelman	Carlson, D.	Dahl	Esau
Anderson, R.	Biersdorf	Carlson, L.	Dean	Evans

Ewald	Kaley	McDonald	Rice	Swanson
Faricy	Kalis	McEachern	Rose	Tomlinson
Fjoslien	Kelly, R.	Metzen	St. Onge	Vanasek
Forsythe	Kelly, W.	Moe	Samuelson	Voss
Friedrich	Kempe, A.	Munger	Sarna	Waldorf
Fudro	Kempe, R.	Murphy	Savelkoul	Welch
Fugina	King	Neisen	Scheid	Wenstrom
George	Knickerbocker	Nelsen, M.	Searle	Wenzel
Gunter	Kostohryz	Nelson	Searles	White
Hanson	Kroening	Niehaus	Sherwood	Wieser
Haugerud	Kvam	Norton	Sieben, H.	Wigley
Heinitz	Laidig	Novak	Sieben, M.	Williamson
Hokanson	Langseth	Osthoff	Simoneau	Wynia
Jacobs	Lehto	Patton	Skoglund	Zubay
Jaros	Lemke	Peterson	Smogard	Speaker Sabo
Jensen	Mangan	Petrafeso	Spanish	
Johnson	Mann	Pleasant	Stanton	
Jude	McCarron	Prahl	Stoa	
Kahn	McCollar	Reding	Suss	

The bill was passed and its title agreed to.

H. F. No. 524, A bill for an act relating to beverage containers; detachable parts of noncarbonated beverage cans; amending Minnesota Statutes 1976, Section 325.248, Subdivision 1.

The bill was read for the third time and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 129 yeas and 5 nays as follows:

Those who voted in the affirmative were:

Adams	Corbid	Jensen	Moe	Searle
Albrecht	Cummiskey	Johnson	Munger	Sherwood
Anderson, B.	Dahl	Jude	Murphy	Sieben, H.
Anderson, D.	Den Ouden	Kahn	Neisen	Sieben, M.
Anderson, G.	Eckstein	Kaley	Nelsen, B.	Simoneau
Anderson, I.	Eken	Kalis	Nelsen, M.	Skoglund
Anderson, R.	Ellingson	Kelly, R.	Nelson	Smogard
Arlandson	Enebo	Kelly, W.	Niehaus	Spanish
Battaglia	Erickson	Kempe, A.	Norton	Stanton
Beauchamp	Esau	Kempe, R.	Novak	Stoa
Begich	Evans	King	Osthoff	Suss
Berg	Ewald	Knickerbocker	Patton	Tomlinson
Berglin	Faricy	Kostohryz	Pehler	Vanasek
Berkelman	Fjoslien	Kroening	Peterson	Voss
Biersdorf	Forsythe	Kvam	Petrafeso	Waldorf
Birnstihl	Friedrich	Laidig	Pleasant	Welch
Brandl	Fudro	Langseth	Prahl	Wenstrom
Braun	Fugina	Lehto	Reding	Wenzel
Brinkman	George	Lemke	Rice	White
Byrne	Gunter	Mangan	Rose	Wieser
Carlson, A.	Hanson	Mann	St. Onge	Wigley
Carlson, L.	Haugerud	McCarron	Samuelson	Williamson
Casserly	Heinitz	McCollar	Sarna	Wynia
Clark	Hokanson	McDonald	Savelkoul	Zubay
Clawson	Jacobs	McEachern	Scheid	Speaker Sabo
Cohen	Jaros	Metzen	Schulz	

Those who voted in the negative were:

Abeln Carlson, D. Dean Searles Swanson

The bill was passed and its title agreed to.

H. F. No. 489, A bill for an act relating to legal newspapers; simplifying procedures for receiving reimbursement for publication of proposed constitutional amendments; amending Minnesota Statutes 1976, Section 3.22.

The bill was read for the third time and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 126 yeas and 6 nays as follows:

Those who voted in the affirmative were:

Abeln	Cohen	Jensen	Munger	Sieben, M.
Adams	Corbid	Johnson	Murphy	Simoneau
Anderson, B.	Cummiskey	Jude	Neisen	Skoglund
Anderson, D.	Dahl	Kahn	Nelsen, B.	Smogard
Anderson, G.	Dean	Kaley	Nelsen, M.	Stanton
Anderson, I.	Den Ouden	Kalis	Nelson	Stoa
Anderson, R.	Eckstein	Kelly, R.	Niehaus	Suss
Arlandson	Eken	Kelly, W.	Norton	Swanson
Battaglia	Ellingson	Kempe, A.	Novak	Tomlinson
Beauchamp	Enebo	Kempe, R.	Osthoff	Vanasek
Begich	Evans	King	Patton	Voss
Berg	Ewald	Knickerbocker	Pehler	Waldorf
Berglin	Faricy	Kostohryz	Peterson	Welch
Berkelman	Fjoslien	Kroening	Petraieso	Wenstrom
Biersdorf	Forsythe	Kvam	Prahl	Wenzel
Birnsthil	Friedrich	Langseth	Reding	White
Brandl	Fudro	Lehto	Rice	Wieser
Braun	Fugina	Lemke	Rose	Wigley
Brinkman	George	Mangan	St. Onge	Williamson
Byrne	Gunter	Mann	Samuelson	Wynia
Carlson, A.	Hanson	McCarron	Sarna	Zubay
Carlson, D.	Hangerud	McCollar	Savelkoul	Speaker Sabo
Carlson, L.	Heinitz	McDonald	Scheid	
Cassery	Hokanson	McEachern	Searles	
Clark	Jacobs	Metzen	Sherwood	
Clawson	Jaros	Moe	Sieben, H.	

Those who voted in the negative were:

Erickson Laidig Pleasant Searle Spanish

Esau

The bill was passed and its title agreed to.

Clawson was excused for the remainder of today's session.

CALENDAR

S. F. No. 226 was reported to the House and given its third reading.

UNANIMOUS CONSENT

Faricy requested unanimous consent to offer an amendment. The request was granted.

Faricy moved to amend S. F. No. 226, as follows:

Page 1, line 17, delete "January 1, 1978" and insert "June 1, 1977".

The motion prevailed and the amendment was adopted.

S. F. No. 226, A bill for an act relating to minimum wage; providing a higher minimum wage; amending Minnesota Statutes 1976, Section 177.24.

The bill was read for the third time, as amended, and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 107 yeas and 25 nays as follows:

Those who voted in the affirmative were:

Abeln	Clark	Kahn	Nelsen, M.	Smogard
Adams	Cohen	Kelly, R.	Nelson	Spanish
Anderson, B.	Corbid	Kelly, W.	Norton	Stanton
Anderson, G.	Cummiskey	Kempe, A.	Novak	Stoa
Anderson, I.	Dahl	Kempe, R.	Osthoff	Suss
Anderson, R.	Dean	King	Patton	Swanson
Arlandson	Ellingson	Knickerbocker	Pehler	Tomlinson
Battaglia	Enebo	Kostohryz	Petrafeso	Vanasek
Beauchamp	Evans	Kroening	Prahl	Voss
Begich	Faricy	Laidig	Reding	Waldorf
Berg	Fudro	Langseth	Rice	Welch
Berglin	Fugina	Lehto	St. Onge	Wenstrom
Berkelman	George	Lemke	Samuelson	Wenzel
Biersdorf	Gunter	Mann	Sarna	White
Birnstihl	Hanson	McCarron	Savelkoul	Wieser
Brandl	Haugerud	McCollar	Scheid	Williamson
Braun	Hokanson	McEachern	Searles	Wynia
Byrne	Jacobs	Metzen	Sherwood	Zubay
Carlson, A.	Jaros	Moe	Sieben, H.	Speaker Sabo
Carlson, D.	Jensen	Munger	Sieben, M.	
Carlson, L.	Johnson	Murphy	Simoneau	
Casserly	Jude	Neisen	Skoglund	

Those who voted in the negative were:

Albrecht	Brinkman	Eckstein	Erickson	Fjoslien
Anderson, D.	Den Ouden	Eken	Esau	Forsythe

Friedrich	Kalis	McDonald	Peterson	Schulz
Heinitz	Kvam	Nelsen, B.	Pleasant	Searle
Kaley	Mangan	Niehaus	Rose	Wigley

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

H. F. No. 242 was reported to the House and given its third reading.

There being no objection, H. F. No. 242 was continued on the Calendar for one day.

H. F. No. 398, A bill for an act relating to protection of the environment; prohibiting sale of pressurized containers using certain chlorofluorocarbon propellants; prescribing penalties.

The bill was read for the third time and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 124 yeas and 8 nays as follows:

Those who voted in the affirmative were:

Abeln	Corbid	Johnson	Murphy	Sherwood
Adams	Cummiskey	Jude	Neisen	Sieben, H.
Anderson, D.	Dahl	Kahn	Nelsen, B.	Sieben, M.
Anderson, G.	Dean	Kaley	Nelsen, M.	Simoneau
Anderson, I.	Den Ouden	Kalis	Nelson	Skoglund
Anderson, R.	Eken	Kelly, R.	Niehaus	Smogard
Arlandson	Ellingson	Kelly, W.	Norton	Spanish
Battaglia	Enebo	Kempe, A.	Novak	Stanton
Beauchamp	Erickson	Kempe, R.	Osthoff	Stoa
Begich	Esau	King	Patton	Suss
Berg	Ewald	Knickerbocker	Pehler	Swanson
Berglin	Farcy	Kostohryz	Peterson	Tomlinson
Berkelman	Fjoslien	Kroening	Petrafeso	Vanasek
Biersdorf	Friedrich	Laidig	Prahl	Voss
Birnstihl	Fudro	Langseth	Reding	Waldorf
Brandl	Fugina	Lehto	Rice	Welch
Braun	George	Mangan	Rose	Wenstrom
Brinkman	Gunter	Mann	St. Onge	Wenzel
Byrne	Hanson	McCarron	Samuelson	White
Carlson, A.	Haugerud	McCollar	Sarna	Wieser
Carlson, D.	Heinitz	McDonald	Savelkoul	Williamson
Carlson, L.	Hokanson	McEachern	Scheid	Wynia
Casserly	Jacobs	Metzen	Schulz	Zubay
Clark	Jaros	Moe	Searle	Speaker Sabo
Cohen	Jensen	Munger	Searles	

Those who voted in the negative were:

Albrecht	Evans	Kvam	Pleasant	Wigley
Eckstein	Forsythe	Lemke		

The bill was passed and its title agreed to.

H. F. No. 384, A bill for an act relating to interim claims against the state; appropriating moneys for the payment thereof.

The bill was read for the third time and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 132 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Abeln	Corbid	Jensen	Munger	Sherwood
Adams	Cummiskey	Johnson	Murphy	Sieben, H.
Albrecht	Dahl	Jude	Neisen	Sieben, M.
Anderson, B.	Dean	Kahn	Nelsen, B.	Simoneau
Anderson, D.	Den Ouden	Kaley	Nelsen, M.	Skoglund
Anderson, G.	Eckstein	Kalis	Nelson	Smogard
Anderson, I.	Eken	Kelly, R.	Niehaus	Spanish
Anderson, R.	Ellingson	Kelly, W.	Norton	Stanton
Arlandson	Enebo	Kempe, A.	Novak	Stoa
Battaglia	Erickson	Kempe, R.	Osthoff	Suss
Beauchamp	Esau	King	Patton	Swanson
Begich	Evans	Knickerbocker	Pehler	Tomlinson
Berg	Ewald	Kostohryz	Peterson	Vanasek
Berglin	Faricy	Kroening	Petraleso	Voss
Berkelman	Fjoslien	Kvam	Pleasant	Waldorf
Biersdorf	Forsythe	Laidig	Prahl	Wenstrom
Birnstihl	Friedrich	Langseth	Reding	Wenzel
Brandl	Fudro	Lehto	Rice	White
Braun	Fugina	Lemke	Rose	Wieser
Brinkman	George	Mangan	St. Onge	Wigley
Byrne	Gunter	Mann	Samuelson	Williamson
Carlson, A.	Hanson	McCarron	Sarna	Wynia
Carlson, D.	Haugerud	McCollar	Savelkoul	Zubay
Carlson, L.	Heinitz	McDonald	Scheid	Speaker Sabo
Casserly	Hokanson	McEachern	Schulz	
Clark	Jacobs	Metzen	Searle	
Cohen	Jaros	Moe	Searles	

The bill was passed and its title agreed to.

H. F. No. 442, A bill for an act relating to children; damage done by a child; altering amount of parental liability; amending Minnesota Statutes 1976, Section 540.18, Subdivision 1.

The bill was read for the third time and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 126 yeas and 4 nays as follows:

Those who voted in the affirmative were:

Abeln	Anderson, G.	Beauchamp	Biersdorf	Byrne
Adams	Anderson, I.	Begich	Birnstihl	Carlson, A.
Albrecht	Anderson, R.	Berg	Brandl	Carlson, D.
Anderson, B.	Arlandson	Berglin	Braun	Carlson, L.
Anderson, D.	Battaglia	Berkelman	Brinkman	Casserly

Clark	Gunter	Lehto	Pehler	Smogard
Cohen	Hanson	Lemke	Peterson	Spanish
Corbid	Heinitz	Mangan	Petrafeso	Stanton
Cummiskey	Hokanson	Mann	Pleasant	Stoa
Dahl	Jacobs	McCarron	Prahl	Suss
Dean	Jaros	McCollar	Reding	Swanson
Den Ouden	Jensen	McDonald	Rice	Tomlinson
Eckstein	Johnson	McEachern	Rose	Vanasek
Eken	Jude	Metzen	St. Onge	Voss
Ellingson	Kahn	Moe	Samuelson	Waldorf
Enebo	Kelly, R.	Munger	Sarna	Wenstrom
Erickson	Kelly, W.	Murphy	Savelkoul	Wenzel
Esau	Kempe, A.	Neisen	Scheid	White
Evans	Kempe, R.	Nelsen, B.	Schulz	Williamson
Ewald	King	Nelsen, M.	Searle	Wynia
Faricy	Knickerbocker	Nelson	Searles	Zubay
Forsythe	Kostohryz	Niehaus	Sherwood	Speaker Sabo
Friedrich	Kroening	Norton	Sieben, H.	
Fudro	Kvam	Novak	Sieben, M.	
Fugina	Laidig	Osthoff	Simoneau	
George	Langseth	Patton	Skoglund	

Those who voted in the negative were:

Fjoslien	Kalis	Wieser	Wigley
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The bill was passed and its title agreed to.

H. F. No. 315, A bill for an act relating to state government; state zoological board; providing for a member designated by the Dakota county board; amending Minnesota Statutes 1976, Section 85A.01, Subdivision 1.

The bill was read for the third time and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 125 yeas and 5 nays as follows:

Those who voted in the affirmative were:

Abeln	Brinkman	Ewald	Kelly, R.	Metzen
Adams	Byrne	Faricy	Kelly, W.	Moe
Albrecht	Carlson, A.	Forsythe	Kempe, A.	Munger
Anderson, B.	Carlson, D.	Friedrich	Kempe, R.	Murphy
Anderson, D.	Carlson, L.	Fudro	King	Neisen
Anderson, G.	Casserly	Fugina	Knickerbocker	Nelsen, B.
Anderson, I.	Clark	Gunter	Kostohryz	Nelsen, M.
Anderson, R.	Cohen	Hanson	Kroening	Nelson
Arlandson	Cummiskey	Haugerud	Kvam	Niehaus
Battaglia	Dahl	Heinitz	Laidig	Novak
Beauchamp	Dean	Hokanson	Langseth	Patton
Begich	Den Ouden	Jacobs	Lehto	Pehler
Berg	Eckstein	Jaros	Lemke	Peterson
Berglin	Eken	Jensen	Mangan	Petrafeso
Berkelman	Ellingson	Johnson	Mann	Pleasant
Biersdorf	Enebo	Jude	McCarron	Prahl
Birnstihl	Erickson	Kahn	McCollar	Reding
Brandl	Esau	Kaley	McDonald	Rice
Braun	Evans	Kalis	McEachern	Rose

St. Onge	Searle	Smogard	Vanasek	Wieser
Samuelson	Searles	Spanish	Voss	Wigley
Sarna	Sherwood	Stanton	Waldorf	Williamson
Savelkoul	Sieben, H.	Stoa	Wenstrom	Wynia
Scheid	Sieben, M.	Swanson	Wenzel	Zubay
Schulz	Simoneau	Tomlinson	White	Speaker Sabo

Those who voted in the negative were:

Fjoslien	George	Norton	Osthoff	Skoglund
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The bill was passed and its title agreed to.

Schulz was excused at 4:15 p.m.

GENERAL ORDERS

Pursuant to rules of the House, the House resolved itself into the Committee of the Whole, with Sabo in the Chair, for the consideration of bills pending on General Orders of the Day. After some time spent therein the Committee arose.

REPORT OF COMMITTEE OF THE WHOLE

The Speaker resumed the Chair, whereupon the following proceedings of the Committee as kept by the Chief Clerk were reported to the House:

H. F. Nos. 105, 558 and 817 which it recommended to pass.

H. F. No. 7 which it recommended progress retaining its place on General Orders.

H. F. No. 76 which it recommended progress.

H. F. No. 339 which it recommended to pass with the following amendment offered by Casserly:

Page 3, line 11, delete "\$1,000,000" and insert "\$200,000".

H. F. No. 560 which it recommended to pass with the following amendments:

Offered by Simoneau:

Page 2, line 4, delete "delivered" and insert "shipped by the manufacturer".

Page 2, line 13, delete "delivery" and insert "shipment".

Page 2, line 23, delete "delivered" and insert "shipped by the manufacturer".

Page 2, line 26, delete "delivered" and insert "shipped by the manufacturer".

Page 2, line 32, delete "delivery" and insert "shipment".

Offered by Erickson:

Page 3, lines 4 and 5 delete Section 2 from the bill.

On the motion of Anderson, I., the report of the Committee of the Whole was adopted.

ROLL CALLS IN COMMITTEE OF THE WHOLE

Pursuant to rule 1.6, the following roll calls were taken in the Committee of the Whole:

Sherwood, Lehto, Kahn, Stanton, Skoglund, Hanson and Munger moved to amend H. F. No. 105 as follows:

Page 1, line 13, delete "heretofore".

Page 1, line 13, after "inhabited" insert "in recent times".

Page 1, line 14, after "WHEREAS" delete "without state regulation".

Page 1, line 17, after "WHEREAS" delete "the State of Minnesota has".

Page 1, line 18, after "authority" insert "exist".

Page 1, line 19, after "control" delete "its" and insert "the".

Page 2, line 1, delete "regain and".

Page 2, line 1, delete "exclusive".

Page 2, line 5, delete "declassify" and insert "reclassify".

Page 2, line 6, delete "with the return of".

Page 2, line 7, delete "management to the State of Minnesota" and insert "to threatened status".

Page 2, line 8, after "effect" insert "through a cooperative effort of the federal government and the state of Minnesota".

Further, amend the title as follows:

Page 1, line 2, after "wolf" insert "and federal endangered species act".

Page 1, line 3, after "to" delete the remainder of the line.

Page 1, delete lines 4 to 5 and insert "reclassify the eastern timber wolf to threatened status and participate in a cooperative management effort with the state of Minnesota."

The question was taken on the adoption of the amendment and the roll was called. There were 36 yeas and 87 nays as follows:

Those who voted in the affirmative were:

Arlandson	Dahl	Hanson	Lehto	Skoglund
Berg	Dean	Jaros	Munger	Stanton
Berglin	Den Ouden	Kahn	Nelson	Stoa
Brandl	Ellingson	Kempe, A.	Pehler	Wynia
Carlson, A.	Esau	Kempe, R.	Petrafaso	
Carlson, L.	Faricy	King	Reding	
Casserly	Forsythe	Kostohryz	Searle	
Clark	George	Laidig	Sherwood	

Those who voted in the negative were:

Abeln	Corbid	Kelly, R.	Niehaus	Simoneau
Adams	Eken	Kelly, W.	Novak	Smogard
Albrecht	Enebo	Knickerbocker	Osthoff	Spanish
Anderson, B.	Erickson	Kroening	Patton	Suss
Anderson, G.	Evans	Kvam	Peterson	Swanson
Anderson, I.	Ewald	Langseth	Pleasant	Tomlinson
Anderson, R.	Fjoslien	Lemke	Prahl	Vanasek
Battaglia	Friedrich	Mangan	Rice	Voss
Beauchamp	Fudro	Mann	Rose	Waldorf
Begich	Fugina	McCarron	St. Onge	Welch
Berkelman	Gunter	McCollar	Samuelson	Wenstrom
Biersdorf	Haugerud	McDonald	Sarna	Wenzel
Birnstihl	Jacobs	McEachern	Savelkoul	White
Braun	Jensen	Metzen	Scheid	Wieser
Brinkman	Johnson	Murphy	Schulz	Williamson
Byrne	Jude	Neisen	Searles	
Carlson, D.	Kaley	Nelsen, B.	Sieben, H.	
Cohen	Kalis	Nelsen, M.	Sieben, M.	

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

The question was taken on the motion to recommend passage of H. F. No. 105 and the roll was called. There were 103 yeas and 24 nays as follows:

Those who voted in the affirmative were:

Abeln	Anderson, I.	Berg	Brinkman	Den Ouden
Adams	Anderson, R.	Berkelman	Byrne	Eckstein
Albrecht	Battaglia	Biersdorf	Carlson, D.	Eken
Anderson, B.	Beauchamp	Birnstihl	Clark	Enebo
Anderson, G.	Begich	Braun	Corbid	Erickson

Esau	Kaley	McEachern	Rice	Suss
Evans	Kalis	Metzen	Rose	Swanson
Ewald	Kelly, R.	Moe	St. Onge	Tomlinson
Fjoslien	Kelly, W.	Murphy	Samuelson	Vanasek
Forsythe	King	Neisen	Sarna	Voss
Friedrich	Knickerbocker	Nelsen, B.	Savelkoul	Waldorf
Fudro	Kostohryz	Nelsen, M.	Scheid	Welch
Fugina	Kroening	Niehaus	Schulz	Wenstrom
Gunter	Kvam	Novak	Searle	Wenzel
Haugerud	Langseth	Osthoff	Searles	White
Heinitz	Lemke	Patton	Sieben, H.	Wieser
Hokanson	Mangan	Pehler	Sieben, M.	Wigley
Jacobs	Mann	Peterson	Simoneau	Williamson
Jensen	McCarron	Pleasant	Smogard	Zubay
Johnson	McCollar	Prahl	Spanish	
Jude	McDonald	Reding	Stoa	

Those who voted in the negative were:

Arlandson	Casserly	George	Kempe, R.	Norton
Berglin	Cohen	Hanson	Laidig	Skoglund
Brandl	Dean	Jaros	Lehto	Stanton
Carlson, A.	Ellingson	Kahn	Munger	Wynia
Carlson, L.	Faricy	Kempe, A.	Nelson	

The motion prevailed.

MOTIONS AND RESOLUTIONS

Carlson, L., moved that H. F. No. 1095 be recalled from the Committee on Financial Institutions and Insurance and be re-referred to the Committee on Health and Welfare. The motion prevailed.

Savelkoul moved that the names of Heinitz, Forsythe, Pleasant and Rose be added as authors on H. F. No. 1230. The motion prevailed.

Beauchamp moved that H. F. No. 522 be recalled from the Committee on Appropriations and be re-referred to the Committee on Local and Urban Affairs. The motion prevailed.

Fugina moved that H. F. No. 966 be recalled from the Committee on Education and be re-referred to the Committee on General Legislation and Veterans Affairs. The motion prevailed.

Kelly, R., moved that the name of Cohen be added as an author on H. F. No. 388. The motion prevailed.

Pleasant moved that his name be stricken as an author on H. F. No. 1197. The motion prevailed.

Norton moved that the name of Searle be added as an author on H. F. No. 1240. The motion prevailed.

Nelsen, M., moved that the name of Jude be added as an author on H. F. No. 1241. The motion prevailed.

Kelly, R., introduced:

House Resolution No. 12, A house resolution congratulating the Hazel Park Hockey Pee Wee team on winning the State Pee Wee Hockey Tournament.

The resolution was referred to the Committee on Rules and Legislative Administration.

CERTIFICATION

April 4, 1977

To The Senate
State of Minnesota

To the House of Representatives
State of Minnesota

This is to certify that the House of Representatives and the Senate in Joint Convention on Monday, April 4, 1977, have elected as members of the Board of Regents of the University of Minnesota the following members each to hold his or her respective office for the term specified from the first Monday of February, 1977:

Charles F. McGuigan, At Large, six years.

Wenda Moore, At Large, six years.

Michael Unger (Student or recent graduate), At Large, six years.

Mary Schertler, 4th Congressional District, two years.

David M. Lebedoff, 5th Congressional District, six years.

EDWARD J. GEARTY, President of the Senate

MARTIN OLAV SABO, Speaker of the House of Representatives

ADJOURNMENT

Anderson, I., moved that the House adjourn. The motion prevailed, and the Speaker declared the House stands adjourned until 2:00 p.m., Thursday, April 7, 1977.

EDWARD A. BURDICK, Chief Clerk, House of Representatives

STATE OF MINNESOTA

SEVENTIETH SESSION - 1977

THIRTY-SECOND DAY

SAINT PAUL, MINNESOTA, THURSDAY, APRIL 7, 1977

The House of Representatives convened at 2:00 p.m. and was called to order by the Speaker.

Prayer was offered by the Chaplain.

The roll was called and the following members were present:

Abeln	Cohen	Jensen	Neisen	Sieben, M.
Adams	Corbid	Johnson	Nelsen, B.	Simoneau
Albrecht	Cummiskey	Jude	Nelsen, M.	Skoglund
Anderson, B.	Dahl	Kahn	Nelson	Smogard
Anderson, D.	Dean	Kaley	Niehaus	Spanish
Anderson, G.	Den Ouden	Kalis	Norton	Stanton
Anderson, I.	Eckstein	Kelly, R.	Novak	Stoa
Anderson, R.	Eken	Kelly, W.	Osthoff	Suss
Arlandson	Ellingson	King	Patton	Swanson
Battaglia	Enebo	Knickerbocker	Pehler	Tomlinson
Beauchamp	Erickson	Kostohryz	Peterson	Vanasek
Begich	Esau	Kroening	Petrafeso	Voss
Berg	Evans	Kvam	Pleasant	Waldorf
Berglin	Ewald	Laidig	Prahl	Welch
Berkelman	Faricy	Langseth	Reding	Wenstrom
Biersdorf	Fjoslien	Lehto	Rice	Wenzel
Birnstihl	Forsythe	Lemke	Rose	White
Brandl	Friedrich	Mangan	St. Onge	Wieser
Braun	Fudro	Mann	Samuelson	Wigley
Brinkman	Fugina	McCarron	Sarna	Williamson
Byrne	George	McCollar	Savelkoul	Wynia
Carlson, A.	Gunter	McDonald	Scheid	Zubay
Carlson, D.	Hanson	McEachern	Schulz	Speaker Sabo
Carlson, L.	Heinitz	Metzen	Searle	
Casserly	Hokanson	Moe	Searies	
Clark	Jacobs	Munger	Sherwood	
Clawson	Jaros	Murphy	Sieben, H.	

A quorum was present.

Haugerud and Kempe, R. were excused. Kempe, A. was excused until 3:00 p.m.

The Chief Clerk proceeded to read the Journal of the preceding day. Esau moved that further reading of the Journal be dispensed with and that the Journal be approved as corrected by the Chief Clerk. The motion prevailed.

REPORTS OF CHIEF CLERK

Pursuant to Rules of the House, printed copies of H. F. Nos. 482, 920, 1076, 805, 882, 130, 1003, 967, 763, 541, 922, 79, 689, 560 and 339 and S. F. No. 32 have been placed in the members' files.

REPORTS OF STANDING COMMITTEES

Mann from the Committee on Agriculture to which was referred:

H. F. No. 823, A bill for an act relating to public health; permitting plastic well casings; amending Minnesota Statutes 1976, Chapter 156A, by adding a section.

Reported the same back with the following amendments:

Page 1, after line 13, add a section as follows:

"Sec. 2. [EFFECTIVE DATE.] *This act is effective May 1, 1977.*"

With the recommendation that when so amended the bill pass.

The report was adopted.

Mann from the Committee on Agriculture to which was referred:

H. F. No. 1079, A bill for an act relating to agriculture; seeds; changing the basis for listing restricted noxious weed seeds on labels; prohibiting certain acts; increasing fees; amending Minnesota Statutes 1976, Sections 21.48, Subdivision 3; 21.49, Subdivision 1; 21.53, Subdivision 3; and 21.54, Subdivision 2.

Reported the same back with the recommendation that the bill pass.

The report was adopted.

Johnson from the Committee on Education to which was referred:

H. F. No. 484, A bill for an act relating to education; defining high potential children; increasing aids for certain enrichment programs; appropriating money.

Reported the same back with the following amendments:

Page 1, line 14, delete "shall" and insert "may".

Page 1, line 16, delete "relative" and insert "appropriate".

Page 1, line 17, delete "guidelines" and insert "rules".

Page 1, line 19, delete "shall" and insert "may".

Page 1, line 22, after "for" insert "high potential children in grades".

Page 2, line 1, delete "grade".

Page 2, line 1, after "12" delete ", and shall" and insert a period and "These programs may".

Page 2, line 13, after "to" insert "the amount which would accrue if there were added to a district's total pupil units used in determining its foundation aid the lesser of (a)".

Page 2, line 14, after "or" insert "(b) 5/100 of a pupil unit times".

Page 2, line 16, delete ", whichever is less to" and insert a period and "This aid shall".

Page 2, line 20, after "set" insert "minimum".

Page 2, after line 28, insert:

"Sec. 6. [EFFECTIVE DATE.] This act becomes effective the day after enactment."

With the recommendation that when so amended the bill pass and be re-referred to the Committee on Appropriations.

The report was adopted.

Johnson from the Committee on Education to which was referred:

H. F. No. 889, A bill for an act relating to education; trade schools; exempting certain courses in the arts from regulation by the commissioner of education; amending Minnesota Statutes 1976, Section 141.35.

Reported the same back with the following amendments:

Page 2, lines 21 to 25, delete the new language and insert:

“(m) Courses of instruction in the fine arts provided by organizations exempt from taxation pursuant to section 290.05 and registered with the Minnesota department of commerce pursuant to chapter 309. “Fine arts” means activities resulting in artistic creation or artistic performance of works of the imagination which are engaged in for the primary purpose of creative expression rather than commercial sale or employment. In making this determination the commissioner may seek the advice and recommendation of the Minnesota board of the arts”.

With the recommendation that when so amended the bill pass.

The report was adopted.

Brinkman from the Committee on Financial Institutions and Insurance to which was referred:

H. F. No. 1180, A bill for an act relating to financial institutions; permitting the establishment and operation of electronic funds transfer facilities; prescribing the powers and duties of the commissioner of banks in relation to funds transfer facilities; protecting the privacy and security of customers of financial institutions who use electronic funds transfer facilities; prescribing penalties.

Reported the same back with the following amendments:

Page 4, line 28, after “terminal” insert “for use by one type of financial institution”.

Page 4, line 30, after “institution” insert “of similar type”.

Page 5, line 5, after the period insert “For purposes of this subdivision, the types of financial institutions are: (a) commercial banks and mutual savings banks; (b) credit unions; and (c) savings and loan associations. The services of an electronic financial terminal may be made available to any type of financial institution. After January 1, 1979, or earlier if determined by the commissioner to be technically feasible, an electronic financial terminal which is used by or made available to one type of financial institution shall be made available, upon request, to other types of financial institutions on a fair, equitable and non-discriminatory basis as approved by the commissioner.”.

Page 12, line 8, delete “in”.

Page 12, line 9, delete “which case the operator”.

Page 12, line 23, delete “the”.

Page 12, line 24, delete “provisions” and insert “any subdivision”.

Page 12, line 29, after the comma insert "punitive damages when applicable,".

Page 13, line 12, after "in" insert "any".

Page 15, line 9, delete "October 1, 1977" and insert "January 1, 1978".

With the recommendation that when so amended the bill pass.

The report was adopted.

Sieben, H., from the Committee on Governmental Operations to which was referred:

H. F. No. 85, A bill for an act relating to state agencies; providing for an open appointment process; requiring reports from appointing authorities and the secretary of state.

Reported the same back with the following amendments:

Strike everything after the enacting clause and insert:

"Section 1. [15.0595] [APPOINTMENTS TO MULTI-MEMBER AGENCIES.] Subdivision 1. [DEFINITIONS.] As used in this section, "agency" means:

(a) A state board, commission, council, committee, authority, task force or other similar multi-member agency created by statute and having statewide jurisdiction; and

(b) The metropolitan council, metropolitan transit commission, metropolitan airports commission, metropolitan parks and open space commission, metropolitan waste control commission, capitol area architectural and planning board, and any agency with a regional jurisdiction created in this state pursuant to an interstate compact. "Commissioner" means commissioner of administration.

"Vacancy" or "vacant agency position" means:

(a) A vacancy in an existing agency, or

(b) A new, unfilled agency position;

but shall not mean:

(a) A vacant position on an agency composed exclusively of persons employed by a political subdivision or another agency, or

(b) A vacancy to be filled by a person required to have a specific title or position.

Subd. 2. [COLLECTION OF DATA.] The chairman of an existing agency, or the appointing authority for the members of a newly created agency, shall provide the commissioner, on forms prepared and distributed by the commissioner, with the following data pertaining to that agency:

(a) The name of the agency, its mailing address, and telephone number;

(b) The legal authority for the creation of the agency and the name of the person appointing agency members;

(c) The powers and duties of the agency;

(d) The number of authorized members, together with any prescribed restrictions on eligibility such as employment experience or geographical representation;

(e) The dates of commencement and expiration of the membership terms and the expiration date of the agency, if any;

(f) The compensation of members, and appropriations or other funds available to the agency;

(g) The regular meeting schedule, if any, and approximate number of hours per month of meetings or other activities required of members;

(h) The roster of current members, including mailing addresses and telephone numbers; and

(i) A breakdown of the membership showing distribution by county and legislative district, and, only if the member has voluntarily supplied the information, the sex, political party preference or lack thereof, race and national origin of the members.

Subd. 3. [PUBLICATION OF AGENCY DATA.] The commissioner of administration, shall provide for periodic updating of the required data and shall annually arrange for the publication in the state register of the compiled data from all agencies on or about December 1 of each year. Beginning in 1978, the compilation shall be published together with the agency descriptions required by section 15.0412, subdivision 2. Copies of the compilation shall be delivered to the governor and the legislature. Copies of the compilation shall be made available by the commissioner of administration to any interested person at cost,

and copies shall be available for viewing by interested persons and for sale. The chairman of an agency who does not submit data required by this section or section 15.0412, subdivision 2, or who does not notify the commissioner of a vacancy in his agency, shall not be eligible for a per diem or expenses in connection with agency service until December 1 of the following year.

Subd. 4. [NOTICE OF VACANCIES.] The chairman of an agency, in respect to vacancies in existing agencies, or the appointing authority, in respect to newly created agency positions, shall notify the commissioner of a vacancy within 15 days after the occurrence of the vacancy. Every 15 days the commissioner shall prepare a list of all vacancies in state agencies, together with a list of the vacancies scheduled to occur within the next 30 days as a result of the expiration of membership terms or the creation of new agency positions. This listing shall be published in the next available issue of the state register, and one copy of the listing shall be made available at the office of the commissioner to any interested person. The commissioner shall distribute by mail copies of the listings to requesting persons. The listing for all vacancies scheduled to occur in the month of January shall be published in the state register together with the compilation of agency data required to be published pursuant to subdivision 3.

Subd. 5. [NOMINATIONS FOR VACANCIES.] Any person may nominate himself to be appointed to an agency vacancy by completing an application on a form prepared and distributed by the commissioner. Any person or group of persons may, on a similar application form, nominate another person to be appointed to a vacancy so long as the person so nominated consents in writing on the application form to the nomination. The application form shall specify the nominee's name, mailing address, telephone number, preferred agency position sought, a statement that the nominee satisfies any legally prescribed qualifications, and any other information the nominating person feels would be helpful to the appointing authority. The application form shall permit the nominating person at his discretion to indicate the nominee's sex, political party preference or lack thereof, race and national origin. If a person submits an application at the behest of or upon the suggestion of an appointing authority, the person shall so indicate on the application form. The commissioner shall, upon 15 days after publication of a vacancy in the state register or upon 15 days prior to a scheduled vacancy, whichever date occurs later, submit copies of all applications received for a position to the appointing authority charged with filling the vacancy. If no applications have been received by the commissioner for the vacant position by the date he is required to submit copies to the appointing authority, he shall so inform the appointing authority. Applications received by the commissioner shall be deemed to have expired one year after receipt of the application or upon appointment and, if required, advice and consent by the senate, to a vacancy, whichever occurs first. An

application for a particular agency position shall be deemed to be an application for all vacancies in that agency occurring prior to the expiration of the application.

Subd. 6. [APPOINTMENTS.] In making an appointment to a vacant agency position, the appointing authority shall consider applications for positions in that agency supplied by the commissioner. No appointing authority may appoint someone to a vacant agency position until (1) 15 days after receipt of the applications for positions in that agency from the commissioner or (2) receipt of notice from the commissioner that no applications have been received for vacant positions in that agency. The appointing authority shall inform the commissioner of the name of the person appointed to fill the agency vacancy within 15 days after the date of appointment. If the appointing authority nominates a person other than one for whom an application was submitted pursuant to this section, the appointing authority shall complete an application form on behalf of the appointee and submit it to the commissioner. If the appointment requires the advice and consent of the senate, the commissioner shall, prior to consideration by the senate of the appointment, supply the president of the senate with a copy of the application, together with a copy of any documents which the appointee is required by virtue of his appointment to submit to the ethical practices board. With respect to the ethical practices board, the commissioner shall also submit a copy of the application and documents to the speaker of the house of representatives prior to consideration of the appointment by the house of representatives.

Subd. 7. [REPORT.] Together with the compilation required in subdivision 3, the commissioner shall annually deliver to the governor and the legislature a report containing the following information:

- (a) Vacancies occurring in the preceding year;
- (b) The number of vacancies occurring as a result of scheduled ends of terms, unscheduled vacancies and the creation of new positions;
- (c) Breakdowns by county, legislative district and, if known, the sex, political party preference or lack thereof, race and national origin, for members whose agency membership terminated during the year and appointees to the vacant positions; and
- (d) The number of vacancies filled from applications submitted by (1) the appointing authorities for the positions filled, (2) nominating persons and self-nominees who submitted applications at the behest of or upon the suggestion of appointing authorities, and (3) all others.

Sec. 2. [EFFECTIVE DATE.] Section 1, subdivisions 1 to 3, of this act are effective July 1, 1977, and the remainder of the act is effective in respect to all agency vacancies occurring after September 1, 1977."

Further, amend the title by striking it in its entirety and inserting:

"A bill for an act relating to governmental agencies; providing for an open appointment process; requiring reports from appointing authorities and the commissioner of administration; providing for publication of agency vacancies."

With the recommendation that when so amended the bill pass.

The report was adopted.

Sieben, H., from the Committee on Governmental Operations to which was referred:

H. F. No. 308, A bill for an act relating to retirement; Minnesota state retirement system; exclusion from pension coverage for certain labor service employees of the metropolitan waste control commission; amending Minnesota Statutes 1976, Sections 352.01, Subdivision 2B; 473.141, Subdivision 12; and 473.511, Subdivision 3.

Reported the same back with the following amendments:

Page 5, line 12, delete "*Labor service employees*" and insert "*Tradesmen*".

Page 5, line 13, delete "*on a regular basis*".

Page 5, line 15, delete "*who were either*".

Page 5, line 16, delete "*1976 or who were employed prior to*".

Page 5, delete lines 17 and 18.

Page 5, line 19, delete the new language and insert "1977".

Page 6, lines 4 to 9, delete the new language and insert "*Tradesmen employed by the metropolitan waste control commission with trade union pension coverage pursuant to a collective bargaining agreement who elected exclusion from coverage pursuant to section 4 of this act or who are first employed after July 1, 1977 shall not be covered by the Minnesota state retirement system.*".

Page 7, lines 4 to 9, delete the new language and insert "*Tradesmen employed by the metropolitan waste control commission with trade union pension coverage pursuant to a collective bargaining agreement who elected exclusion from coverage pursuant to section 4 of this act or who are first employed after July 1, 1977 shall not be covered by the Minnesota state retirement system.*".

Page 8, line 6, delete "*labor service employee*" and insert "*tradesman*".

Page 8, line 8, delete "*regular*" and insert "*permanent*".

Page 8, line 10, delete "*pension*".

Page 8, line 11, delete "*labor service employee*" and insert "*tradesman*".

Page 8, line 12, delete "*1976*" and insert "*1977*".

Page 8, line 12, delete "*labor service*".

Page 8, line 13, delete "*employee*" and insert "*tradesman*".

Page 8, line 13, delete "*1976*" and insert "*1977*".

Page 8, line 14, delete "*pension*".

Page 8, line 18, delete "*labor service employee*" and insert "*tradesman*".

Page 8, line 24, delete "*irrevocable*".

Page 8, line 24, after "*election*" insert "*irrevocable while employed in such capacity*".

Page 8, line 27, delete "*pension*".

Page 8, line 28, delete "*under*" and insert "*as provided in*".

Page 8, line 29, delete "*labor service employee*" and insert "*tradesman*".

Page 8, line 30, before "*employer*" delete "*accumulated*".

Page 8, line 31, after "*contributions*" insert "*made pursuant to Minnesota Statutes, Section 352.04, Subdivision 3, on behalf of the tradesman*".

Page 8, line 31, delete "*five*" and insert "*three and one-half*".

Page 9, line 3, after "*The*" and before "*refund*" insert "*application for the*".

Page 9, line 3, delete "*shall*" and insert "*may*".

Page 9, line 4, after the period insert "*No repayment of a refund made under this section shall be permitted.*".

Amend the title:

Page 1, line 4, delete "labor service employees" and insert "tradesmen".

With the recommendation that when so amended the bill pass and be placed on the Consent Calendar.

The report was adopted.

Sieben, H., from the Committee on Governmental Operations to which was referred:

H. F. No. 316, A bill for an act relating to wrongful death; authorizing the commencement of an action within three years from the date of death; amending Minnesota Statutes 1976, Section 573.02, Subdivision 1.

Reported the same back with the following amendments:

Page 1, line 17, after "*death*" insert "*provided that the action must be commenced within six years after the act or omission*".

With the recommendation that when so amended the bill pass and be placed on the Consent Calendar.

The report was adopted.

Sieben, H., from the Committee on Governmental Operations to which was referred:

H. F. No. 416, A bill for an act relating to the disposition of unclaimed property; changing certain definitions; changing the length of time unclaimed property must be held before disposition; changing certain disposition procedures; amending Minnesota Statutes 1976, Sections 345.31, Subdivisions 3 and 6; 345.32; 345.33; 345.35; 345.37; 345.39; 345.41; 345.47; and Chapter 345, by adding sections; repealing Minnesota Statutes 1976, Section 55.14.

Reported the same back with the following amendments:

Page 2, line 19, strike "or".

Page 2, line 22, strike the period and insert a semicolon.

Page 2, after line 22 insert:

“(4) received tax reports or regular statements of the deposit by mail from the banking or financial organization regarding the deposit. Receipt of the statement by the owner should be presumed if the statement is mailed first class by the banking or financial organization and not returned to it; or

(5) acted as provided in section 345.32, clause (a) (1), (2), (3), and (4) in regard to another demand, savings or time deposit made with such banking or financial organization.”.

Page 2, line 23, after “funds” insert “or dividends deposited or”.

Page 2, line 24, after “organization” insert “or business association”.

Page 3, line 3, strike the period and insert “; or”.

Page 3, after line 3, insert:

“(4) received tax reports or regular statements of the deposit or accounting by mail from the financial organization or business association regarding the deposit. Receipt of the statement by the owner should be presumed if the statement is mailed first class by the financial organization or business association and not returned to it.”.

Page 3, line 9, after “limitation,” insert “matured”.

Page 3, line 25, strike “or any surplus amounts arising from”.

Page 3, line 26, strike “the sale thereof pursuant to law,”.

Page 9, after line 16, insert a new section to read:

“Sec. 9. Minnesota Statutes 1976, Section 345.43, is amended to read:

345.43 [PAYMENT OR DELIVERY OF ABANDONED PROPERTY.] *Subdivision 1.* Every person who has filed a report under section 345.41, within 20 days after the time specified in section 345.42 for claiming the property from the holder, or in the case of sums payable on traveler's checks or money orders presumed abandoned under section 345.32 within 20 days after the filing of the report, shall pay or deliver to the state treasurer all abandoned property specified in this report, except that, if the owner establishes his right to receive the abandoned

property to the satisfaction of the holder within the time specified in section 345.42, or if it appears that for some other reason the presumption of abandonment is erroneous, the holder need not pay or deliver the property, which will no longer be presumed abandoned, to the state treasurer, but in lieu thereof shall file a verified written explanation of the proof of claim or of the error in the presumption of abandonment.

Subd. 2. The state treasurer may, at his discretion, determine that the payment of the remaining abandoned property presents a hardship for a cooperative. If the state treasurer determines that a hardship exists, he may allow the cooperative to provide payment in equal installments over a period of three years.

(a) If legitimate claims to property reported by the cooperative to the state treasurer exceed the installments paid, the additional amount represented by such claims shall be paid by the cooperative to the state treasurer. This additional amount shall be deducted from the following installment.

(b) This subdivision will only be in effect for reports filed within 12 months of July 1, 1977."

Renumber sections accordingly.

Further amend the title:

Page 1, line 8, after "345.41;" insert "345.43;".

With the recommendation that when so amended the bill pass.

The report was adopted.

Sieben, H., from the Committee on Governmental Operations to which was referred:

H. F. No. 456, A bill for an act relating to the operation of state government; providing for the purchase of certain motor vehicles for use by investigative and undercover agents of the department of public safety without competitive bids; amending Minnesota Statutes 1976, Section 16.07, by adding a subdivision.

Reported the same back with the following amendments:

Strike everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 1976, Section 16.07, is amended by adding a subdivision to read:

Subd. 8a. [CERTAIN VEHICLES.] Upon the written request of the commissioner of public safety, motor vehicles for

the specific use by investigative and undercover agents of the department of public safety shall be purchased by the brand make and model. All other provisions of chapter 16 relating to competitive bidding shall apply to the above purchases.

Sec. 2. *This act is effective the day following its final enactment.*"

Amend the title:

Page 1, line 5, delete "without".

Page 1, line 6, delete "competitive bids".

With the recommendation that when so amended the bill pass.

The report was adopted.

Sieben, H., from the Committee on Governmental Operations to which was referred:

H. F. No. 903, A bill for an act relating to public transportation; making state commuter vans available for use by blind vending operators working on state property; amending Minnesota Statutes 1976, Section 16.756.

Reported the same back with the recommendation that the bill pass and be placed on the Consent Calendar.

The report was adopted.

Sieben, H., from the Committee on Governmental Operations to which was referred:

S. F. No. 70, A bill for an act relating to judgments; providing for enforcement of foreign judgments in courts of this state.

Reported the same back with the recommendation that the bill pass.

The report was adopted.

Berg from the Committee on Local and Urban Affairs to which was referred:

H. F. No. 425, A bill for an act relating to the city of Paynesville; providing for the acquisition of the Paynesville historical society; providing for a tax levy.

Reported the same back with the following amendments:

Strike everything after the enacting clause and insert:

“Section 1. Minnesota Statutes 1976, Section 471.93, is amended to read:

471.93 [APPROPRIATIONS FOR HISTORICAL WORK BY MUNICIPALITIES.] In cities of the second, third or fourth class, and statutory cities at any regular or properly called special meeting of the council, it may appropriate money for the purpose of collecting, preserving, storing, housing, printing, publishing, distributing and exhibiting data and material pertaining to the history of the city, for the purpose of commemorating the anniversary of any important and outstanding event in such history, and to preserve such history data and material for future generations. The amount appropriated shall not exceed (\$500) \$2,000 in any one year.

Sec. 2. *This act is effective on the day following its final enactment.*”.

Further amend the title by deleting it in its entirety and inserting:

“A bill for an act relating to municipalities; authorizing appropriations for historical work; amending Minnesota Statutes 1976, Section 471.93.”.

With the recommendation that when so amended the bill pass and be placed on the Consent Calendar.

The report was adopted.

Berg from the Committee on Local and Urban Affairs to which was referred:

H. F. No. 808, A bill for an act relating to local improvements; contracts; requiring percentage payments thereunder, and requiring payment of interest on money due and not paid in accordance with the contract; amending Minnesota Statutes 1976, Section 429.041, Subdivision 6; and Chapter 429, by adding a section.

Reported the same back with the following amendments:

Page 2, delete lines 4 to 10 and insert:

“[429.045] [INTEREST REQUIRED ON OVERDUE PAYMENTS.] *Where there is no dispute, failure to pay in accordance with the terms of the contract shall obligate the municipality responsible for payments under the contract within 30 days of the monthly estimate thereof or within 90 days of the*

final estimate, to pay to the contractor, one percent over prime rate figured at simple interest on past due money earned and payable under the contract.”.

With the recommendation that when so amended the bill pass.

The report was adopted.

Berg from the Committee on Local and Urban Affairs to which was referred:

H. F. No. 930, A bill for an act relating to the counties of Hennepin and Scott; directing the counties to design and construct a temporary replacement of the Bloomington ferry bridge.

Reported the same back with the recommendation that the bill pass and be placed on the Consent Calendar.

The report was adopted.

Berg from the Committee on Local and Urban Affairs to which was referred:

S. F. No. 22, A bill for an act relating to Lake of the Woods county; authorizing issuance of one off-sale liquor license.

Reported the same back with the following amendments:

Page 1, line 19 delete “, approval of the”.

Page 1, delete lines 20 and 21.

With the recommendation that when so amended the bill pass and be placed on the Consent Calendar.

The report was adopted.

Berg from the Committee on Local and Urban Affairs to which was referred:

S. F. No. 104, A bill for an act relating to Cook county; authorizing construction of a building for the county highway department and the issuance of general obligation bonds to finance the cost thereof.

Reported the same back with the recommendation that the bill pass and be placed on the Consent Calendar.

The report was adopted.

Kelly, W., from the Committee on Taxes to which was referred:

H. F. No. 771, A bill for an act relating to metropolitan government; providing for sports facilities; establishing a sports commission; providing financing; providing a tax on the sales of certain intoxicating and fermented malt beverages in the metropolitan area; prohibiting certain restrictive agreements relating to the telecasting of games; increasing the levy limitation base for the city of Bloomington; regulating facilities location; repealing Minnesota Statutes 1976, Section 340.11, Subdivision 11A.

Reported the same back with the following amendments:

Page 15, line 24, after "cost" insert "and the loss or gain of taxes".

Page 16, line 2, delete "and other".

Page 16, line 3, delete "facilities".

Page 24, line 10, after "of" and before "two" insert "not more than".

Page 24, line 16, after "to" insert "not more than".

Page 25, line 9, delete "may use the excess amount".

Page 25, delete lines 10 to 16 and insert "shall reduce the rate of tax to such rate as it estimates will be adequate to pay the debt service."

Page 25, line 22, after "activities" insert ", other than those sponsored by nonprofit organizations,".

Page 25, line 26, delete "at least".

Page 25, line 28, after "facilities" insert ", except that for a remodeled stadium, to be used primarily for baseball, the commission shall impose an additional admissions tax not to exceed two percent".

Page 27, line 20, delete "27.56" and insert "275.59".

With the recommendation that when so amended the bill pass.

The report was adopted.

Fudro from the Committee on Transportation to which was referred:

S. F. No. 43, A bill for an act relating to highway traffic regulations; parking privileges for the physically handicapped; amending Minnesota Statutes 1976, Section 169.345, Subdivisions 2 and 3.

Reported the same back with the recommendation that the bill pass and be placed on the Consent Calendar.

The report was adopted.

SECOND READING OF HOUSE BILLS

H. F. Nos. 823, 1079, 889, 1180, 85, 308, 316, 416, 456, 903, 425, 808, 930 and 771 were read for the second time.

SECOND READING OF SENATE BILLS

S. F. Nos. 70, 22, 104 and 43 were read for the second time.

INTRODUCTION AND FIRST READING OF HOUSE BILLS

The following House Files were introduced:

Neisen, Peterson, Hanson, Eckstein and Mann introduced:

H. F. No. 1274, A bill for an act relating to agriculture; establishing a hydroponic research program; appropriating money.

The bill was read for the first time and referred to the Committee on Agriculture.

Corbid, Braun, Kalis, Eken and Stanton introduced:

H. F. No. 1275, A bill for an act relating to agriculture; grain inspection and weighing; fees; providing a basis for establishing and adjusting fees; amending Minnesota Statutes 1976, Section 17B.15, Subdivision 2.

The bill was read for the first time and referred to the Committee on Agriculture.

Clark introduced :

H. F. No. 1276, A bill for an act relating to public welfare; providing for pilot dental health programs; providing an appropriation; amending Laws 1973, Chapter 305, Section 9; repealing Laws 1973, Chapter 305, Section 10.

The bill was read for the first time and referred to the Committee on Appropriations.

Novak, Tomlinson, Clark, Laidig and Sieben, M., introduced :

H. F. No. 1277, A bill for an act relating to corrections and juveniles; removing certain juveniles from the jurisdiction of the juvenile court; requiring the commissioner of corrections to develop a program for the custody, care and treatment of those juveniles removed from the jurisdiction of the juvenile court or referred to the district court for prosecution as an adult; amending Minnesota Statutes 1976, Sections 260.015, by adding a subdivision; and 260.111, by adding a subdivision.

The bill was read for the first time and referred to the Committee on Criminal Justice.

Sieben, M.; George and Laidig introduced :

H. F. No. 1278, A bill for an act relating to the powers of county court judges in Washington county; authorizing a county court judge, in lieu of certain other procedures, to order certain convicted defendants to undergo evaluation, diagnosis and rehabilitation treatment at or under the direction of the Washington county alcohol/drug survival project.

The bill was read for the first time and referred to the Committee on Criminal Justice.

McCarron, Casserly, Simoneau, Voss and George introduced :

H. F. No. 1279, A bill for an act relating to mobile homes; providing for termination of land leases; amending Minnesota Statutes 1976, Section 327.44.

The bill was read for the first time and referred to the Committee on Commerce and Economic Development.

Cohen; Casserly; Sieben, H.; Rice and Hanson introduced:

H. F. No. 1280, A bill for an act relating to cable communications; prohibiting landlord obstruction of the installation of cable television services; prohibiting applications by landlords for payment; amending Minnesota Statutes 1976, Chapter 238, by adding a section.

The bill was read for the first time and referred to the Committee on Commerce and Economic Development.

Reding, Gunter, Simoneau, Lemke and Smogard introduced:

H. F. No. 1281, A bill for an act relating to discovery powers of the attorney general; applying protective provisions of rules of civil procedure; amending Minnesota Statutes 1976, Section 325.907, Subdivision 2.

The bill was read for the first time and referred to the Committee on Commerce and Economic Development.

Casserly; Jaros; Sieben, M.; Arlandson and Kroening introduced:

H. F. No. 1282, A bill for an act relating to landlord and tenant; requiring disclosure of identity of owner and manager of rental property; specifying form of disclosure; adding definitions; specifying to whom notice to quit is given when disclosure has not been made; providing a penalty for violation; amending Minnesota Statutes 1976, Section 504.22, Subdivisions 1, 2, 4, 5 and 6, and by adding subdivisions.

The bill was read for the first time and referred to the Committee on Commerce and Economic Development.

White; Hanson; Sieben, H.; Anderson, R., and Casserly introduced:

H. F. No. 1283, A bill for an act relating to economic development; industrial development bonds; removing requirement of approval by commissioner of economic development; amending Minnesota Statutes 1976, Section 474.01, Subdivision 7.

The bill was read for the first time and referred to the Committee on Commerce and Economic Development.

Jaros, Lehto, Berkelman and Munger introduced:

H. F. No. 1284, A bill for an act relating to the city of Duluth; requiring automatic sprinkling systems in residences for the elderly.

The bill was read for the first time and referred to the Committee on Commerce and Economic Development.

Den Ouden; Anderson, B.; Friedrich; Fjoslien and Anderson, R., introduced:

H. F. No. 1285, A bill for an act relating to education; state aids; increasing foundation aids; changing school district levy authority; amending Minnesota Statutes 1976, Sections 124.212, by adding subdivisions; 124.213; and 275.125, Subdivision 2a.

The bill was read for the first time and referred to the Committee on Education.

McEachern, Eken, Mangan, Metzen and Esau introduced:

H. F. No. 1286, A bill for an act relating to education; public libraries; providing grants for certain libraries and setting guidelines for interlibrary cooperation; amending Minnesota Statutes 1976, Sections 121.23 and 121.24; repealing Minnesota Statutes 1976, Sections 121.22 and 134.035.

The bill was read for the first time and referred to the Committee on Education.

Tomlinson, McEachern, Langseth, Metzen and Knickerbocker introduced:

H. F. No. 1287, A bill for an act relating to education; revising provisions prescribing duties of school districts and the state department of education; correcting outdated definitions and references; changing certain levy authority; altering the foundation aid computation in certain cases; and providing school lunch aid; amending Minnesota Statutes 1976, Sections 6.62, Subdivision 1; 121.02, Subdivision 1; 123.34, Subdivisions 4 and 8; 123.68; 124.212, by adding a subdivision; 124.66; 127.25, Subdivisions 1 and 2, and by adding a subdivision; 134.03; 275.09, Subdivision 4; 275.125, Subdivisions 4, 15 and 16; Chapters 123, by adding a section; and 124, by adding a section; repealing Minnesota Statutes 1976, Sections 120.02, Subdivisions 11 and 18; 121.11, Subdivision 3; 122.34; 123.14; 123.17; 123.18; 123.20; 124.215, Subdivisions 3, 4, 5, 6, 7 and 8; 124.23; 126.021; 126.022; 126.024; 128.01; 128.02; 128.03; 128.04; 128.05; 128.06; 129.06; 129.07; 129.08; and 129.09.

The bill was read for the first time and referred to the Committee on Education.

Neisen; Anderson, B.; Evans; Lemke and Kostohryz introduced:

H. F. No. 1288, A bill for an act relating to education; providing for public improvements for vocational-technical education; providing a bond issue; appropriating money.

The bill was read for the first time and referred to the Committee on Education.

Heinitz, Nelson, Skoglund and Searle introduced:

H. F. No. 1289, A bill for an act relating to game and fish; prohibiting the spearing of all species of fish; amending Minnesota Statutes 1976, Sections 97.48, Subdivision 1; 98.46, Subdivision 5; 98.47, Subdivisions 1 and 8; 101.41, Subdivision 4; 101.411; and 101.42, Subdivision 3, and by adding a subdivision.

The bill was read for the first time and referred to the Committee on Environment and Natural Resources.

Anderson, D.; Johnson; Wenstrom; Fjoslien and Jacobs introduced:

H. F. No. 1290, A bill for an act relating to acquisition of right of way for high voltage transmission lines; defining and limiting the interests acquired; prescribing acquisition procedures; providing for periodic payments and the computation thereof; specifying certain rights of the landowner and utility.

The bill was read for the first time and referred to the Committee on Environment and Natural Resources.

Anderson, G.; Anderson, I.; Wenstrom; Eken and Dahl introduced:

H. F. No. 1291, A bill for an act relating to game and fish; changing state payments to local units of government for certain land uses; amending Minnesota Statutes 1976, Section 97.49, Subdivision 3.

The bill was read for the first time and referred to the Committee on Environment and Natural Resources.

Skoglund, Berkelman, Brandl, Cohen and Swanson introduced:

H. F. No. 1292, A bill for an act relating to noise pollution; establishing a noise abatement program at the Minneapolis-St. Paul International Airport and the Duluth International Airport; prescribing certain powers and duties for the Minnesota pollution control agency, the metropolitan airports commission and the Duluth airport authority.

The bill was read for the first time and referred to the Committee on Environment and Natural Resources.

Kahn, Munger, Searle, Stoa and Patton introduced:

H. F. No. 1293, A bill for an act relating to outdoor recreation; providing for administration and control of additional sites by the Minnesota historical society; reclassifying certain existing state parks; amending Minnesota Statutes 1976, Sections 85.012, Subdivisions 1a, 10, 15, 18, 19, 21, 25, 26, 28, 30, 33, 34, 37, 40, 41, 43, 46, 49, 49a, 52, 53 and 59; and 138.025, by adding subdivisions; repealing Minnesota Statutes 1976, Sections 85.013, Subdivisions 14, 19 and 23; 138.53, Subdivisions 3, 5, 6 and 66; 138.55, Subdivision 21; 138.56, Subdivision 4; 138.57, Subdivision 10; 138.58, Subdivisions 9, 15, 24, 25, 27, 35, 47, 48, 51 and 59; and 138.585, Subdivisions 4, 5, 8, 11, 12, 14, 22, 23 and 24.

The bill was read for the first time and referred to the Committee on Environment and Natural Resources.

Kahn, Munger, Cummiskey, Ellingson and Wynia introduced:

H. F. No. 1294, A bill for an act relating to pollution control; prescribing application fees for certain permits issued by the pollution control agency.

The bill was read for the first time and referred to the Committee on Environment and Natural Resources.

Neisen, Petrafeso and Jensen introduced:

H. F. No. 1295, A bill for an act relating to watershed districts; authorizing issuance of county bonds to pay certain costs of watershed district improvements; amending Minnesota Statutes 1976, Section 112.60, Subdivision 2.

The bill was read for the first time and referred to the Committee on Environment and Natural Resources.

Skoglund, Munger, Norton, Dean and Stoa introduced:

H. F. No. 1296, A bill for an act relating to pollution control; authorizing the pollution control agency to provide emergency removal of certain pollutant discharges; allowing recovery of costs; establishing an emergency clean-up account in the general fund; appropriating money; amending Minnesota Statutes 1976, Section 116.11.

The bill was read for the first time and referred to the Committee on Environment and Natural Resources.

Reding, Welch, McCollar, Sherwood and Biersdorf introduced:

H. F. No. 1297, A bill for an act relating to wild animals; license fees for the taking of fur bearing animals, except beaver; prescribing a non-resident license fee for the taking of fur bearing animals, except beaver; amending Minnesota Statutes 1976, Section 98.46, Subdivisions 4 and 14.

The bill was read for the first time and referred to the Committee on Environment and Natural Resources.

Cohen; Anderson, B.; Stoa and Welch introduced:

H. F. No. 1298, A bill for an act relating to financial institutions; regulating lenders of conventional mortgage loans; regulating mortgages and escrow accounts; requiring registration and reporting; regulating installment loans; abolishing a usury exception; providing a penalty; amending Minnesota Statutes 1976, Sections 47.20; 48.153; and 334.06.

The bill was read for the first time and referred to the Committee on Financial Institutions and Insurance.

Clawson, Voss, McCarron, Mangan and Hokanson introduced:

H. F. No. 1299, A bill for an act relating to health care; catastrophic health expense protection; providing protection against certain nursing home expenses incurred for long term care; excluding certain dependent income from the definition of household income; amending Minnesota Statutes 1976, Section 62E.52, Subdivisions 3 and 5.

The bill was read for the first time and referred to the Committee on Financial Institutions and Insurance.

Casserly, Munger, Kahn, Pehler and Searles introduced:

H. F. No. 1300, A bill for an act relating to outdoor recreation; appropriating money for acquisition of parks, trails, wildlife lands and for other purposes; authorizing sale of bonds; amending Minnesota Statutes 1976, Section 473.315, Subdivision 1.

The bill was read for the first time and referred to the Committee on Local and Urban Affairs.

Casserly, Munger, Kahn, Pehler and Searles introduced:

H. F. No. 1301, A bill for an act relating to outdoor recreation; appropriating money for acquisition and betterment of parks, trails, wildlife lands, outdoor athletic courts, and for other purposes; authorizing sale of bonds; amending Minnesota Statutes 1976, Sections 85.016; 473.121, Subdivision 14; 473.302; 473.303, by adding a subdivision; 473.315, Subdivision 1; Chapter 4, by adding a section; and Chapter 85, by adding a section.

The bill was read for the first time and referred to the Committee on Local and Urban Affairs.

McDonald, Casserly, Metzen, Carlson, A., and Heinitz introduced:

H. F. No. 1302, A bill for an act relating to human rights; prohibiting discrimination in automobile insurance and certain health care plans against persons who have successfully completed treatment for alcohol or chemical dependency; amending Minnesota Statutes 1976, Sections 62A.149, by adding a subdivision; and 65B.13.

The bill was read for the first time and referred to the Committee on Financial Institutions and Insurance.

Samuelson, Corbid, Wenstrom, Eken and Kelly, W., introduced:

H. F. No. 1303, A bill for an act relating to elections; providing the time schedule for various special elections; amending Minnesota Statutes 1976, Sections 202A.62, Subdivision 2; 202A.65, Subdivision 3; and 202A.67, Subdivision 3.

The bill was read for the first time and referred to the Committee on General Legislation and Veterans Affairs.

Berkelman, Lehto, Jaros and Munger introduced:

H. F. No. 1304, A bill for an act relating to the operation of state government; authorizing the commissioner of administration to establish a regional service center comprising selected state agencies and to enter into a lease for purposes of acquiring suitable space for the center.

The bill was read for the first time and referred to the Committee on Governmental Operations.

Hokanson; Sieben, H.; Patton; Ewald and Petrafeso introduced:

H. F. No. 1305, A bill for an act relating to Minnesota Statutes; providing for the correction of erroneous, ambiguous, omitted and obsolete references and text; reenacting a law; eliminating certain duplicitous and conflicting provisions superseded by or conflicting with other provisions of law; amending Minnesota Statutes 1976, Chapter 15, by adding a section; Sections 3.973; 4.12, Subdivision 2; 10.13; 15.55; 16A.129; 33.13; 38.02, Subdivision 2; 38.13; 41.57, Subdivision 1; 43.051, Subdivisions 1 and 2; 55.095; 83.26, Subdivision 3; 116.36, Subdivision 1; 116A.20, Subdivision 6; 121.02, Subdivision 1; 121.11, Subdivision 5; 125.05, Subdivision 3; 144.01, Subdivision 1; 144A.19, by adding a subdivision; 161.14, Subdivision 19; 168.013, Subdivision 17; 168.12, Subdivision 1; 168.27, Subdivision 22; 176.101, Subdivision 3; 179.65, Subdivision 2; 192.551; 193.149; 202A.25, Subdivision 1; 207.19, Subdivision 1; 222.50, Subdivision 5; 246.02, Subdivision 2; 252.24, Subdivision 1; 256B.04, Subdivisions 10 and 11; 260.171, Subdivision 6; 270.50; 273.13, Subdivisions 6 and 7; 297.13, Subdivision 1; 336.9-104; 336.9-105; 336.9-404; 336.9-501; 340.039; 353.01, Subdivisions 2a and 6; 355.30; 375.18, Subdivision 8; 458.19; 462.364; 462A.04, Subdivision 1; 462A.22, Subdivision 10; 465.58; 485.01; 549.06; 609.556, Subdivision 1; and 645.44, Subdivision 5a; reenacting Laws 1976, Chapter 127; repealing Minnesota Statutes 1976, Sections 15.055; 17B.22, Subdivision 3; 43.37; 136A.02, Subdivision 2; 144.952; 169.132; Laws 1971, Chapter 427, Section 17; Laws 1974, Chapters 22, Section 5; and 256.

The bill was read for the first time and referred to the Committee on Governmental Operations.

Beauchamp, Patton, Reding, Biersdorf and Moe introduced:

H. F. No. 1306, A bill for an act relating to retirement; making judges eligible for combined service annuities; amending Minnesota Statutes 1976, Section 356.30, Subdivision 3.

The bill was read for the first time and referred to the Committee on Governmental Operations.

Kroening; Sieben, H.; Adams and Zubay introduced:

H. F. No. 1307, A bill for an act relating to public safety; excepting certain personnel in the department of public safety from the requirement of reimbursing the state for the cost of using state-owned vehicles; amending Minnesota Statutes 1976, Section 16.753, Subdivision 2.

The bill was read for the first time and referred to the Committee on Governmental Operations.

Moe, Faricy, Berglin, Niehaus and Albrecht introduced:

H. F. No. 1308, A bill for an act relating to retirement; deleting or repealing provisions of law setting a mandatory retirement age; amending Minnesota Statutes 1976, Sections 69.29; and 422A.13, Subdivision 2; repealing Minnesota Statutes 1976, Sections 43.051; 325B.075; 354.44, Subdivision 1a; 354A.21; 423.075; 423.26; 490.025, Subdivision 4; 490.121, Subdivision 12; and 490.125.

The bill was read for the first time and referred to the Committee on Governmental Operations.

Spanish, Fugina, Biersdorf, Reding and Lehto introduced:

H. F. No. 1309, A bill for an act relating to retirement; police and firemen's relief associations of the city of Chisholm.

The bill was read for the first time and referred to the Committee on Governmental Operations.

Adams, Osthoff, Sarna, Metzen and Kaley introduced:

H. F. No. 1310, A bill for an act relating to unemployment compensation; providing for conformity with federal requirements; providing for agricultural and domestic service employees; defining independent contractors; altering covered employment; changing certain accounting periods; regulating employer's contributions; permitting joint employer accounts; providing for the noncharging of certain benefits; providing for extended benefits; providing for certain public employees; providing for release of certain information; amending Minnesota Statutes 1976, Sections 268.04, Subdivisions 10, 12 and 22, and by adding a subdivision; 268.05, Subdivision 5; 268.06, Subdivisions 1, 5, 21, 22, 25 and 28, and by adding subdivisions; 268.07, by adding a subdivision; 268.071, Subdivisions 1 and 6; 268.08, Subdivision 5, and by adding subdivisions; 268.09, Subdivision 1; 268.11, Subdivision 2; and 268.12, Subdivision 12; repealing Minnesota Statutes 1976, Section 268.08, Subdivision 5.

The bill was read for the first time and referred to the Committee on Governmental Operations.

Corbid, Eken and Prah! introduced:

H. F. No. 1311, A bill for an act relating to retirement; district court reporters salary deductions; amending Minnesota Statutes 1976, Section 353.27, Subdivision 8.

The bill was read for the first time and referred to the Committee on Governmental Operations.

Pehler, Voss, Casserly, Samuelson and Searle introduced:

H. F. No. 1312, A bill for an act relating to state finances; federal funding of state and local activities; prohibiting expenditure of funds from federal sources except in accordance with periodic appropriations by the legislature; eliminating certain standing appropriations of federal funds; amending Minnesota Statutes 1976, Sections 4.07, Subdivision 3, and by adding a subdivision; and 4.13.

The bill was read for the first time and referred to the Committee on Governmental Operations.

Kelly, R.; Arlandson; Mangan; Hanson and Eckstein introduced:

H. F. No. 1313, A bill for an act relating to the Minnesota society for the prevention of cruelty; providing for the appointment of the members of the board of directors by the governor; amending Minnesota Statutes 1976, Section 343.01, by adding a subdivision.

The bill was read for the first time and referred to the Committee on Governmental Operations.

Pleasant, Ewald, Laidig, Rose and McDonald introduced:

H. F. No. 1314, A bill for an act relating to health; providing health care services to pre-school children; appropriating money; amending Minnesota Statutes 1976, Section 145.914, Subdivision 8.

The bill was read for the first time and referred to the Committee on Health and Welfare.

Brandl, Scheid, Waldorf, Clark and Heinitz introduced:

H. F. No. 1315, A bill for an act relating to health; prohibiting the operation of professional nursing business without a license; amending Minnesota Statutes 1976, Sections 148.281, by adding a subdivision; and 319A.02, Subdivision 2.

The bill was read for the first time and referred to the Committee on Health and Welfare.

Nelsen, B., and Samuelson introduced:

H. F. No. 1316, A bill for an act relating to probate; authorizing payment of claims for medical assistance and other assistance claims from homestead property; amending Minnesota Statutes 1976, Section 525.145.

The bill was read for the first time and referred to the Committee on Health and Welfare.

Brandl; Hanson; Sieben, M.; Forsythe and Clark introduced:

H. F. No. 1317, A bill for an act relating to public welfare; neglected children; defining and providing procedures for termination of parental rights as to neglected children in foster care.

The bill was read for the first time and referred to the Committee on Health and Welfare.

Forsythe, McCarron, Pleasant, Swanson and Hokanson introduced:

H. F. No. 1318, A bill for an act relating to public welfare; requiring public hearings before licensing facilities; amending Minnesota Statutes 1976, Section 245.812, Subdivision 5.

The bill was read for the first time and referred to the Committee on Health and Welfare.

Wenstrom, Langseth, Fjoslien, Samuelson and Anderson, R., introduced:

H. F. No. 1319, A bill for an act relating to regional development; mental health services; establishing a hospital policy board for Fergus Falls state hospital; appropriating money.

The bill was read for the first time and referred to the Committee on Health and Welfare.

Waldorf, Swanson, Scheid, Niehaus and Berkelman introduced:

H. F. No. 1320, A bill for an act relating to daytime activity centers; limiting expenditures that are eligible for state assistance; requiring certain representation on boards of directors; requiring board approval of budgets; amending Minnesota Statutes 1976, Sections 252.24, Subdivision 4; 252.25; and 252.26.

The bill was read for the first time and referred to the Committee on Health and Welfare.

Anderson, B.; King; Welch; Clark and Clawson introduced:

H. F. No. 1321, A bill for an act relating to public health; changing certain definitions and criteria for the licensing of psychologists; broadening the class of psychologists required to be licensed; appropriating money; amending Minnesota Statutes 1976, Sections 148.89, Subdivision 1; 148.92, Subdivisions 1 and 3; 148.93; 148.96 and 148.97, Subdivision 1.

The bill was read for the first time and referred to the Committee on Health and Welfare.

Johnson, McEachern and Metzen introduced:

H. F. No. 1322, A bill for an act relating to education; higher education coordinating board; personnel policies, practices and benefits for officers and employees; amending Minnesota Statutes 1976, Section 136A.03.

The bill was read for the first time and referred to the Committee on Higher Education.

Cohen introduced:

H. F. No. 1323, A bill for an act relating to education; higher education coordinating board; private post-secondary institutions; exempting theological seminaries from the requirement of registration with the board; amending Minnesota Statutes 1976, Chapter 136A, by adding a section.

The bill was read for the first time and referred to the Committee on Higher Education.

Cohen, Ellingson, Cummiskey, Berkelman and Laidig introduced:

H. F. No. 1324, A bill for an act relating to education; higher education coordinating board; providing for non-citizen students to be eligible for scholarships and grants-in-aid; amending Minnesota Statutes 1976, Section 136A.121, Subdivisions 1 and 2.

The bill was read for the first time and referred to the Committee on Higher Education.

Cohen introduced:

H. F. No. 1325, A bill for an act relating to education; higher education coordinating board; private post-secondary institutions; providing certain exemptions and restrictions on the use of records in connection with registration of private post-secondary institutions; amending Minnesota Statutes 1976, Sections 136A.64 and 136A.65; and Chapter 136A, by adding a section.

The bill was read for the first time and referred to the Committee on Higher Education.

Osthoff introduced:

H. F. No. 1326, A bill for an act relating to public employees; prohibiting exclusive recognition of a representative or organization of supervisory or confidential employees, or principals and assistant principals; amending Minnesota Statutes 1976, Sections 179.65, Subdivision 6; and 179.66, Subdivision 4.

The bill was read for the first time and referred to the Committee on Labor-Management Relations.

Begich and Munger introduced:

H. F. No. 1327, A bill for an act relating to St. Louis county; changing certain levy requirements for maintenance of courthouses and for general purposes; enlarging the St. Louis county courthouse building commission; amending Laws 1947, Chapter 322, as amended; and Laws 1971, Chapter 171, Section 1.

The bill was read for the first time and referred to the Committee on Local and Urban Affairs.

Searle introduced:

H. F. No. 1328, A bill for an act relating to Waseca county; authorizing participation in a mental health services program outside its region.

The bill was read for the first time and referred to the Committee on Local and Urban Affairs.

Casserly, Ewald, St. Onge, Jaros and Sieben, H., introduced:

H. F. No. 1329, A bill for an act relating to licensed employments; licensing and regulation of master plumbers; regulation and licensing of contracting steamfitters; amending Minnesota Statutes 1976, Sections 326.40 and 326.48.

The bill was read for the first time and referred to the Committee on Labor-Management Relations.

McEachern introduced:

H. F. No. 1330, A bill for an act relating to taxation; extending certain additional tax levy authority to counties; amending Minnesota Statutes 1976, Section 275.48.

The bill was read for the first time and referred to the Committee on Taxes.

Sabo, Kelly, W., and Anderson, I., introduced:

H. F. No. 1331, A bill for an act relating to taconite; increasing the tax on taconite production and providing for the distribution of its proceeds; establishing a taconite area environmental protection council and fund; imposing a tailings tax; increasing the tax of unmined taconite; requiring owners and lessees of mineral rights to file exploration data with the commissioner of revenue; providing penalties; appropriating money; amending Minnesota Statutes 1976, Sections 273.134; 294.26; 298.03; 298.22, Subdivision 1; 298.24, Subdivisions 1 and 2; 298.244, Subdivision 2; 298.25; 298.26; 298.27; 298.28, Subdivision 1; 298.282, Subdivisions 1 and 2; and Chapter 298, by adding a section; repealing Minnesota Statutes 1976, Sections 294.27; 294.28; 298.241; 298.243; 298.244, Subdivision 1; 298.28, Subdivision 1a; and 298.281.

The bill was read for the first time and referred to the Committee on Taxes.

Kroening; Sabo; Anderson, I.; Dean and Kelly, W., introduced:

H. F. No. 1332, A bill for an act relating to taxation; property tax and income-adjusted homestead credit; reducing assessed valuation of homestead property; increasing homestead property exemption; increasing rent constituting property taxes and maximum amounts of income-adjusted homestead credit; amending Minnesota Statutes 1976, Sections 273.13, Subdivision 7; 290A.03, Subdivision 11; and 290A.04, Subdivision 2.

The bill was read for the first time and referred to the Committee on Taxes.

Eken introduced:

H. F. No. 1333, A bill for an act relating to taxation; providing that gross receipts from the sale of sod be exempt from sales tax; amending Minnesota Statutes 1976, Section 297A.25, Subdivision 1.

The bill was read for the first time and referred to the Committee on Taxes.

Savelkoul, White, Lemke, Vanasek and Tomlinson introduced:

H. F. No. 1334, A bill for an act relating to taxation; changing amount of non-farm income deductible in certain cases as attributable to farming; amending Minnesota Statutes 1976, Section 290.09, Subdivision 29.

The bill was read for the first time and referred to the Committee on Taxes.

Skoglund; Vanasek; Kelly, W.; McCollar and Pehler introduced:

H. F. No. 1335, A bill for an act relating to taxation; changing requirements for obtaining property tax exemption for certain pollution control equipment; amending Minnesota Statutes 1976, Section 272.02, Subdivision 1.

The bill was read for the first time and referred to the Committee on Taxes.

Heinitz, Metzen, Suss and Wieser introduced:

H. F. No. 1336, A bill for an act relating to taxation; providing an income tax deduction for amount of tax credit allowed by federal government for certain homes purchased or built; amending Minnesota Statutes 1976, Section 290.09, by adding a subdivision.

The bill was read for the first time and referred to the Committee on Taxes.

Kaley; Tomlinson; Kempe, A.; Novak and Knickerbocker introduced:

H. F. No. 1337, A bill for an act relating to taxation; removing membership dues, fees and assessments received by certain homeowners associations from definition of gross income for corporate income tax purposes; amending Minnesota Statutes 1976, Section 290.01, Subdivision 20.

The bill was read for the first time and referred to the Committee on Taxes.

Kelly, R.; Kempe, A.; Waldorf and Tomlinson introduced:

H. F. No. 1338, A bill for an act relating to the city of St. Paul; allowing a tax to be imposed on utility companies in lieu of franchise fees.

The bill was read for the first time and referred to the Committee on Taxes.

Cohen introduced:

H. F. No. 1339, A bill for an act relating to driver's licenses; requiring that the notice of revocation, suspension or cancellation specify the reason for the action and the period of time for which it is effective; amending Minnesota Statutes 1976, Chapter 171, by adding a section.

The bill was read for the first time and referred to the Committee on Transportation.

HOUSE ADVISORIES

Pursuant to rule 5.3, the following House Advisory was introduced:

Gunter, Sherwood, Ellingson, Reding and Den Ouden introduced:

H. A. No. 24, A proposal to direct a study of potential regulation of migratory waterfowl taking.

The advisory was referred to the Committee on Environment and Natural Resources.

Moe was excused for the remainder of today's session.

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Mr. Speaker:

I hereby announce the passage by the Senate of the following House File, herewith returned, as amended by the Senate, in which amendment the concurrence of the House is respectfully requested:

H. F. No. 418, A bill for an act relating to public welfare; exempting licensed hospitals from day care licensing requirements; amending Minnesota Statutes 1976, Section 245.791.

PATRICK E. FLAHAVEN, Secretary of the Senate

CONCURRENCE AND REPASSAGE

Berkelman moved that the House concur in the Senate amendments to H. F. No. 418 and that the bill be repassed as amended by the Senate. The motion prevailed.

H. F. No. 418, A bill for an act relating to public welfare; exempting licensed hospitals from licensing requirements; amending Minnesota Statutes 1976, Section 245.791.

The bill was read for the third time, as amended by the Senate, and placed upon its repassage.

The question was taken on the repassage of the bill and the roll was called. There were 116 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Abeln	Arlandson	Biersdorf	Carlson, L.	Dahl
Adams	Battaglia	Birnstihl	Cassery	Den Ouden
Albrecht	Beauchamp	Brandl	Clark	Eckstein
Anderson, D.	Begich	Braun	Clawson	Eken
Anderson, G.	Berg	Brinkman	Cohen	Ellingson
Anderson, I.	Berglin	Byrne	Corbid	Enebo
Anderson, R.	Berkelman	Carlson, A.	Cummiskey	Erickson

Esau	Jude	McCollar	Rice	Stoa
Evans	Kahn	McEachern	Rose	Suss
Ewald	Kaley	Metzen	St. Onge	Swanson
Faricy	Kalis	Munger	Samuelson	Vanasek
Fjoslien	Kelly, R.	Murphy	Sarna	Voss
Forsythe	Kelly, W.	Neisen	Scheid	Waldorf
Friedrich	King	Nelsen, B.	Schulz	Welch
Fudro	Kostohryz	Nelsen, M.	Searle	Wenstrom
George	Kroening	Nelson	Searles	Wenzel
Gunter	Kvam	Niehaus	Sherwood	Wieser
Hanson	Laidig	Norton	Sieben, H.	Wynia
Heinitz	Langseth	Novak	Sieben, M.	Zubay
Hokanson	Lehto	Osthoff	Simoneau	Speaker Sabo
Jacobs	Lemke	Patton	Skoglund	
Jaros	Mangan	Petrafeso	Smogard	
Jensen	Mann	Pleasant	Spanish	
Johnson	McCarron	Prahl	Stanton	

The bill was repassed, as amended by the Senate, and its title agreed to.

Mr. Speaker:

I hereby announce the passage by the Senate of the following Senate Files, herewith transmitted:

S. F. Nos. 587, 684, 812 and 813.

PATRICK E. FLAHAVEN, Secretary of the Senate

FIRST READING OF SENATE BILLS

S. F. No. 587, A bill for an act relating to courts; criminal defendants; providing authority to county courts to order examination of a defendant's mental capacity; amending Minnesota Statutes 1976, Section 253A.07, Subdivision 30.

The bill was read for the first time and referred to the Committee on Governmental Operations.

S. F. No. 684, A bill for an act relating to Anoka county; creating an accrual accounting system; providing for purchase and payments for goods and services.

The bill was read for the first time and referred to the Committee on Local and Urban Affairs.

S. F. No. 812, A bill for an act relating to St. Louis county; revising the composition of the county welfare board; amending Laws 1907, Chapter 222, Section 1, Subdivisions 1, 2 and 3, as amended; and Minnesota Statutes 1976, Section 393.01, Subdivision 5.

The bill was read for the first time and referred to the Committee on Local and Urban Affairs.

S. F. No. 813, A bill for an act relating to the county of Carlton; authorization of certain payments to the city of Cloquet.

The bill was read for the first time and referred to the Committee on Local and Urban Affairs.

CALENDAR

H. F. No. 242 was reported to the House and given its third reading.

UNANIMOUS CONSENT

Novak requested unanimous consent to offer an amendment. The request was granted.

Novak and Savelkoul moved to amend H. F. No. 242, as follows:

Page 3, line 29, after "department." insert "*Information sought through said deposition shall be for a lawfully authorized purpose and shall be relevant and material to the investigation or hearing before the commission. Information obtained from said deposition shall be used by the department only for a lawfully authorized purpose and pursuant to powers and responsibilities conferred upon the department. Said deposition is to be taken in the manner prescribed by law for taking depositions in civil actions in the district court.*".

The motion prevailed and the amendment was adopted.

H. F. No. 242, A bill for an act relating to the department of public service; providing for its proper operation; prescribing certain powers, functions and duties; making certain corrections and improvements; revising procedures for regulation of certain activities; reducing certain fees; increasing certain penalties; amending Minnesota Statutes 1976, Sections 216A.02; 216A.03, Subdivision 5; 216A.05, Subdivision 1; 216A.07; 216B.16, Subdivision 2; 216B.53; 231.16; 232.04; 232.06, Subdivision 4; 237.22; 237.29, Subdivision 1; 239.02; 239.07; 239.08; 239.10; 239.12; 239.23; 239.24; and 239.44; repealing Minnesota Statutes 1976, Sections 239.20 and 239.45; and Laws 1975, Chapter 87, Section 5.

The bill was read for the third time, as amended, and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 125 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Abeln	Clark	Heinitz	McDonald	Scheid
Adams	Clawson	Hokanson	McEachern	Schulz
Albrecht	Cohen	Jacobs	Metzen	Searle
Anderson, B.	Corbid	Jaros	Munger	Searles
Anderson, D.	Cummiskey	Jensen	Murphy	Sherwood
Anderson, G.	Dahl	Johnson	Neisen	Sieben, H.
Anderson, I.	Dean	Jude	Nelsen, B.	Sieben, M.
Anderson, R.	Den Ouden	Kahn	Nelsen, M.	Simoneau
Arlandson	Eckstein	Kaley	Nelson	Skoglund
Battaglia	Eken	Kalis	Niehaus	Smogard
Beauchamp	Ellingson	Kelly, R.	Norton	Spanish
Begich	Enebo	Kelly, W.	Novak	Stanton
Berg	Erickson	King	Osthoff	Stoa
Berglin	Esau	Knickerbocker	Patton	Suss
Berkelman	Evans	Kostohryz	Pehler	Swanson
Biersdorf	Ewald	Kroening	Peterson	Vanasek
Birnstihl	Faricy	Kvam	Petrafeso	Voss
Brandl	Fjoslien	Laidig	Pleasant	Waldorf
Braun	Forsythe	Langseth	Prahl	Welch
Brinkman	Friedrich	Lehto	Rice	Wenstrom
Byrne	Fudro	Lemke	Rose	Wenzel
Carlson, A.	Fugina	Mangan	St. Onge	Wieser
Carlson, D.	George	Mann	Samuelson	Wynia
Carlson, L.	Gunter	McCarron	Sarna	Zubay
Casserly	Hanson	McCollar	Savelkoul	Speaker Sabo

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

H. F. No. 105, A resolution relating to the eastern timber wolf; urging the Secretary of the Interior to return management control of the eastern timber wolf to the state of Minnesota.

The bill was read for the third time and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 103 yeas and 20 nays as follows:

Those who voted in the affirmative were:

Abeln	Carlson, D.	Gunter	Mangan	Rose
Adams	Carlson, L.	Heinitz	Mann	St. Onge
Albrecht	Clark	Hokanson	McCarron	Samuelson
Anderson, B.	Clawson	Jacobs	McCollar	Sarna
Anderson, D.	Corbid	Jensen	McDonald	Savelkoul
Anderson, G.	Dahl	Johnson	McEachern	Scheid
Anderson, I.	Den Ouden	Jude	Metzen	Schulz
Anderson, R.	Eckstein	Kaley	Murphy	Searle
Battaglia	Eken	Kalis	Neisen	Searles
Beauchamp	Enebo	Kelly, R.	Nelsen, B.	Sherwood
Begich	Erickson	Kelly, W.	Nelsen, M.	Sieben, H.
Berg	Esau	King	Niehaus	Sieben, M.
Berkelman	Evans	Knickerbocker	Novak	Simoneau
Biersdorf	Ewald	Kostohryz	Osthoff	Smogard
Birnstihl	Fjoslien	Kroening	Patton	Spanish
Brandl	Forsythe	Kvam	Pehler	Stoa
Braun	Friedrich	Langseth	Peterson	Suss
Brinkman	Fudro	Lehto	Prahl	Swanson
Byrne	Fugina	Lemke	Rice	Vanasek

Voss	Welch	Wenzel	Zubay	Speaker Sabo
Waldorf	Wenstrom	Wieser		

Those who voted in the negative were:

Arlandson	Cohen	George	Laidig	Pleasant
Berglin	Dean	Hanson	Munger	Skoglund
Carlson, A.	Ellingson	Jaros	Nelson	Stanton
Casserly	Faricy	Kahn	Norton	Wynia

The bill was passed and its title agreed to.

H. F. No. 339, A bill for an act relating to transportation construction contracts; providing for small business contracts; amending Minnesota Statutes 1976, Chapter 161, by adding a section.

The bill was read for the third time and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 124 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Abeln	Clark	Heinitz	McEachern	Schulz
Adams	Clawson	Hokanson	Metzen	Searle
Albrecht	Cohen	Jacobs	Munger	Searles
Anderson, B.	Corbid	Jaros	Murphy	Sherwood
Anderson, D.	Cummiskey	Jensen	Neisen	Sieben, H.
Anderson, G.	Dahl	Johnson	Nelsen, B.	Sieben, M.
Anderson, I.	Dean	Jude	Nelsen, M.	Simoneau
Anderson, R.	Den Ouden	Kahn	Nelson	Skoglund
Arlandson	Eckstein	Kaley	Niehaus	Smogard
Battaglia	Eken	Kalis	Norton	Spanish
Beauchamp	Ellingson	Kelly, R.	Novak	Stanton
Begich	Enebo	Kelly, W.	Osthoff	Stoa
Berg	Erickson	King	Patton	Suss
Berglin	Esau	Kostohryz	Pehler	Swanson
Berkelman	Evans	Kroening	Peterson	Vanasek
Biersdorf	Ewald	Kvam	Petrafaso	Voss
Birnstihl	Faricy	Laidig	Pleasant	Waldorf
Brandl	Fjoslien	Langseth	Prahl	Welch
Braun	Forsythe	Lehto	Rice	Wenstrom
Brinkman	Friedrich	Lemke	Rose	Wenzel
Byrne	Fudro	Mangan	St. Onge	Wieser
Carlson, A.	Fugina	Mann	Samueison	Wynia
Carlson, D.	George	McCarron	Sarna	Zubay
Carlson, L.	Gunter	McCollar	Savelkoul	Speaker Sabo
Casserly	Hanson	McDonald	Scheid	

The bill was passed and its title agreed to.

H. F. No. 558, A bill for an act relating to snowmobiles; providing for operation on certain highways; amending Minnesota Statutes 1976, Section 84.87, Subdivision 3.

The bill was read for the third time and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 116 yeas and 7 nays as follows:

Those who voted in the affirmative were:

Abeln	Cassery	Heinitz	McDonald	Schulz
Adams	Clark	Hokanson	McEachern	Searle
Albrecht	Clawson	Jacobs	Metzen	Searles
Anderson, B.	Cohen	Jaros	Munger	Sherwood
Anderson, D.	Corbid	Jensen	Murphy	Sieben, H.
Anderson, G.	Dahl	Johnson	Neisen	Sieben, M.
Anderson, I.	Dean	Jude	Nelsen, B.	Simoneau
Anderson, R.	Den Ouden	Kaley	Nelsen, M.	Skoglund
Arlandson	Eckstein	Kalis	Nelson	Smogard
Battaglia	Eken	Kelly, R.	Niehaus	Spanish
Beauchamp	Ellingson	Kelly, W.	Novak	Stanton
Begich	Enebo	King	Patton	Swanson
Berg	Erickson	Knickerbocker	Pehler	Vanasek
Berglin	Esau	Kostohryz	Peterson	Waldorf
Berkelman	Evans	Kroening	Petrafaso	Welch
Biersdorf	Ewald	Kvam	Pleasant	Wenstrom
Birnstihl	Fjoslien	Laidig	Prahl	Wenzel
Brandl	Forsythe	Langseth	Rice	Wieser
Braun	Friedrich	Lehto	Rose	Zubay
Brinkman	Fudro	Lemke	St. Onge	Speaker Sabo
Byrne	Fugina	Mangan	Samuelson	
Carlson, A.	George	Mann	Sarna	
Carlson, D.	Gunter	McCarron	Savelkoul	
Carlson, L.	Hanson	McCollar	Scheid	

Those who voted in the negative were:

Faricy	Norton	Suss	Voss	Wynia
Kahn	Osthoff			

The bill was passed and its title agreed to.

H. F. No. 817, A bill for an act relating to highway traffic regulations; weight limitations; providing that weight increases for haulers of raw and unfinished forest products shall be state-wide during certain periods; amending Minnesota Statutes 1976, Section 169.83, Subdivision 1.

The bill was read for the third time and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 128 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Abeln	Anderson, B.	Anderson, I.	Battaglia	Berg
Adams	Anderson, D.	Anderson, R.	Beauchamp	Berglin
Albrecht	Anderson, G.	Arlandson	Begich	Berkelman

Biersdorf	Esau	Kelly, W.	Niehaus	Sieben, M.
Birnstihl	Evans	King	Norton	Simoneau
Brandl	Ewald	Knickerbocker	Novak	Skoglund
Braun	Faricy	Kostohryz	Osthoff	Smogard
Brinkman	Fjoslien	Kroening	Patton	Spanish
Byrne	Forsythe	Kvam	Pehler	Stanton
Carlson, A.	Friedrich	Laidig	Peterson	Stoa
Carlson, D.	Fudro	Langseth	Petrafeso	Suss
Carlson, L.	Fugina	Lehto	Pleasant	Swanson
Casserly	George	Lemke	Prahl	Vanasek
Clark	Gunter	Mangan	Reding	Voss
Clawson	Hanson	Mann	Rice	Waldorf
Cohen	Heinitz	McCarron	Rose	Welch
Corbid	Hokanson	McCollar	St. Onge	Wenstrom
Cummiskey	Jacobs	McDonald	Samuelson	Wenzel
Dahl	Jaros	McEachern	Sarna	White
Dean	Jensen	Metzen	Savelkoul	Wieser
Den Ouden	Johnson	Munger	Scheid	Williamson
Eckstein	Jude	Murphy	Schulz	Wynia
Eken	Kahn	Neisen	Searle	Zubay
Ellingson	Kaley	Nelsen, B.	Searles	Speaker Sabo
Enebo	Kalis	Nelsen, M.	Sherwood	
Erickson	Kelly, R.	Nelson	Sieben, H.	

The bill was passed and its title agreed to.

H. F. No. 560, A bill for an act relating to motor vehicles; requiring manufacturers to make replacement parts available for certain motor vehicles.

The bill was read for the third time and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 72 yeas and 57 nays as follows:

Those who voted in the affirmative were:

Abeln	Corbid	Kahn	Nelsen, M.	Simoneau
Adams	Cummiskey	Kelly, W.	Nelson	Skoglund
Anderson, G.	Dahl	King	Novak	Smogard
Anderson, I.	Ellingson	Kostohryz	Osthoff	Spanish
Arlandson	Enebo	Kroening	Pehler	Stanton
Battaglia	Faricy	Lehto	Pleasant	Suss
Beauchamp	Fudro	Mangan	Prahl	Swanson
Begich	Fugina	Mann	Reding	Vanasek
Berglin	George	McCarron	Rice	Voss
Berkelman	Gunter	McCollar	St. Onge	Wenstrom
Braun	Hanson	McEachern	Samuelson	Williamson
Byrne	Hokanson	Metzen	Sarna	Speaker Sabo
Carlson, L.	Jacobs	Munger	Scheid	
Casserly	Jaros	Murphy	Sieben, H.	
Clark	Jude	Neisen	Sieben, M.	

Those who voted in the negative were:

Albrecht	Berg	Brinkman	Cohen	Eken
Anderson, B.	Biersdorf	Carlson, A.	Dean	Erickson
Anderson, D.	Birnstihl	Carlson, D.	Den Ouden	Esau
Anderson, R.	Brandl	Clawson	Eckstein	Evans

Ewald	Kalis	Nelsen, B.	Searle	White
Fjoslien	Kelly, R.	Niehaus	Searles	Wieser
Forsythe	Knickerbocker	Norton	Sherwood	Wigley
Friedrich	Kvam	Patton	Stoa	Wynia
Heinitz	Laidig	Peterson	Tomlinson	Zubay
Jensen	Langseth	Rose	Waldorf	
Johnson	Lemke	Savelkoul	Welch	
Kaley	McDonald	Schulz	Wenzel	

The bill was passed and its title agreed to.

Smogard was excused at 3:00 p.m.

GENERAL ORDERS

Pursuant to rules of the House, the House resolved itself into the Committee of the Whole, with Sabo in the Chair, for the consideration of bills pending on General Orders of the Day. After some time spent therein the Committee arose.

REPORT OF COMMITTEE OF THE WHOLE

The Speaker resumed the Chair, whereupon the following proceedings of the Committee as kept by the Chief Clerk were reported to the House:

H. F. No. 728 which it recommended to pass.

H. F. No. 7 which it recommended progress retaining its place on General Orders.

H. F. No. 40 which it recommended to pass with the following amendments:

Offered by Pleasant:

Page 2, line 15, strike "*not less than 60*" insert "*30*".

Page 2, lines 20 and 21, strike "*not less than 30*" insert "*60*".

Offered by McDonald:

Page 4, line 9, after the period insert: "*No member of the real estate advisory council may establish, own, operate, invest in a course designed to fulfill any requirement of Minnesota law pertaining to licenses for real estate sales persons or brokers.*".

Further, amend the title as follows:

Page 1, line 4, after the semi-colon insert "*restricting certain activities of council members;*".

On the motion of Anderson, I., the report of the Committee of the Whole was adopted.

ROLL CALLS IN COMMITTEE OF THE WHOLE

Pursuant to rule 1.6, the following roll calls were taken in the Committee of the Whole:

Pleasant moved to amend H. F. No. 40, as follows:

Page 2, line 15, strike "not less than 60" insert "30".

Page 2, lines 20 and 21, strike "not less than 30" insert "60".

The question was taken on the adoption of the amendment and the roll was called. There were 79 yeas and 30 nays as follows:

Those who voted in the affirmative were:

Albrecht	Cohen	Heinitz	McCollar	Sherwood
Anderson, D.	Corbid	Jacobs	McDonald	Skoglund
Anderson, G.	Den Ouden	Jensen	Neisen	Stanton
Anderson, I.	Eckstein	Johnson	Nelsen, B.	Stoa
Anderson, R.	Eken	Jude	Nelsen, M.	Suss
Battaglia	Enebo	Kaley	Nelson	Vanasek
Beauchamp	Erickson	Kalis	Niehaus	Voss
Berg	Esau	Kelly, W.	Pehler	Waldorf
Biersdorf	Evans	Kempe, A.	Peterson	Wenstrom
Birnstihl	Ewald	Knickerbocker	Petrafeso	Wenzel
Brandl	Faricy	Kroening	Pleasant	Wieser
Braun	Fjoslien	Kvam	Rice	Wigley
Byrne	Forsythe	Laidig	Rose	Williamson
Carlson, A.	Fugina	Langseth	Savelkoul	Wynia
Clark	Gunter	Lemke	Searle	Zubay
Clawson	Hanson	Mann	Searles	

Those who voted in the negative were:

Abeln	Cummiskey	Kahn	Murphy	Sieben, H.
Adams	Dahl	Kelly, R.	Norton	Sieben, M.
Begich	Fudro	King	Osthoff	Simoneau
Berkelman	George	Lehto	Reding	Swanson
Carlson, L.	Hokanson	Mangan	St. Onge	Tomlinson
Casserly	Jaros	Metzen	Scheid	White

The motion prevailed and the amendment was adopted.

Carlson, A., moved to amend H. F. No. 40, as follows:

Page 2, after line 30, insert:

“(d) Any fee charged for a course of study offered for the purpose of fulfilling any requirement of chapter 82 shall not exceed the actual costs of materials, lecture fees and reasonable administrative overhead as determined by the commissioner.

This clause does not apply to courses established before July 1, 1977. "Established" means the course curriculum has been fully taught at least once to persons who paid for and attended the course."

Further, amend the title as follows:

Page 1, line 6, after the semicolon, insert "establishing fee limitations for certain courses;"

The question was taken on the adoption of the amendment and the roll was called. There were 47 yeas and 61 nays as follows:

Those who voted in the affirmative were:

Albrecht	Dean	Jude	Nelsen, B.	Swanson
Anderson, R.	Den Ouden	Kaley	Nelson	Wenstrom
Beauchamp	Eckstein	Kempe, A.	Niehaus	White
Biersdorf	Erickson	Knickerbocker	Norton	Wieser
Brandl	Evans	Kvam	Novak	Wigley
Carlson, A.	Ewald	Laidig	Peterson	Williamson
Carlson, D.	Fjoslien	Lemke	Rose	Zubay
Carlson, L.	Forsythe	McCollar	Savelkoul	
Corbid	Friedrich	McDonald	Searle	
Cummiskey	Jensen	Neisen	Searles	

Those who voted in the negative were:

Abeln	Casserly	Johnson	Nelsen, M.	Stanton
Adams	Clawson	Kahn	Osthoff	Stoa
Anderson, B.	Cohen	Kelly, R.	Pehler	Suss
Anderson, I.	Dahl	Kelly, W.	Petrafeso	Tomlinson
Arlandson	Ellingson	King	Prahl	Vanasek
Battaglia	Enebo	Kroening	Rice	Voss
Begich	Fudro	Langseth	St. Onge	Waldorf
Berg	Fugina	Lehto	Sarna	Wenzel
Berglin	George	Mangan	Scheid	Wynia
Berkelman	Gunter	Mann	Sieben, H.	
Birnstihl	Hanson	McCarron	Sieben, M.	
Braun	Hokanson	Metzen	Simoneau	
Byrne	Jacobs	Murphy	Skoglund	

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

Laidig moved to amend H. F. No. 40, as amended, as follows:

Page 3, delete lines 1 to 24 and insert:

"Subd. 13. (a) [RE-EXAMINATION.] Effective July 1, 1979, all real estate salespersons and all real estate brokers shall take and successfully complete an examination to qualify for renewal of their license. The examination shall be taken within six months prior to the expiration date of the salesperson's or broker's license but not more often than once every three years.

(b) [REVOCAION.] *If the examination is not successfully completed on or before the date on which the license expires, the commissioner shall revoke the license of the salesperson or broker failing the examination. Any individual whose license is revoked must qualify for a real estate salesman's license or a real estate broker's license according to the provisions of section 82.20 or 82.22.*

(c) *For purposes of administration, the commissioner shall classify by lot the real estate brokers and salespersons in their classifications of equal size. The first class shall take the examination prior to July 1, 1980. The second class shall take the examination between July 1, 1980 and July 1, 1981, and the third class shall take the examination between July 1, 1981 and July 1, 1982. The commissioner shall adopt rules and standards for the development of the examination and may adopt rules for the proper administration of this subdivision."*

Page 4, after line 17, insert :

"Sec. 6. Minnesota Statutes 1976, Section 82.22, Subdivision 10, is repealed."

Further, amend the title as follows :

Page 1, line 4, delete "continuing educational" and insert "re-examination".

Page 1, line 9, after "subdivision" insert "; repealing Minnesota Statutes 1976, Section 82.22, Subdivision 10".

The question was taken on the adoption of the amendment and the roll was called. There were 36 yeas and 77 nays as follows :

Those who voted in the affirmative were :

Abeln	Dean	Friedrich	McCollar	Searles
Albrecht	Den Ouden	Hokanson	McDonald	Wigley
Anderson, G.	Eckstein	Kaley	Nelson, B.	Williamson
Anderson, R.	Erickson	Kalis	Niehaus	Zubay
Biersdorf	Esau	Knickerbocker	Peterson	
Carlson, A.	Evans	Kvam	Rose	
Carlson, D.	Fjoslien	Laidig	Savelkoul	
Corbid	Forsythe	Lemke	Searle	

Those who voted in the negative were :

Adams	Berglin	Clark	Fudro	Jensen
Anderson, B.	Berkelman	Clawson	Fugina	Johnson
Anderson, I.	Birnstihl	Cummiskey	George	Jude
Arlandson	Brandl	Dahl	Gunter	Kahn
Battaglia	Braun	Eken	Hanson	Kelly, R.
Beauchamp	Byrne	Ellingson	Heinitz	King
Begich	Carlson, L.	Enebo	Jacobs	Kostohryz
Berg	Casserly	Faricy	Jaros	Kroening

Langseth	Neisen	Reding	Stanton	Wenzel
Lehto	Nelsen, M.	St. Onge	Stoa	White
Mangan	Nelson	Sarna	Suss	Wieser
Mann	Norton	Scheid	Swanson	Wynia
McCarron	Novak	Sieben, H.	Tomlinson	Speaker Sabo
Metzen	Osthoff	Sieben, M.	Vanasek	
Munger	Pehler	Simoneau	Waldorf	
Murphy	Petrafeso	Skoglund	Welch	

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

There being no objection the order of business reverted to Messages from the Senate.

MESSAGES FROM THE SENATE

The following message was received from the Senate:

Mr. Speaker:

I hereby announce the passage by the Senate of the following Senate File, herewith transmitted:

S. F. No. 483.

PATRICK E. FLAHAVEN, Secretary of the Senate

FIRST READING OF SENATE BILLS

S. F. No. 483, A bill for an act relating to the operation of state government; raising base salaries for certain executive branch employees, metropolitan agency officers, legislators, judges and judicial branch employees; limiting possible increases for certain executive branch employees; limiting the ability of appointing authorities to fill certain unclassified positions; prohibiting salaries of employees of political subdivisions from exceeding the salary of the governor; prohibiting salaries of court referees from exceeding the salaries of judges; removing achievement awards; appropriating money; amending Minnesota Statutes 1976, Sections 3.099; 3.102; 3A.02, Subdivision 1; 15A.081, Subdivision 1, and by adding subdivisions; 15A.083; 43.067; 43.09, Subdivision 2a; 473.123, Subdivision 4; 473.141, Subdivision 7; 473.605, Subdivision 2; 487.01, Subdivision 5; 487.02, Subdivision 1; 488A.021, Subdivision 8; and 488A.19, Subdivision 10; repealing Minnesota Statutes 1976, Sections 3.13; 15A.081, Subdivision 4; 43.066; 43.069; 487.05 and 490.102, Subdivision 5.

The bill was read for the first time.

Sieben, H., moved that S. F. No. 483 and H. F. No. 689, now on Technical General Orders, be referred to the Chief Clerk for comparison. The motion prevailed.

MOTIONS AND RESOLUTIONS

Skoglund moved that his name be stricken as an author on H. F. No. 350. The motion prevailed.

Kroening moved that the name of Lehto be added as an author on H. F. No. 1264. The motion prevailed.

ADJOURNMENT

Anderson, I., moved that when the House adjourns today it adjourn until 2:00 p.m., Monday, April 11, 1977. The motion prevailed.

Anderson, I., moved that the House adjourn. The motion prevailed, and the Speaker declared the House stands adjourned until 2:00 p.m., Monday, April 11, 1977.

EDWARD A. BURDICK, Chief Clerk, House of Representatives

STATE OF MINNESOTA

SEVENTIETH SESSION - 1977

THIRTY-THIRD DAY

SAINT PAUL, MINNESOTA, MONDAY, APRIL 11, 1977

The House of Representatives convened at 2:00 p.m. and was called to order by the Speaker.

Prayer was offered by the Chaplain.

The roll was called and the following members were present:

Abeln	Cohen	Johnson	Murphy	Sieben, H.
Adams	Corbid	Jude	Neisen	Sieben, M.
Albrecht	Cummiskey	Kahn	Nelsen, B.	Simoneau
Anderson, B.	Dahl	Kaley	Nelsen, M.	Skoglund
Anderson, D.	Dean	Kalis	Nelson	Smogard
Anderson, G.	Den Ouden	Kelly, R.	Niehaus	Spanish
Anderson, I.	Eckstein	Kelly, W.	Norton	Stanton
Anderson, R.	Eken	Kempe, A.	Novak	Stoa
Arlandson	Ellingson	Kempe, R.	Osthoff	Suss
Battaglia	Enebo	King	Patton	Swanson
Beauchamp	Erickson	Knickerbocker	Pehler	Tomlinson
Begich	Evans	Kostohryz	Peterson	Vanasek
Berg	Ewald	Kroening	Petrafeso	Voss
Berglin	Faricy	Kvam	Pleasant	Waldorf
Berkelman	Fjoslien	Laidig	Prahl	Welch
Biersdorf	Forsythe	Langseth	Reding	Wenstrom
Birnstihl	Friedrich	Lehto	Rice	Wenzel
Brandl	Fudro	Lemke	Rose	White
Braun	Fugina	Mangan	St. Onge	Wieser
Brinkman	George	Mann	Samuelson	Wigley
Byrne	Gunter	McCarron	Sarna	Williamson
Carlson, A.	Hanson	McCollar	Savelkoul	Wynia
Carlson, D.	Heinitz	McDonald	Scheid	Zubay
Carlson, L.	Hokanson	McEachern	Schulz	Speaker Sabo
Cassery	Jacobs	Metzen	Searle	
Clark	Jaros	Moe	Searles	
Clawson	Jensen	Munger	Sherwood	

A quorum was present.

Esau and Haugerud were excused.

The Chief Clerk proceeded to read the Journal of the preceding day. Erickson moved that further reading of the Journal be dispensed with and that the Journal be approved as corrected by the Chief Clerk. The motion prevailed.

REPORTS OF CHIEF CLERK

Pursuant to Rules of the House, printed copies of H. F. Nos. 1079, 903, 930, 456, 425, 889, 808, 316, 242, 85, 1180, 823, 771, 308, 416 and 40 and S. F. Nos. 587, 684, 812, 813, 22 and 483 have been placed in the members' files.

S. F. No. 483 and H. F. No. 689 which had been referred to the Chief Clerk for comparison, were examined and found to be identical with certain exceptions.

SUSPENSION OF RULES

Sieben, H., moved that the rules be so far suspended that S. F. No. 483 be substituted for H. F. No. 689 and that the House File be indefinitely postponed. The motion prevailed.

PETITIONS AND COMMUNICATIONS

The following communication was received:

STATE OF MINNESOTA
OFFICE OF THE SECRETARY OF STATE
ST. PAUL 55155

April 6, 1977

The Honorable Martin O. Sabo
Speaker of the House of Representatives
The Honorable Edward J. Gearty
President of the Senate

I have the honor to inform you that the following enrolled Acts of the 1977 Session of the State Legislature have been received from the Office of the Governor and are deposited in the Office of the Secretary of State for preservation, pursuant to the State Constitution, Article IV, Section 23:

<i>S.F.</i> <i>No.</i>	<i>H.F.</i> <i>No.</i>	<i>Session Laws</i> <i>Chapter No.</i>	<i>Date Approved</i> <i>1977</i>	<i>Date Filed</i> <i>1977</i>
11		12	April 6	April 6
76		13	April 6	April 6
201		14	April 6	April 6
267		15	April 6	April 6
377		16	April 6	April 6

S.F. No.	H.F. No.	Session Laws Chapter No.	Date Approved 1977	Date Filed 1977
	382	17	April 6	April 6
	383	18	April 6	April 6
	464	19	April 6	April 6

Sincerely,

JOAN ANDERSON GROWE
Secretary of State

REPORTS OF STANDING COMMITTEES

Hanson from the Committee on Commerce and Economic Development to which was referred:

H. F. No. 1011, A bill for an act relating to public safety; modifying requirements of gas containers; amending Minnesota Statutes 1976, Section 299F.40.

Reported the same back with the following amendments:

Page 2, line 1, after "petroleum" insert "*and industrial*" restore the stricken "gas" and delete the new language.

Page 2, line 30, after "petroleum" insert "*or industrial*" restore the stricken "gas" and delete the new language.

Page 3, line 4, after "petroleum" insert "*or industrial*" restore the stricken "gas" and delete the new language.

Page 3, line 15, after "petroleum" insert "*or industrial*" restore the stricken "gas" and delete the new language.

Page 3, line 16, delete the new language.

Page 3, line 18, after "petroleum" insert "*or industrial*" restore the stricken "gas" and delete the new language.

Page 3, line 19, delete the new language.

Page 3, line 21, after "petroleum" insert "*or industrial*" restore the stricken "gas" and delete the new language.

Page 3, line 22, after "petroleum" insert "*or industrial*" restore the stricken "gas" and delete the new language.

Page 3, line 23, after "petroleum" insert "*or industrial*" restore the stricken "gas" and delete the new language.

Page 3, line 24, delete the new language.

Page 3, line 25, after "petroleum" insert "*or industrial*" restore the stricken "gas" and delete the new language.

Page 3, line 30, after "petroleum" insert "*or industrial*".

Page 3, line 31, restore the stricken "gas" and delete the new language.

Page 4, line 8, after "petroleum" insert "*or industrial*" restore the stricken "gas" and delete the new language.

With the recommendation that when so amended the bill pass.

The report was adopted.

Rice from the Committee on General Legislation and Veterans Affairs to which was referred:

H. F. No. 192, A bill for an act relating to employment services; administration; eliminating certain provisions relating to political activity of employees; amending Minnesota Statutes 1976, Section 268.12, Subdivision 5.

Reported the same back with the recommendation that the bill pass.

The report was adopted.

Rice from the Committee on General Legislation and Veterans Affairs to which was referred:

H. F. No. 749, A bill for an act adopting the whitetailed deer as the official state animal; amending Minnesota Statutes 1976, Chapter 1, by adding a section.

Reported the same back with the recommendation that the bill pass and be placed on the Consent Calendar.

The report was adopted.

Rice from the Committee on General Legislation and Veterans Affairs to which was referred:

H. F. No. 790, A bill for an act relating to elections; providing for the admission of candidates and campaign workers to mul-

multiple unit dwellings; providing penalties; amending Minnesota Statutes 1976, Section 210A.43.

Reported the same back with the following amendments:

Page 1, line 21, delete "The".

Page 1, delete line 22.

Page 2, delete line 1 and insert "A candidate's authorization shall be made in writing and in substantially the following form:

MULTIPLE-UNIT ENTRY FORM

Authorized by Minnesota Statutes Section 210A.43

DATE:

I, of
(Candidate's Name) (Address)

Candidate for in
(Office) (Jurisdiction)

hereby authorize
(Campaign Worker's Name)

of to do campaign work on behalf of my
(Worker's Address)

candidacy. This authorization expires on
(Month) (Day) (Year)

.....
(Candidate's Signature)

210A.43 [DENIAL OF ACCESS BY POLITICAL CANDIDATES TO MULTIPLE UNIT DWELLINGS.] Subdivision 1. [PROHIBITION.] It is unlawful for any person, either directly or indirectly, to deny access to any apartment house, dormitory, nursing home, mobile home park, any areas in which two or more single family dwellings are located on private roadways or other multiple unit facility used as a residence, to any candidate who has filed for election to public office or a campaign worker with the authorization of a candidate, provided the candidate or worker seeks admittance to such facility solely for the purpose of campaigning. Subd. 4. [PENALTY.] A violation of the provisions of this section is a petty misdemeanor punishable by a fine of not more than \$100 for an owner and a fine of not more than \$100 for an agent of an owner.

A candidate may print or have printed such multiple unit entry forms for use in his campaign."

Page 3, line 5, delete "[VIOLATION A CRIME.]" and insert "[PENALTY.]".

Page 3, line 6, after "a" insert "petty".

Page 3, line 7, after "of" delete "\$300" and insert "not more than \$100" and after "of" and before "\$100" insert "not more than".

With the recommendation that when so amended the bill pass.

The report was adopted.

Rice from the Committee on General Legislation and Veterans Affairs to which was referred:

H. F. No. 1096, A bill for an act relating to elections; providing that polling places be accessible to the elderly and physically handicapped; amending Minnesota Statutes 1976, Section 204A.09, by adding a subdivision.

Reported the same back with the following amendments:

Page 1, line 21, delete "At" and insert "In".

Page 2, line 1, after "shall" delete "only" and after "places" delete the comma and insert "only those".

Page 2, line 5, after "No" delete "acceptable and accessible" and insert "available" and after "site" delete "exists".

Page 2, line 6, after "precinct" insert "can be made accessible" and after the semi-colon insert "and".

Page 2, lines 7 to 12, after "(ii)" delete the remainder of the language and insert "*The person unable to enter the polling place is permitted to register, if necessary, and vote without leaving his vehicle. Such person shall be supplied with a registration card, if necessary, and, if determined eligible to vote, a voter certificate, paper ballot, and unmarked ballot envelope. The provisions of chapter 201 governing voter registration and section 204.34 governing assistance to voters shall apply.*".

Page 2, after line 12, insert a new section:

"Sec. 2. [REPEALER.] *Minnesota Statutes 1976, Section 204A.11, Subdivision 4, is repealed.*".

Further amend the title as follows:

Page 1, line 5, after "subdivision" insert "; repealing Minnesota Statutes 1976, Section 204A.11, Subdivision 4" "

With the recommendation that when so amended the bill pass.

The report was adopted.

Sieben, H., from the Committee on Governmental Operations to which was referred:

H. F. No. 365, A bill for an act relating to retirement; miscellaneous amendments to the teachers retirement law; amending Minnesota Statutes 1976, Sections 354.05, Subdivision 2; 354.10; 354.49, Subdivision 5; 354.50, Subdivision 2; 354.53, Subdivision 1; and 354.58.

Reported the same back with the following amendments:

Page 2, after line 19, insert new sections to read:

"Sec. 2. Minnesota Statutes 1976, Section 354.06, Subdivision 2, is amended to read:

Subd. 2. The board shall annually elect one of its members as president, shall elect (A SECRETARY) *an executive director*, and fix his salary, who shall serve during the pleasure of the board and be the executive officer of the board, with such duties as the board shall prescribe. The board shall employ all other clerks and employees necessary to properly administer the fund. The cost and expense of administering the provisions of sections 354.05 to 354.10 shall be paid by the fund.

Sec. 3. Minnesota Statutes 1976, Section 354.06, is amended by adding a subdivision to read:

Subd. 2a. [DUTIES AND POWERS OF THE EXECUTIVE DIRECTOR.] The management of the association is vested in the executive director who shall be the executive and administrative head of the association. He shall act as advisor to the board on all matters pertaining to the association. He shall also act as the secretary of the board. It is the duty of the executive director and he has the power to:

- (1) *Attend all meetings of the board;*
- (2) *Prepare and recommend to the board rules and regulations for the purpose of carrying out the provisions of chapter 354;*
- (3) *Establish and maintain an adequate system of records and accounts following recognized accounting principles and controls;*

(4) *Designate an assistant director with the approval of the board, and appoint such employees, both permanent and temporary, as are necessary to carry out the provisions of said chapter;*

(5) *Organize the work of the association as he deems necessary to fulfill the functions of the association, and define the duties of its employees and delegate to them any of his powers or duties, subject to his control and under such conditions as he may prescribe;*

(6) *With the approval of the board, contract for actuarial services, professional management services, and consulting services as may be necessary and fix the compensation therefor. Such contracts shall not be subject to the competitive bidding procedure prescribed in chapter 16. Professional management services may not be contracted for more often than once in every six years. Copies of all professional management survey reports shall be sent directly to the legislature and the legislative auditor at the same time reports are furnished the board. Only management firms experienced in conducting management surveys of federal, state, or local public retirement systems shall be qualified to contract with the director hereunder;*

(7) *With the approval of the board provide inservice training for all employees of the association;*

(8) *Make refunds of accumulated contributions to former members and to the designated beneficiary, surviving spouse, legal representative or next of kin of deceased members or deceased former members, all as provided in chapter 354;*

(9) *Determine the amount of the annuities and disability benefits of members covered by the association and authorize payment thereof beginning as of the dates such annuities and benefits begin to accrue, all in accordance with the provisions of said chapter;*

(10) *Pay annuities, refundments, survivor benefits, salaries and all necessary operating expenses of the association;*

(11) *Prepare and submit to the board and the legislature an annual report covering the operation of the association, as required by Minnesota Statutes, Chapter 356;*

(12) *Certify funds available for investment to the state board of investment;*

(13) *With the advice and approval of the board request the state board of investment to sell securities when he determines that funds are needed for the purposes of this association;*

(14) *Prepare and submit biennial and annual budgets to the board and with the approval of the board submit such budgets to the department of administration; and*

(15) *With the approval of the board, perform such other duties as may be required for the administration of the association and the other provisions of this chapter and for the transaction of its business.*

Sec. 4. Minnesota Statutes 1976, Section 354.07, is amended by adding a subdivision to read:

Subd. 9. [MEMBER INFORMATION.] All school districts, state universities, community colleges and other employers of members of the fund are obligated to distribute to their employees ballots for the election of members to the board of trustees, pamphlets, brochures, documents or any other material containing fund information which are prepared by the executive director of the board and are delivered to the employers for distribution."

Page 3, line 14, after "account" insert "*or joint account with his or her spouse*".

Page 3, line 16, after the period insert "*If in the judgment of the executive director conditions so warrant, payment may be made to a public body in behalf of an annuitant, disabilitant, or survivor upon such terms as the executive director may prescribe.*".

Page 3, after line 21, insert new sections to read:

"Sec. 6. Minnesota Statutes 1976, Section 354.41, Subdivision 6, is amended to read:

Subd. 6. Any such former member who elects membership in the fund as authorized by subdivision 4 shall be eligible to make payment for service which was rendered prior to July 1, 1975 in any of the organizations enumerated in subdivision 4, provided the organization makes satisfactory certification of such service as prescribed in section 354.05, subdivision 28. This payment shall be limited to the most recent five years of allowable service credit and shall include all required employee and employer contributions as provided in section 354.42, subdivisions 2, 3 and 5. Interest shall be paid on both the employee and employer contributions at the rate of six percent per annum compounded annually from the end of the fiscal year during which such service was rendered to the date of payment. The payment described herein must be made in one lump sum prior to July 1, 1980 or prior to retirement, whichever is earlier.

Sec. 7. Minnesota Statutes 1976, Section 354.43, Subdivision 4, is amended to read:

Subd. 4. When the amount of such remittances described in *Minnesota Statutes 1974*, Section 354A.07, Subdivision 4, and subdivision 3 of this section is equal to the social security receivable as defined in section 354.05, subdivision 29, the board of trustees of the teachers retirement association shall reduce their certifications pursuant to subdivision 1 of this section by an amount equal to the employing authorities' certifications and remittances as described in subdivision 3 of this section.

Sec. 8. *Minnesota Statutes 1976*, Section 354.44, Subdivision 1a, is amended to read:

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

Page 6, after line 13, insert a new section:

"Sec. 13. [INSTRUCTIONS TO REVISOR.] *Except for Minnesota Statutes, Section 354.06, Subdivision 2a, whenever the terms "secretary", "secretary of the board", or "secretary of the board of trustees" appear in subsequent editions of Minnesota Statutes, Chapter 354, the revisor of statutes is directed to substitute "executive director".*"

Renumber the sections accordingly.

Amend the title:

Page 1, line 4, after "Subdivision 2;" insert "354.06, Subdivision 2, and by adding a subdivision; 354.07, by adding a subdivision;"

Page 1, line 5, after "354.10;" insert "354.41, Subdivision 6; 354.43, Subdivision 4; 354.44, Subdivision 1a;"

With the recommendation that when so amended the bill pass.

The report was adopted.

Berg from the Committee on Local and Urban Affairs to which was referred:

H. F. No. 502, A bill for an act relating to county parks and parks and park districts; qualifications and compensation of commissioners; amending Minnesota Statutes 1976, Section 398.05.

Reported the same back with the following amendments:

Strike everything after the enacting clause and insert:

"Section 1. [HENNEPIN COUNTY PARK RESERVE DISTRICT; HENNEPIN COUNTY LIBRARY BOARD; COMPENSATION OF DISTRICT COMMISSIONERS AND BOARD MEMBERS.] Notwithstanding the provisions of Minnesota Statutes, Section 398.05, or any other law, the compensation of commissioners of the Hennepin county park reserve district and the members of the Hennepin county library board shall not exceed \$35 per day and each commissioner and board member shall be allowed actual and necessary expenses incurred in the performance of their duties. However, the \$35 per day compensation for commissioners and board members shall not be paid for more than two days in each month."

Further, strike the title and insert:

"A bill for an act relating to Hennepin county; authorizing compensation for Hennepin county park reserve district commissioners and Hennepin county library board members."

With the recommendation that when so amended the bill pass and be placed on the Consent Calendar.

The report was adopted.

SECOND READING OF HOUSE BILLS

H. F. Nos. 1011, 192, 749, 790, 1096, 365 and 502 were read for the second time.

SECOND READING OF SENATE BILLS

S. F. No. 483 was read for the second time.

INTRODUCTION AND FIRST READING
OF HOUSE BILLS

The following House Files were introduced:

Swanson, Hokanson, Pleasant, Abeln and Forsythe introduced:

H. F. No. 1340, A bill for an act relating to the city of Richfield; providing funds for the Wood Lake Nature Center; appropriating money.

The bill was read for the first time and referred to the Committee on Appropriations.

Mangan introduced:

H. F. No. 1341, A bill for an act relating to claims against the state; altering conditions for waiver of immunity from suit by the Rum River Lumber Company; appropriating money; amending Laws 1975, Chapter 158, Section 4.

The bill was read for the first time and referred to the Committee on Appropriations.

Brinkman; Fudro; Nelsen, M.; Metzen and Patton introduced:

H. F. No. 1342, A bill for an act relating to intoxicating liquor; prohibiting discrimination in sales; fixing of wholesale prices; amending Minnesota Statutes 1976, Sections 340.114, Subdivision 1; 340.983; and Chapter 340, by adding sections.

The bill was read for the first time and referred to the Committee on Commerce and Economic Development.

Haugerud, Simoneau, Zubay, Hanson and Reding introduced:

H. F. No. 1343, A bill for an act relating to consumer protection; transferring the consumer services section from the department of commerce to the attorney general; amending Minnesota Statutes 1976, Sections 45.15; and 45.16.

The bill was read for the first time and referred to the Committee on Commerce and Economic Development.

Simoneau, Scheid, Novak, Byrne and Neisen introduced:

H. F. No. 1344, A bill for an act relating to commerce; regulating the repair of motor vehicles, appliances, and dwelling places; regulating service calls, estimates, and repairs; providing penalties.

The bill was read for the first time and referred to the Committee on Commerce and Economic Development.

Anderson, I.; St. Onge; Begich; Braun and Biersdorf introduced:

H. F. No. 1345, A bill for an act relating to water well contractors; requiring water well drilling machines to be operated by licensed water well contractors; amending Minnesota Statutes 1976, Sections 156A.02, Subdivision 3; and 156A.03, Subdivision 2.

The bill was read for the first time and referred to the Committee on Commerce and Economic Development.

Arlandson; Kempe, A.; Cohen and Nelson introduced:

H. F. No. 1346, A bill for an act relating to crimes and corrections; sentencing and post conviction disposition of criminal offenders; providing for definite sentences; establishing a sentencing commission which shall promulgate sentencing guidelines; providing for appellate review of sentences; amending Minnesota Statutes 1976, Section 609.10; repealing Minnesota Statutes 1976, Sections 241.045; 242.24; 243.06; 243.14; 243.18; 609.12; and 609.125.

The bill was read for the first time and referred to the Committee on Criminal Justice.

Nelson introduced:

H. F. No. 1347, A bill for an act relating to grand juries; providing for grand juries drawn from more than one county; amending Minnesota Statutes 1976, Section 628.41.

The bill was read for the first time and referred to the Committee on Criminal Justice.

Nelson introduced:

H. F. No. 1348, A bill for an act relating to crimes; specifying the acts constituting the offenses of promoting prostitution; prohibiting engaging or offering to engage as a prostitute in an act of sexual penetration or contact; defenses to prostitution prosecutions; admissibility of evidence in prostitution prosecutions; repealing Minnesota Statutes 1976, Section 609.32.

The bill was read for the first time and referred to the Committee on Criminal Justice.

Cohen; Kelly, R.; Knickerbocker; Arlandson and Ellingson introduced:

H. F. No. 1349, A bill for an act relating to traffic offenses; discriminating certain traffic offenses; providing for administrative adjudication of decriminalized traffic offenses; providing civil penalties and court review thereof; creating a division of administrative adjudication within the department of public safety; prescribing the powers and duties of the division and the commissioner of public safety; appropriating money; amending Minnesota Statutes 1976, Sections 169.01, by adding subdivisions; 169.13, Subdivisions 1 and 2; 169.14, Subdivisions 9 and 10; 169.141, Subdivision 2; 169.16; 169.305, Subdivision 3; 169.725; 169.89, Subdivisions 1, 4 and 5; 169.95; 169.965, Subdivisions 2, 3 and 4, and by adding a subdivision; 169.966, Subdivisions 2, 3 and 4, and by adding a subdivision; 169.99, Subdivision 1; 171.01, by adding subdivisions; 171.08; 171.12, Subdivisions 2 and 3; 171.15; 171.16, Subdivisions 1 and 3; 171.18; 171.19; 171.20, Subdivision 2; 171.24; 171.29, Subdivision 1; 260.193, Subdivision 4; 487.29, Subdivision 1; 488A.08, Subdivision 3; 488A.25, by adding a subdivision; and 611.14.

The bill was read for the first time and referred to the Committee on Criminal Justice.

Cohen introduced:

H. F. No. 1350, A bill for an act relating to motor vehicles; limiting the issuance of vehicle registration plates or tabs and title documents, and requiring driver license suspension, under certain circumstances; amending Minnesota Statutes 1976, Section 171.16, Subdivision 3.

The bill was read for the first time and referred to the Committee on Criminal Justice.

Hanson, Rose, Neisen, Novak and Kostohryz introduced:

H. F. No. 1351, A bill for an act relating to education; school districts; providing for only one election for separate election districts in a year; modifying the number of petitioners required for a proposal for separate election districts; amending Minnesota Statutes 1976, Section 123.32, Subdivision 10.

The bill was read for the first time and referred to the Committee on Education.

Fugina; Anderson, I.; Begich; Battaglia and St. Onge introduced:

H. F. No. 1352, A resolution opposing location of radioactive waste storage facilities within Minnesota.

The bill was read for the first time and referred to the Committee on Environment and Natural Resources.

Clawson, Mangan, Munger, Stoa and Zubay introduced:

H. F. No. 1353, A bill for an act relating to tax delinquent real estate; requiring notice to the commissioner of natural resources of forfeiture and sale of tax delinquent real estate; clarifying ownership of certain tax forfeited real estate; amending Minnesota Statutes 1976, Sections 281.23, Subdivision 8; 281.25; and 282.01, Subdivisions 1 and 3.

The bill was read for the first time and referred to the Committee on Environment and Natural Resources.

Wynia, Suss, Ellingson, Voss and Fjoslien introduced:

H. F. No. 1354, A bill for an act relating to health care expenses; third party reimbursement of certain claims; requiring settlement within specified periods; prescribing civil penalties; amending Minnesota Statutes 1976, Sections 62A.04, Subdivision 2; 62C.14, by adding a subdivision; and Chapter 72A, by adding a section.

The bill was read for the first time and referred to the Committee on Financial Institutions and Insurance.

Rice, Savelkoul, Brandl, George and Osthoff introduced:

H. F. No. 1355, A bill for an act relating to the legislature; providing a code of ethics for members; providing penalties.

The bill was read for the first time and referred to the Committee on General Legislation and Veterans Affairs.

Clark introduced:

H. F. No. 1356, A bill for an act relating to courts; providing for the election of Hennepin county municipal judges at the uniform municipal election; amending Minnesota Statutes 1976, Section 488A.021, Subdivision 3.

The bill was read for the first time and referred to the Committee on General Legislation and Veterans Affairs.

Ellingson introduced:

H. F. No. 1357, A bill for an act relating to probate; personal representatives; protecting certain good faith purchasers dealing with personal representatives; amending Minnesota Statutes 1976, Section 524.3-714.

The bill was read for the first time and referred to the Committee on Governmental Operations.

Ellingson introduced:

H. F. No. 1358, A bill for an act relating to probate; guardianships and conservatorships; providing for resignations and removals of guardians; providing for joinder of sureties in final account hearings; amending Minnesota Statutes 1976, Section 525.582.

The bill was read for the first time and referred to the Committee on Governmental Operations.

Ellingson introduced:

H. F. No. 1359, A bill for an act relating to probate; surety bonds; authorizing court to order accounting by and judgment against surety in proceedings to settle estate; amending Minnesota Statutes 1976, Section 524.3-606.

The bill was read for the first time and referred to the Committee on Governmental Operations.

Ellingson introduced:

H. F. No. 1360, A bill for an act relating to probate; decrees of descent; changing the requirements for the notice of hearing on a petition for a decree of descent; amending Minnesota Statutes 1976, Section 525.312.

The bill was read for the first time and referred to the Committee on Governmental Operations.

Ellingson introduced:

H. F. No. 1361, A bill for an act relating to probate; changing requirements for collection of personalty by affidavit; amending Minnesota Statutes 1976, Section 524.3-1201.

The bill was read for the first time and referred to the Committee on Governmental Operations.

Ellingson introduced:

H. F. No. 1362, A bill for an act relating to probate; registrars; specifying certain powers of registrars; amending Minnesota Statutes 1976, Section 524.1-307.

The bill was read for the first time and referred to the Committee on Governmental Operations.

Patton, Beauchamp, Biersdorf and Reding introduced:

H. F. No. 1363, A bill for an act relating to retirement; Minneapolis teachers retirement fund association; coordination with social security; early retirement; amending Minnesota Statutes 1976, Sections 355.281; 355.286; and Laws 1976, Chapter 238, Section 12.

The bill was read for the first time and referred to the Committee on Governmental Operations.

Sieben, H., introduced:

H. F. No. 1364, A bill for an act relating to the attorney general; changing appointments; removing restrictions on assignment of deputy and assistant attorneys general; amending Minnesota Statutes 1976, Sections 8.02 and 268.12, Subdivision 5; repealing Minnesota Statutes 1976, Sections 8.023; 8.024; 8.026; and 84.025, Subdivision 6.

The bill was read for the first time and referred to the Committee on Governmental Operations.

Sieben, H.; Wenzel; Hokanson; Carlson, A., and Zubay introduced:

H. F. No. 1365, A bill for an act relating to administrative procedures of governmental agencies; adding metropolitan and capitol area agencies under the coverage of the administrative procedure act; limiting rule-making authority and obligations; permitting incorporation by reference; requiring completion of hearing examiner reports within a specified period; permitting an agency to appeal adverse district court decisions; providing copies of the state register for public libraries; providing for hearing examiners, subpoenas and reporters; amending Minnesota Statutes 1976, Sections 15.0411, Subdivision 2; 15.0412; 15.0413, Subdivision 3; 15.0417; 15.0426; 15.048; 15.051, Subdivision 4; 15.052, Subdivisions 4 and 5; and 15.42.

The bill was read for the first time and referred to the Committee on Governmental Operations.

Ellingson, Cohen, Gunter and Scheid introduced:

H. F. No. 1366, A bill for an act relating to claim and delivery; providing procedures for repossession of personal property; notice and hearing; bonding requirements; third party claims; amending Minnesota Statutes 1976, Sections 336.9-503; 565.01; 565.10; and Chapter 565, by adding sections; repealing Minnesota Statutes 1976, Sections 565.02 to 565.09.

The bill was read for the first time and referred to the Committee on Governmental Operations.

Ellingson introduced:

H. F. No. 1367, A bill for an act relating to probate; personal representatives; providing for appointment of successor representatives; amending Minnesota Statutes 1976, Section 524.3-613.

The bill was read for the first time and referred to the Committee on Governmental Operations.

Kvam, Heinitz, Wigley, Kaley and Niehaus introduced:

H. F. No. 1368, A bill for an act relating to human services; creating the office of ombudsman for human services; creating a human services coordinating board; changing certain terminology; providing an appropriation; amending Minnesota Statutes 1976, Chapter 402, by adding sections.

The bill was read for the first time and referred to the Committee on Health and Welfare.

Cohen introduced:

H. F. No. 1369, A bill for an act relating to health; providing injunctive relief for the state board of health; authorizing appeal to the district court; authorizing subpoenas.

The bill was read for the first time and referred to the Committee on Health and Welfare.

St. Onge, Berkelman, Clark, Anderson, I., and Laidig introduced:

H. F. No. 1370, A bill for an act relating to education; Indian scholarships; directing the higher education coordinating board to establish the Minnesota Indian scholarship council; appropriating money.

The bill was read for the first time and referred to the Committee on Higher Education.

King, Fugina, Mangan, Wenstrom and Laidig introduced:

H. F. No. 1371, A bill for an act relating to education; higher education coordinating board; work-study program; authorizing work-study students to perform personal services for senior citizens; amending Minnesota Statutes 1976, Section 136A.233, Subdivision 2.

The bill was read for the first time and referred to the Committee on Higher Education.

Gunter, St. Onge, Kvam and Johnson introduced:

H. F. No. 1372, A bill for an act relating to labor relations; allowing area vocational-technical institute teachers to become an appropriate bargaining unit; amending Minnesota Statutes 1976, Section 179.63, Subdivision 17.

The bill was read for the first time and referred to the Committee on Labor-Management Relations.

Petrafeso and Berg introduced:

H. F. No. 1373, A bill for an act relating to transportation; restructuring state and local financing of the operations of the Twin Cities metropolitan transit commission; requiring performance funding; changing the taxing authority of the commission; authorizing the sale of bonds for particular purposes; limiting operating deficits on all regular routes; providing for initiation of and reimbursement for certain new routes; establishing reduced fare service for the elderly, students and handicapped and reimbursing the commission for such service; extending the statewide supplemental transit aid program; establishing a statewide paratransit demonstration grant program; defining "transit"; requiring annual permits for overlength articulated buses; granting powers to and imposing duties on the commissioner of transportation; appropriating money; amending Minnesota Statutes 1976, Sections 169.81, by adding a subdivision; 473.121, Subdivision 19, and by adding a subdivision; 473.402; 473.413, Subdivision 8; 473.421; 473.423, Subdivision 1; 473.446, Subdivision 1; Chapters 174, by adding a section; and 473, by adding sections; repealing Minnesota Statutes 1976, Section 473.446, Subdivisions 4 and 5.

The bill was read for the first time and referred to the Committee on Local and Urban Affairs.

Clawson, Vanasek, Voss, Patton and Friedrich introduced:

H. F. No. 1374, A bill for an act relating to municipalities; planning and regulating development in orderly annexation areas adjacent to cities; amending Minnesota Statutes 1976, Sections 414.034, Subdivision 1; 414.068, Subdivisions 1, 2, and 3; and Chapter 115, by adding a section.

The bill was read for the first time and referred to the Committee on Local and Urban Affairs.

Mann, Peterson, Suss, Kalis and Munger introduced:

H. F. No. 1375, A bill for an act relating to solid waste; establishing a solid waste management board in the counties of Fairbault, Jackson, Martin and Watowan; prescribing its powers and duties; authorizing a solid waste disposal and resource recovery facility in the city of Fairmont; granting the city certain solid waste management powers; extending certain grants-in-aid for solid waste management purposes; establishing a solid waste resource recovery loan account; providing for state loans to finance construction of solid waste resource recovery facilities; appropriating money.

The bill was read for the first time and referred to the Committee on Local and Urban Affairs.

Smøgard; Kalis; Anderson, B.; Wenstrom and Langseth introduced:

H. F. No. 1376, A bill for an act relating to cities; establishing a city shared administrator program of grants to be administered by the state planning agency; appropriating money.

The bill was read for the first time and referred to the Committee on Local and Urban Affairs.

Clawson, Cummiskey, Munger, Reding and Searles introduced:

H. F. No. 1377, A bill for an act relating to counties; providing for business days and hours for county offices and emergency closings; amending Minnesota Statutes 1976, Section 373.052.

The bill was read for the first time and referred to the Committee on Local and Urban Affairs.

Clawson, McEachern, Welch, Niehaus and Begich introduced:

H. F. No. 1378, A bill for an act relating to regional development commissions; their membership and officers; removing public interest members; providing for selection of the chairman and board of directors from among commission membership; removing obsolete provisions; amending Minnesota Statutes 1976, Section 462.388, Subdivisions 1 and 5; repealing Minnesota Statutes 1976, Section 462.388, Subdivision 4.

The bill was read for the first time and referred to the Committee on Local and Urban Affairs.

Kahn, Brandl, Petrafeso, Berglin and Casserly introduced:

H. F. No. 1379, A bill for an act relating to metropolitan transportation; authorizing state and local agencies to contract with the metropolitan transit commission for the purpose of encouraging the use of mass transit by their employees; directing the commissioner of administration to set additional charges for parking space for certain persons; amending Minnesota Statutes 1976, Section 16.72, Subdivision 5, and by adding a subdivision.

The bill was read for the first time and referred to the Committee on Local and Urban Affairs.

Ellingson introduced:

H. F. No. 1380, A bill for an act relating to taxation; exempting probate deeds of distribution from conveyance recording requirements; amending Minnesota Statutes 1976, Section 272.12.

The bill was read for the first time and referred to the Committee on Taxes.

Arlandson; Ellingson; Kempe, A.; Nelson and Albrecht introduced:

H. F. No. 1381, A bill for an act relating to taxation; imposing a tax on liquor sold for resale by the drink; providing for the distribution of the proceeds to local units of government to meet the costs of enforcement of laws relating to driving offenses involving alcohol or drugs; requiring payment of certain costs by persons receiving treatment, care or rehabilitation for alcoholism; providing penalties; appropriating funds; amending Minnesota Statutes 1976, Chapters 169 and 340, by adding sections.

The bill was read for the first time and referred to the Committee on Taxes.

Pleasant; Eken; Sieben, M.; Mangan and Searles introduced:

H. F. No. 1382, A bill for an act relating to taxation; setting requirements for the establishment of agricultural use zones; providing for special zoning and assessment procedures for land within such zones; amending Minnesota Statutes 1976, Section 273.111, Subdivisions 2, 3, 4, 5, 6, 8, 9 and 11, and by adding subdivisions; and Chapter 116D, by adding a section.

The bill was read for the first time and referred to the Committee on Taxes.

Kelly, W., introduced:

H. F. No. 1383, A bill for an act relating to taxation; clarifying definitions of "sale," "retail sale," "gross receipts," and "retailer"; specifying tax on food, meals, drinks, and lodging; restricting exemptions for sales of petroleum products and road building materials and for sales by charitable organizations, auctioneers, or brokers; requiring vendors to repay amounts refunded to purchasers; imposing liens and penalties; amending Minnesota Statutes 1976, Sections 297A.01, Subdivisions 3, 4, 9 and 10; 297A.14; 297A.25, Subdivision 1; 297A.35, Subdivision 1, and by adding a subdivision; 297A.39, Subdivision 3; 297A.40, Subdivision 2; repealing Minnesota Statutes 1976, Section 297A.25, Subdivision 4.

The bill was read for the first time and referred to the Committee on Taxes.

Casserly, Tomlinson, Stanton and Kahn introduced:

H. F. No. 1384, A bill for an act relating to taxation; requiring payment of sales tax on isolated sales of boats and snowmobiles; amending Minnesota Statutes 1976, Sections 297A.25, Subdivision 1; 297B.01, Subdivision 5; and 361.03, Subdivision 8.

The bill was read for the first time and referred to the Committee on Taxes.

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Mr. Speaker:

I hereby announce the passage by the Senate of the following House File, herewith returned:

H. F. No. 168, A bill for an act relating to Yellow Medicine county; authorizing participation in a mental health services program outside its region.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

I hereby announce the passage by the Senate of the following Senate Files, herewith transmitted:

S. F. Nos. 108, 213, 223, 335 and 465.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

I hereby announce the passage by the Senate of the following Senate Files, herewith transmitted:

S. F. Nos. 141, 217, 270 and 292.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

I hereby announce the passage by the Senate of the following Senate Files, herewith transmitted:

S. F. Nos. 709, 718, 719, 720 and 721.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

I hereby announce the passage by the Senate of the following Senate Files, herewith transmitted:

S. F. Nos. 722, 742, 855, 860 and 1017.

PATRICK E. FLAHAVEN, Secretary of the Senate

FIRST READING OF SENATE BILLS

S. F. No. 108, A bill for an act relating to highway traffic regulations; specifying minimum property damage accident report requirements; amending Minnesota Statutes 1976, Section 169.09, Subdivision 7.

The bill was read for the first time and referred to the Committee on Transportation.

S. F. No. 213, A bill for an act relating to the city of Minneapolis; relating to elections; allowing regulation of campaign financing solely by local ordinance which contains at least the requirements of Minnesota Statutes, Chapter 10A; providing for referral of violations to the county attorney; providing penalties.

The bill was read for the first time and referred to the Committee on General Legislation and Veterans Affairs.

S. F. No. 223, A bill for an act relating to deaf persons; providing that deaf persons with guide dogs have the same rights and protection as blind persons with guide dogs; defining as a deductible medical expense the cost, feeding and maintenance expenses of guide dogs; amending Minnesota Statutes 1976, Sections 256C.02; 256C.025, Subdivision 4; 256C.03; 290.09, Subdivision 10; and 327.095.

The bill was read for the first time and referred to the Committee on Health and Welfare.

S. F. No. 335, A bill for an act relating to elections; providing for judges of election to serve under certain conditions; amending Minnesota Statutes 1976, Sections 207.02; and 204A.17, Subdivision 1.

The bill was read for the first time and referred to the Committee on General Legislation and Veterans Affairs.

S. F. No. 465, A bill for an act relating to transportation; prohibiting motorcyclists with instruction permits from driving on interstate highways; amending Minnesota Statutes 1976, Section 169.974, Subdivision 2.

The bill was read for the first time and referred to the Committee on Transportation.

S. F. No. 141, A bill for an act relating to highway traffic regulations; defining "radar detection device"; prohibiting operation of a motor vehicle with a radar detection device in the passenger compartment; prohibiting sale or distribution of radar detection devices; prescribing penalties; amending Minnesota Statutes 1976, Chapter 169, by adding a section.

The bill was read for the first time and referred to the Committee on Transportation.

S. F. No. 217, A bill for an act relating to veterans; clarifying the definition of "veteran" for purposes of the purchase of tax-forfeited land; limiting the right to purchase; amending Minnesota Statutes 1976, Section 282.031; repealing Laws 1973, Chapter 700, Section 2.

The bill was read for the first time and referred to the Committee on Environment and Natural Resources.

S. F. No. 270, A bill for an act relating to motor vehicles; increasing gross weight limitations on interstate highways and routes designated by the commissioner of transportation; increasing truck registration taxes on heaviest trucks; establishing procedures for route designation and undesignation; requiring weight enforcement reports by county sheriffs; providing penalties; amending Minnesota Statutes 1976, Sections 168.013, Subdivisions 1c, 1e and 12; 169.79; 169.83, Subdivisions 1 and 2; 169.85; 169.86, by adding a subdivision; and Chapter 169, by adding sections.

The bill was read for the first time and referred to the Committee on Transportation.

S. F. No. 292, A bill for an act relating to taxation; altering standard for determining eligibility for income tax credit given deaf persons; amending Minnesota Statutes 1976, Section 290.06, Subdivision 3c.

The bill was read for the first time and referred to the Committee on Taxes.

S. F. No. 709, A bill for an act relating to the Hennepin county municipal court; clarifying fee exclusions for governmental units; amending Minnesota Statutes 1976, Section 488A.03, Subdivision 11a.

The bill was read for the first time and referred to the Committee on Governmental Operations.

S. F. No. 718, A bill for an act relating to courts; jurors; ballots for selection; authorizing an alternative method of identification of jurors; amending Minnesota Statutes 1976, Section 593.07.

The bill was read for the first time and referred to the Committee on Governmental Operations.

S. F. No. 719, A bill for an act relating to courts; repealing the law that requires court clerks to make costs and disbursements reports to the county attorney in criminal cases; repealing Minnesota Statutes 1976, Section 485.09.

The bill was read for the first time and referred to the Committee on Governmental Operations.

S. F. No. 720, A bill for an act relating to fees; repealing the filing fee in certain juvenile court proceedings; repealing Minnesota Statutes 1976, Section 260.106, Subdivisions 1 and 2.

The bill was read for the first time and referred to the Committee on Governmental Operations.

S. F. No. 721, A bill for an act relating to veterinarians; license filing fee; amending Minnesota Statutes 1976, Section 156.09.

The bill was read for the first time and referred to the Committee on Governmental Operations.

S. F. No. 722, A bill for an act relating to courts; providing that petit jurors in probate court be selected in the same manner as petit jurors are selected in district court; amending Minnesota Statutes 1976, Section 525.013, by adding a subdivision; repealing Minnesota Statutes 1976, Section 525.013, Subdivisions 2 and 3.

The bill was read for the first time and referred to the Committee on Governmental Operations.

S. F. No. 742, A bill for an act relating to the White Bear Lake conservation district; increasing membership on its governing board; providing for selection of board officers; amending Laws 1971, Chapter 355, Sections 2, Subdivision 2; and 8, Subdivision 1.

The bill was read for the first time and referred to the Committee on Local and Urban Affairs.

S. F. No. 855, A bill for an act relating to St. Louis county; providing for the automobile expenses of county commissioners; amending Laws 1959, Chapter 301, Section 1.

The bill was read for the first time and referred to the Committee on Local and Urban Affairs.

S. F. No. 860, A bill for an act relating to courts; county court districts; judges; prescribing the areas where the county court judges of St. Louis county shall reside, serve in, and be elected from; amending Minnesota Statutes 1976, Section 487.01, Subdivision 5.

The bill was read for the first time and referred to the Committee on Governmental Operations.

S. F. No. 1017, A bill for an act relating to the town of Bass Brook; authorizing the town board to exercise the powers described in Minnesota Statutes, Section 368.01 and Chapters 412, 429, 474 and 475.

The bill was read for the first time and referred to the Committee on Local and Urban Affairs.

PROGRESS REPORTS ON CONFERENCE COMMITTEES

Pursuant to Joint Rule 2.06, progress on H. F. No. 38 was reported to the House.

Kempe, A., was excused between the hours of 2:05 p.m. and 3:35 p.m.

CONSENT CALENDAR

H. F. No. 293, A bill for an act relating to waters; authorizing conveyance of the Blackduck Lake outlet dam and empowering the town of Hines in Beltrami county to acquire, maintain and operate it.

The bill was read for the third time and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 124 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Abeln	Begich	Carlson, D.	Eken	Fugina
Adams	Berg	Carlson, L.	Ellingson	George
Albrecht	Berglin	Casserly	Enebo	Gunter
Anderson, B.	Berkelman	Clark	Erickson	Hanson
Anderson, D.	Biersdorf	Clawson	Evans	Heinitz
Anderson, G.	Birnstihl	Corbid	Ewald	Hokanson
Anderson, I.	Brandl	Cummiskey	Faricy	Jacobs
Anderson, R.	Braun	Dahl	Fjoslien	Jaros
Arlandson	Brinkman	Dean	Forsythe	Jensen
Battaglia	Byrne	Den Ouden	Friedrich	Johnson
Beauchamp	Carlson, A.	Eckstein	Fudro	Jude

Kahn	Lemke	Nelson	Savelkoul	Vanasek
Kaley	Mangan	Niehaus	Schulz	Voss
Kalis	Mann	Novak	Searle	Waldorf
Kelly, R.	McCarron	Osthoff	Sherwood	Welch
Kelly, W.	McCollar	Patton	Sieben, H.	Wenstrom
Kempe, R.	McDonald	Peterson	Sieben, M.	Wenzel
King	McEachern	Petrafeso	Simoneau	White
Knickerbocker	Metzen	Pleasant	Skoglund	Wieser
Kostohryz	Moe	Prahl	Smogard	Wigley
Kroening	Munger	Rice	Spanish	Williamson
Kvam	Murphy	Rose	Stoa	Wynia
Laidig	Neisen	St. Onge	Suss	Zubay
Langseth	Nelsen, B.	Samuelson	Swanson	Speaker Sabo
Lehto	Nelsen, M.	Sarna	Tomlinson	

The bill was passed and its title agreed to.

H. F. No. 922, A bill for an act relating to labor; authorizing certain payroll deductions; amending Minnesota Statutes 1976, Section 181.06.

The bill was read for the third time and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 125 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Abeln	Clawson	Jaros	Metzen	Searle
Adams	Cohen	Jensen	Moe	Sherwood
Albrecht	Corbid	Johnson	Munger	Sieben, H.
Anderson, B.	Cummiskey	Jude	Murphy	Sieben, M.
Anderson, D.	Dahl	Kahn	Neisen	Simoneau
Anderson, G.	Dean	Kaley	Nelsen, B.	Skoglund
Anderson, I.	Den Ouden	Kalis	Nelsen, M.	Smogard
Anderson, R.	Eckstein	Kelly, R.	Nelson	Spanish
Arlandson	Eken	Kelly, W.	Niehaus	Stoa
Battaglia	Enebo	Kempe, R.	Novak	Suss
Beauchamp	Erickson	King	Osthoff	Swanson
Begich	Evans	Knickerbocker	Patton	Tomlinson
Berg	Ewald	Kostohryz	Peterson	Vanasek
Berglin	Faricy	Kroening	Petrafeso	Voss
Berkelman	Fjoslien	Kvam	Pleasant	Waldorf
Biersdorf	Forsythe	Laidig	Prahl	Welch
Birnstihl	Friedrich	Langseth	Reding	Wenstrom
Brandl	Fudro	Lehto	Rice	Wenzel
Brinkman	Fugina	Lemke	Rose	White
Byrne	George	Mangan	St. Onge	Wieser
Carlson, A.	Gunter	Mann	Samuelson	Wigley
Carlson, D.	Hanson	McCarron	Sarna	Williamson
Carlson, L.	Heinritz	McCollar	Savelkoul	Wynia
Casserly	Hokanson	McDonald	Scheid	Zubay
Clark	Jacobs	McEachern	Schulz	Speaker Sabo

The bill was passed and its title agreed to.

H. F. No. 1003, A bill for an act relating to motor vehicles; licensing and taxation; providing for biennial payment of the

tax assessed on trailers; dimensional specifications for trailer number plates; amending Minnesota Statutes 1976, Sections 168.013, Subdivision 1d; and 168.12.

The bill was read for the third time and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 124 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Abeln	Clawson	Jaros	Moe	Sherwood
Adams	Cohen	Jensen	Munger	Sieben, H.
Albrecht	Corbid	Johnson	Murphy	Sieben, M.
Anderson, B.	Cummiskey	Jude	Neisen	Simoneau
Anderson, D.	Dahl	Kahn	Nelsen, B.	Skoglund
Anderson, G.	Dean	Kaley	Nelsen, M.	Smogard
Anderson, I.	Den Ouden	Kalis	Nelson	Spanish
Anderson, R.	Eckstein	Kelly, R.	Niehaus	Stanton
Arlandson	Eken	Kelly, W.	Novak	Stoa
Battaglia	Ellingson	Kempe, R.	Osthoff	Suss
Beauchamp	Enebo	King	Patton	Swanson
Begich	Erickson	Kostohryz	Pehler	Tomlinson
Berg	Evans	Kroening	Petrafeso	Vanasek
Berkelman	Ewald	Kvam	Pleasant	Voss
Biersdorf	Faricy	Laidig	Prahl	Waldorf
Birnstihl	Fjoslien	Langseth	Reding	Welch
Brandl	Forsythe	Lehto	Rice	Wenzel
Braun	Friedrich	Lemke	Rose	White
Brinkman	Fudro	Mangan	St. Onge	Wieser
Byrne	Fugina	Mann	Samuelson	Wigley
Carlson, A.	George	McCarron	Sarna	Williamson
Carlson, D.	Gunter	McCollar	Savelkoul	Wynia
Carlson, L.	Hanson	McDonald	Schulz	Zubay
Cassery	Hokanson	McEachern	Searle	Speaker Sabo
Clark	Jacobs	Metzen	Searles	

The bill was passed and its title agreed to.

H. F. No. 308, A bill for an act relating to retirement; Minnesota state retirement system; exclusion from pension coverage for certain tradesmen of the metroplitan waste control commission; amending Minnesota Statutes 1976, Sections 352.01, Subdivision 2B; 473.141, Subdivision 12; and 473.511, Subdivision 3.

The bill was read for the third time and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 130 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Abeln	Albrecht	Anderson, D.	Anderson, I.	Arlandson
Adams	Anderson, B.	Anderson, G.	Anderson, R.	Battaglia

Beauchamp	Eken	Kalis	Nelsen, B.	Sieben, H.
Begich	Ellingson	Kelly, R.	Nelsen, M.	Sieben, M.
Berg	Enebo	Kelly, W.	Nelson	Simoneau
Berglin	Erickson	Kempe, R.	Niehaus	Skoglund
Berkelman	Evans	King	Novak	Smogard
Biersdorf	Ewald	Knickerbocker	Osthoff	Spanish
Birnstihl	Faricy	Kostohryz	Patton	Stanton
Brandl	Fjoslien	Kroening	Peehler	Stoa
Braun	Forsythe	Kvam	Peterson	Suss
Brinkman	Friedrich	Laidig	Petrafeso	Swanson
Byrne	Fudro	Langseth	Pleasant	Tomlinson
Carlson, A.	Fugina	Lehto	Prahl	Vanasek
Carlson, D.	George	Lemke	Reding	Voss
Carlson, L.	Gunter	Mangan	Rice	Waldorf
Casserly	Hanson	Mann	Rose	Welch
Clark	Heinitz	McCarron	St. Onge	Wenstrom
Clawson	Hokanson	McCollar	Samuelson	Wenzel
Cohen	Jacobs	McDonald	Sarna	White
Corbid	Jaros	McEachern	Savelkoul	Wieser
Cummiskey	Jensen	Metzen	Scheid	Wigley
Dahl	Johnson	Moe	Schulz	Williamson
Dean	Jude	Munger	Searle	Wynia
Den Ouden	Kahn	Murphy	Searles	Zubay
Eckstein	Kaley	Neisen	Sherwood	Speaker Sabo

The bill was passed and its title agreed to.

H. F. No. 316, A bill for an act relating to wrongful death; authorizing the commencement of an action within three years from the date of death; amending Minnesota Statutes 1976, Section 573.02, Subdivision 1.

The bill was read for the third time and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 129 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Abeln	Carlson, A.	Forsythe	Knickerbocker	Nelson
Adams	Carlson, D.	Friedrich	Kostohryz	Niehaus
Albrecht	Carlson, L.	Fudro	Kroening	Novak
Anderson, B.	Casserly	Fugina	Kvam	Osthoff
Anderson, D.	Clark	George	Laidig	Patton
Anderson, G.	Clawson	Gunter	Langseth	Peterson
Anderson, I.	Cohen	Hanson	Lehto	Petrafeso
Anderson, R.	Corbid	Heinitz	Lemke	Pleasant
Arlandson	Cummiskey	Hokanson	Mangan	Prahl
Battaglia	Dahl	Jacobs	Mann	Reding
Beauchamp	Dean	Jaros	McCarron	Rice
Begich	Den Ouden	Jensen	McCollar	Rose
Berg	Eckstein	Johnson	McDonald	St. Onge
Berglin	Eken	Jude	McEachern	Samuelson
Berkelman	Ellingson	Kahn	Metzen	Sarna
Biersdorf	Enebo	Kaley	Moe	Savelkoul
Birnstihl	Erickson	Kalis	Munger	Scheid
Brandl	Evans	Kelly, R.	Murphy	Schulz
Braun	Ewald	Kelly, W.	Neisen	Searle
Brinkman	Faricy	Kempe, R.	Neisen, B.	Searles
Byrne	Fjoslien	King	Nelsen, M.	Sherwood

Sieben, H.	Spanish	Tomlinson	Wenstrom	Williamson
Sieben, M.	Stanton	Vanasek	Wenzel	Wynia
Simoneau	Stoa	Voss	White	Zubay
Skoglund	Suss	Waldorf	Wieser	Speaker Sabo
Smogard	Swanson	Welch	Wigley	

The bill was passed and its title agreed to.

H. F. No. 903, A bill for an act relating to public transportation; making state commuter vans available for use by blind vending operators working on state property; amending Minnesota Statutes 1976, Section 16.756.

The bill was read for the third time and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 127 yeas and 1 nay as follows:

Those who voted in the affirmative were:

Abeln	Clawson	Johnson	Neisen	Sieben, M.
Adams	Cohen	Jude	Nelsen, B.	Simoneau
Albrecht	Corbid	Kahn	Nelsen, M.	Skoglund
Anderson, B.	Dahl	Kaley	Nelson	Smogard
Anderson, D.	Dean	Kalis	Niehau	Spanish
Anderson, G.	Den Ouden	Kelly, R.	Novak	Stanton
Anderson, I.	Eckstein	Kelly, W.	Osthoff	Stoa
Anderson, R.	Eken	Kempe, R.	Patton	Suss
Arlandson	Ellingson	King	Pehler	Swanson
Battaglia	Enebo	Knickerbocker	Peterson	Tomlinson
Beauchamp	Erickson	Kostohryz	Petrafeso	Vanasek
Begich	Evans	Kroening	Pleasant	Voss
Berg	Ewald	Kvam	Prahl	Waldorf
Berglin	Faricy	Laidig	Reding	Welch
Berkelman	Fjoslien	Langseth	Rice	Wenstrom
Biersdorf	Forsythe	Lehto	Rose	Wenzel
Birnstihl	Friedrich	Lemke	St. Onge	White
Brandl	Fudro	Mangan	Samuelson	Wieser
Braun	George	Mann	Sarna	Wigley
Brinkman	Gunter	McCarron	Savelkoul	Williamson
Byrne	Hanson	McCollar	Scheid	Wynia
Carlson, A.	Heinitz	McDonald	Schulz	Zubay
Carlson, D.	Hokanson	Metzen	Searle	Speaker Sabo
Carlson, L.	Jacobs	Moe	Searles	
Casserly	Jaros	Munger	Sherwood	
Clark	Jensen	Murphy	Sieben, H.	

Those who voted in the negative were:

Fugina

The bill was passed and its title agreed to.

H. F. No. 425 was reported to the House.

There being no objection, H. F. No. 425 was continued on the Consent Calendar one day.

H. F. No. 930, A bill for an act relating to the counties of Hennepin and Scott; directing the counties to design and construct a temporary replacement of the Bloomington ferry bridge.

The bill was read for the third time and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 130 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Abeln	Clawson	Jaros	Moe	Searles
Adams	Cohen	Jensen	Munger	Sherwood
Albrecht	Corbid	Johnson	Murphy	Sieben, H.
Anderson, B.	Cummiskey	Jude	Neisen	Sieben, M.
Anderson, D.	Dahl	Kahn	Nelsen, B.	Simoneau
Anderson, G.	Dean	Kaley	Nelsen, M.	Skoglund
Anderson, I.	Den Ouden	Kalis	Nelson	Smogard
Anderson, R.	Eckstein	Kelly, R.	Niehaus	Spanish
Arlandson	Eken	Kelly, W.	Norton	Stanton
Battaglia	Ellingson	Kempe, R.	Novak	Stoa
Beauchamp	Enebo	King	Osthoff	Suss
Begich	Erickson	Knickerbocker	Patton	Swanson
Berg	Evans	Kostohryz	Peterson	Tomlinson
Berglin	Ewald	Kroening	Petrafeso	Vanasek
Berkelman	Faricy	Kvam	Pleasant	Voss
Biersdorf	Fjoslien	Laidig	Prahl	Waldorf
Birnstihl	Forsythe	Langseth	Reding	Welch
Brandl	Friedrich	Lehto	Rice	Wenstrom
Braun	Fudro	Lemke	Rose	Wenzel
Brinkman	Fugina	Mangan	St. Onge	White
Byrne	George	Mann	Samuelson	Wieser
Carlson, A.	Gunter	McCarron	Sarna	Wigley
Carlson, D.	Hanson	McCollar	Savelkoul	Williamson
Carlson, L.	Heinitz	McDonald	Scheid	Wynia
Casserly	Hokanson	McEachern	Schulz	Zubay
Clark	Jacobs	Metzen	Searle	Speaker Sabo

The bill was passed and its title agreed to.

S. F. No. 22, A bill for an act relating to Lake of the Woods county; authorizing issuance of one off-sale liquor license.

The bill was read for the third time and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 115 yeas and 13 nays as follows:

Those who voted in the affirmative were:

Abeln	Anderson, R.	Berglin	Byrne	Cohen
Adams	Arlandson	Berkelman	Carlson, A.	Corbid
Albrecht	Battaglia	Biersdorf	Carlson, L.	Cummiskey
Anderson, B.	Beauchamp	Brandl	Casserly	Dahl
Anderson, G.	Begich	Braun	Clark	Dean
Anderson, I.	Berg	Brinkman	Clawson	Eckstein

Eken	Johnson	McDonald	Prahl	Stoa
Ellingson	Jude	McEachern	Reding	Suss
Enebo	Kahn	Metzen	Rice	Swanson
Evans	Kaley	Moe	Rose	Tomlinson
Faricy	Kalis	Munger	St. Onge	Vanasek
Forsythe	Kelly, R.	Murphy	Samuelson	Voss
Friedrich	Kelly, W.	Neisen	Sarna	Waldorf
Fudro	Kempe, R.	Nelsen, M.	Savelkoul	Welch
Fugina	King	Nelson	Scheid	Wenstrom
George	Knickerbocker	Niehaus	Schulz	Wenzel
Gunter	Kostohryz	Norton	Searles	White
Hanson	Lehto	Novak	Sieben, H.	Wieser
Heinitz	Lemke	Osthoff	Sieben, M.	Wigley
Hokanson	Mangan	Patton	Simoneau	Williamson
Jacobs	Mann	Pehler	Skoglund	Wynia
Jaros	McCarron	Peterson	Smogard	Zubay
Jensen	McCollar	Petrafeso	Spanish	Speaker Sabo

Those who voted in the negative were:

Anderson, D.	Erickson	Kroening	Langseth	Sherwood
Carlson, D.	Ewald	Kvam	Nelsen, B.	
Den Ouden	Fjoslien	Laidig	Searle	

The bill was passed and its title agreed to.

S. F. No. 104, A bill for an act relating to Cook county; authorizing construction of a building for the county highway department and the issuance of general obligation bonds to finance the cost thereof.

The bill was read for the third time and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 128 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Abeln	Carlson, A.	Forsythe	Kroening	Novak
Adams	Carlson, D.	Fudro	Laidig	Osthoff
Albrecht	Carlson, L.	Fugina	Langseth	Patton
Anderson, B.	Casserly	George	Lehto	Pehler
Anderson, D.	Clark	Gunter	Lemke	Peterson
Anderson, G.	Clawson	Hanson	Mangan	Petrafeso
Anderson, I.	Cohen	Heinitz	Mann	Pleasant
Anderson, R.	Corbid	Hokanson	McCarron	Prahl
Arlandson	Cummiskey	Jacobs	McCollar	Reding
Battaglia	Dahl	Jaros	McDonald	Rice
Beauchamp	Dean	Jensen	McEachern	Rose
Begich	Den Ouden	Johnson	Metzen	St. Onge
Berg	Eckstein	Jude	Moe	Samuelson
Berglin	Eken	Kahn	Munger	Sarna
Berkelman	Ellingson	Kaley	Murphy	Savelkoul
Biersdorf	Enebo	Kelly, R.	Neisen	Scheid
Birnstihl	Erickson	Kelly, W.	Nelsen, B.	Schulz
Brandl	Evans	Kempe, R.	Nelsen, M.	Searle
Braun	Ewald	King	Nelson	Searles
Brinkman	Faricy	Knickerbocker	Niehaus	Sherwood
Byrne	Fjoslien	Kostohryz	Norton	Sieben, H.

Sieben, M.	Stanton	Vanasek	Wenzel	Wynia
Simoneau	Stoa	Voss	White	Zubay
Skoglund	Suss	Waldorf	Wieser	Speaker Sabo
Smogard	Swanson	Welch	Wigley	
Spanish	Tomlinson	Wenstrom	Williamson	

The bill was passed and its title agreed to.

S. F. No. 43, A bill for an act relating to highway traffic regulations; parking privileges for the physically handicapped; amending Minnesota Statutes 1976, Section 169.345, Subdivisions 2 and 3.

The bill was read for the third time and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 131 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Abeln	Cohen	Johnson	Neisen	Sieben, M.
Adams	Corbid	Jude	Nelsen, B.	Simoneau
Albrecht	Cummiskey	Kahn	Nelsen, M.	Skoglund
Anderson, B.	Dahl	Kaley	Nelson	Smogard
Anderson, D.	Dean	Kalis	Niehaus	Spanish
Anderson, G.	Den Ouden	Kelly, R.	Norton	Stanton
Anderson, I.	Eckstein	Kelly, W.	Novak	Stoa
Anderson, R.	Eken	Kempe, R.	Osthoff	Suss
Arlandson	Ellingson	King	Patton	Swanson
Battaglia	Enebo	Knickerbocker	Pehler	Tomlinson
Beauchamp	Erickson	Kostohryz	Peterson	Vanasek
Begich	Evans	Kroening	Petrafeso	Voss
Berg	Ewald	Kvam	Pleasant	Waldorf
Berglin	Faricy	Laidig	Prahl	Welch
Berkelman	Fjoslien	Langseth	Reding	Wenstrom
Biersdorf	Forsythe	Lehto	Rice	Wenzel
Birnsthil	Friedrich	Lemke	Rose	White
Brandl	Fudro	Mangan	St. Onge	Wieser
Braun	Fugina	Mann	Samuelson	Wigley
Brinkman	George	McCarron	Sarna	Williamson
Byrne	Gunter	McCollar	Savelkoul	Wynia
Carlson, A.	Hanson	McDonald	Scheid	Zubay
Carlson, D.	Heinitz	McEachern	Schulz	Speaker Sabo
Carlson, L.	Hokanson	Metzen	Searle	
Cassery	Jacobs	Moe	Searles	
Clark	Jaros	Munger	Sherwood	
Clawson	Jensen	Murphy	Sieben, H.	

The bill was passed and its title agreed to.

CALENDAR

H. F. No. 40, A bill for an act relating to real estate brokers and salespersons; establishing a prelicense educational requirement and a continuing educational requirement; restricting certain activities of council members; authorizing the commissioner to increase license terms; amending Minnesota Statutes

1976, Sections 82.20, by adding a subdivision; 82.22, Subdivision 6, and by adding a subdivision; 82.30, Subdivision 1; and 82.34, by adding a subdivision.

The bill was read for the third time and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 102 yeas and 26 nays as follows:

Those who voted in the affirmative were:

Abeln	Clawson	Kelly, R.	Nelson	Smogard
Adams	Cohen	Kempe, R.	Norton	Spanish
Anderson, B.	Cummiskey	King	Novak	Stanton
Anderson, G.	Dahl	Knickerbocker	Osthoff	Stoa
Anderson, I.	Eckstein	Kostohryz	Patton	Suss
Arlandson	Ellingson	Kroening	Pehler	Swanson
Battaglia	Enebo	Laidig	Petraleso	Tomlinson
Beauchamp	Ewald	Langseth	Pleasant	Vanasek
Begich	Faricy	Lehto	Prahl	Voss
Berg	Fjoslien	Lemke	Reding	Waldorf
Berglin	Fudro	Mangan	Rice	Welch
Berkelman	Fugina	Mann	Rose	Wenstrom
Birnstihl	George	McCarron	St. Onge	Wenzel
Brandl	Gunter	McDonald	Samuelson	White
Braun	Hanson	McEachern	Sarna	Wieser
Brinkman	Heinitz	Metzen	Scheid	Williamson
Byrne	Hokanson	Moe	Schulz	Wynia
Carlson, A.	Jaros	Munger	Sherwood	Speaker Sabo
Carlson, L.	Johnson	Murphy	Sieben, H.	
Casserly	Jude	Neisen	Sieben, M.	
Clark	Kahn	Nelsen, M.	Simoneau	

Those who voted in the negative were:

Albrecht	Den Ouden	Jensen	Nelsen, B.	Wigley
Anderson, D.	Eken	Kaley	Niehaus	Zubay
Anderson, R.	Erickson	Kalis	Peterson	
Biersdorf	Evans	Kelly, W.	Savelkoul	
Corbid	Forsythe	Kvam	Searle	
Dean	Jacobs	McCollar	Searles	

The bill was passed and its title agreed to.

H. F. No. 728, A bill for an act relating to corrections; prescribing powers of probation officers; providing for reimbursement to counties for probation services; prescribing duties of the commissioner for parole and probation; authorizing disposition of juvenile offenders; authorizing the sealing of criminal records; authorizing certain investigations; authorizing accounts of funds of inmates; clarifying powers of counties under and procedures for withdrawal from community corrections programs; amending Minnesota Statutes 1976, Sections 242.09; 242.10; 242.14; 242.18; 242.31; 242.46, Subdivision 3; 243.23; 260.311, Subdivision 5; 401.02, by adding subdivisions; 401.04; 401.08, Subdivision 1; 401.13; and 401.16; repealing Minnesota

Statutes 1976, Sections 242.01; 242.02; 242.03; 242.12; 242.13; 242.15; 242.16; 242.17; 242.19, Subdivision 1; 242.25; 242.26; 242.27; 242.28; 242.29; 242.30; 242.33; 242.34; 242.35; 242.36; 242.38; and 242.46, Subdivisions 1 and 2.

The bill was read for the third time and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 129 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Abeln	Cohen	Jensen	Munger	Sherwood
Adams	Corbid	Johnson	Neisen	Sieben, H.
Albrecht	Cummiskey	Jude	Nelsen, B.	Sieben, M.
Anderson, B.	Dahl	Kahn	Nelsen, M.	Simoneau
Anderson, D.	Dean	Kaley	Nelson	Skoglund
Anderson, G.	Den Ouden	Kalis	Niehaus	Smogard
Anderson, R.	Eckstein	Kelly, R.	Norton	Spanish
Arlandson	Eken	Kelly, W.	Novak	Stanton
Battaglia	Ellingson	Kempe, R.	Osthoff	Stoa
Beauchamp	Enebo	King	Patton	Suss
Begich	Erickson	Knickerbocker	Pehler	Swanson
Berg	Evans	Kostohryz	Peterson	Tomlinson
Berglin	Ewald	Kroening	Petrafeso	Vanasek
Berkelman	Faricy	Kvam	Pleasant	Voss
Biersdorf	Fjoslien	Laidig	Prahl	Waldorf
Birnstihl	Forsythe	Langseth	Reding	Welch
Brandl	Friedrich	Lehto	Rice	Wenstrom
Braun	Fudro	Lemke	Rose	Wenzel
Brinkman	Fugina	Mangan	St. Onge	White
Eyrne	George	Mann	Samuelson	Wieser
Carlson, A.	Gunter	McCarron	Sarna	Wigley
Carlson, D.	Hanson	McCollar	Savelkoul	Williamson
Carlson, L.	Hejnitz	McDonald	Scheid	Wynia
Casserly	Hokanson	McEachern	Schulz	Zubay
Clark	Jacobs	Metzen	Searie	Speaker Sabo
Clawson	Jaros	Moe	Searles	

The bill was passed and its title agreed to.

Jude was excused at 3:30 p.m. Murphy was excused at 4:20 p.m.

GENERAL ORDERS

Pursuant to rules of the House, the House resolved itself into the Committee of the Whole, with Sabo in the Chair, for the consideration of bills pending on General Orders of the Day. After some time spent therein the Committee arose.

REPORT OF COMMITTEE OF THE WHOLE

The Speaker resumed the Chair, whereupon the following proceedings of the Committee as kept by the Chief Clerk were reported to the House:

H. F. No. 886 which it recommended to pass.

S. F. No. 401 which it recommended to pass.

H. F. No. 7 which it recommended progress retaining its place on General Orders.

H. F. No. 76 which it recommended to pass with the following amendment offered by Niehaus:

Page 2, line 10, after “; and” insert “, after notice and hearing pursuant to section 160.22, subdivision 5.”.

H. F. No. 500 which it recommended to pass with the following amendment offered by Rice:

Page 12, line 7, strike “three” and insert “four”.

On the motion of Anderson, I., the report of the Committee of the Whole was adopted.

ROLL CALLS IN COMMITTEE OF THE WHOLE

Pursuant to rule 1.6, the following roll calls were taken in the Committee of the Whole:

Abeln moved to amend H. F. No. 500 as follows:

Page 12, line 7, strike “three” and insert “five”.

The question was taken on the adoption of the amendment and the roll was called. There were 56 yeas and 64 nays as follows:

Those who voted in the affirmative were:

Abeln	Dahl	Jude	Nelsen, M.	Spanish
Arlandson	Dean	Kahn	Nelson	Stanton
Battaglia	Eckstein	Kelly, R.	Novak	Suss
Begich	Ellingson	Kelly, W.	Osthoff	Swanson
Berg	Faricy	Kempe, R.	Prahl	Vanasek
Berglin	Fudro	Kroening	Rice	White
Brandl	Fugina	Lehto	Samuelson	Williamson
Carlson, L.	Gunter	Mangan	Sarna	Wynia
Casserly	Hanson	McCarron	Searle	
Clark	Hokanson	McCollar	Sieben, H.	
Clawson	Jacobs	McEachern	Sieben, M.	
Cohen	Jaros	Neisen	Skoglund	

Those who voted in the negative were:

Adams	Anderson, D.	Beauchamp	Birnstihl	Byrne
Albrecht	Anderson, G.	Berkelman	Braun	Carlson, A.
Anderson, B.	Anderson, R.	Biersdorf	Brinkman	Carlson, D.

Corbid	George	Langseth	Peterson	Tomlinson
Den Ouden	Heinitz	Lemke	Petraleso	Voss
Eken	Jensen	Mann	Pleasant	Waldorf
Enebo	Johnson	McDonald	Rose	Welch
Erickson	Kaley	Metzen	Savelkoul	Wenstrom
Evans	Kalis	Moe	Scheid	Wenzel
Ewald	King	Murphy	Schulz	Wieser
Fjoslien	Knickerbocker	Nelsen, B.	Searles	Wigley
Forsythe	Kvam	Niehaus	Smogard	Zubay
Friedrich	Laidig	Norton	Stoa	

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

Rice moved to amend H. F. No. 500, as follows:

Page 12, line 7, strike "three" and insert "four".

The question was taken on the adoption of the amendment and the roll was called. There were 86 yeas and 34 nays as follows:

Those who voted in the affirmative were:

Abeln	Dahl	Kempe, A.	Nelson	Stanton
Anderson, B.	Dean	Kempe, R.	Norton	Stoa
Anderson, G.	Eken	Kostohryz	Osthoff	Suss
Arlandson	Enebo	Kroening	Pehler	Swanson
Battaglia	Faricy	Laidig	Petraleso	Tomlinson
Begich	Fjoslien	Langseth	Prahl	Vanasek
Berg	Fudro	Lehto	Rice	Voss
Berglin	Fugina	Lemke	Sarna	Waldorf
Birnstihl	Hanson	McCarron	Scheid	Wenstrom
Brandl	Hokanson	McCollar	Schulz	Wenzel
Byrne	Jacobs	McDonald	Searle	White
Carlson, A.	Jaros	McEachern	Sherwood	Wigley
Carlson, D.	Jensen	Moe	Sieben, H.	Williamson
Carlson, L.	Johnson	Munger	Sieben, M.	Wynia
Casserly	Jude	Murphy	Simoneau	
Clark	Kahn	Neisen	Skoglund	
Corbid	Kelly, R.	Nelsen, B.	Smogard	
Cummiskey	Kelly, W.	Nelsen, M.	Spanish	

Those who voted in the negative were:

Adams	Brinkman	Gunter	Metzen	St. Onge
Albrecht	Cohen	Heinitz	Niehaus	Samuelson
Anderson, D.	Den Ouden	Kaley	Patton	Savelkoul
Anderson, R.	Erickson	King	Peterson	Searles
Beauchamp	Evans	Knickerbocker	Pleasant	Wieser
Biersdorf	Friedrich	Kvam	Reding	Zubay
Braun	George	Mangan	Rose	

The motion prevailed and the amendment was adopted.

Swanson moved to amend H. F. No. 500, as follows:

Page 11, line 28, delete "one to four family,".

Page 11, line 29, delete "owner occupied residence" and insert "property".

The question was taken on the adoption of the amendment and the roll was called. There were 23 yeas and 90 nays as follows:

Those who voted in the affirmative were:

Abeln	Carlson, L.	Jacobs	Scheid	Vanasek
Anderson, B.	Casserly	Kahn	Sieben, M.	White
Anderson, G.	Dahl	Kempe, A.	Stanton	Williamson
Battaglia	Dean	Kempe, R.	Suss	
Begich	Ellingson	McCollar	Swanson	

Those who voted in the negative were:

Adams	Eken	Kalis	Murphy	Schulz
Albrecht	Enebo	Kelly, R.	Neisen	Searles
Anderson, D.	Erickson	Kelly, W.	Nelsen, B.	Sherwood
Anderson, R.	Evans	King	Nelsen, M.	Sieben, H.
Beauchamp	Ewald	Knickerbocker	Nelson	Simoneau
Berglin	Faricy	Kostohryz	Niehaus	Skoglund
Berkelman	Fjoslien	Kroening	Novak	Smogard
Biersdorf	Forsythe	Kvam	Osthoff	Stoa
Birnstihl	Friedrich	Laidig	Patton	Tomlinson
Brandl	Fudro	Langseth	Pehler	Voss
Braun	Fugina	Lemke	Peterson	Waldorf
Brinkman	George	Mangan	Petrafeso	Welch
Byrne	Gunter	Mann	Reding	Wenzel
Carlson, D.	Hanson	McCarron	Rose	Wieser
Clark	Heinritz	McDonald	St. Onge	Wigley
Cohen	Hokanson	McEachern	Samuelson	Wynia
Corbid	Jensen	Metzen	Sarna	Zubay
Eckstein	Kaley	Moe	Savelkoul	Speaker Sabo

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

The question was taken on the motion of Hanson to re-refer H. F. No. 500, to the Committee on Commerce and Economic Development and the roll was called. There were 25 yeas and 97 nays as follows:

Those who voted in the affirmative were:

Battaglia	Fugina	Lehto	Neisen	Sarna
Begich	Hanson	Mangan	Osthoff	Scheid
Enebo	Kempe, A.	McCarron	Prahl	Swanson
Faricy	Kempe, R.	McCollar	Rice	Waldorf
Fudro	Kroening	Murphy	Samuelson	Wynia

Those who voted in the negative were:

Abeln	Anderson, G.	Berg	Braun	Carlson, L.
Adams	Anderson, I.	Berkelman	Brinkman	Clark
Albrecht	Anderson, R.	Biersdorf	Byrne	Corbid
Anderson, B.	Arlandson	Birnstihl	Carlson, A.	Cummiskey
Anderson, D.	Beauchamp	Brandl	Carlson, D.	Dahl

Dean	Jacobs	McDonald	Rose	Tomlinson
Den Ouden	Jaros	McEachern	St. Onge	Vanasek
Eckstein	Jensen	Metzen	Savelkoul	Voss
Eken	Johnson	Moe	Schulz	Welch
Ellingson	Kahn	Nelsen, B.	Searle	Wenstrom
Erickson	Kaiey	Nelson	Searles	Wenzel
Evans	Kalis	Niehaus	Sherwood	White
Ewald	Kelly, W.	Norton	Sieben, H.	Wieser
Fjoslien	King	Novak	Sieben, M.	Wigley
Forsythe	Knickerbocker	Patton	Simoneau	Williamson
Friedrich	Kostohryz	Pehler	Skoglund	Zubay
George	Laidig	Peterson	Smogard	Speaker Sabo
Gunter	Langseth	Petrafeso	Stanton	
Heinitz	Lemke	Pleasant	Stoa	
Hokanson	Mann	Reding	Suss	

The motion did not prevail.

MOTIONS AND RESOLUTIONS

McEachern moved that H. F. No. 1177 be recalled from the Committee on Education and be re-referred to the Committee on Transportation. The motion prevailed.

Patton moved that the name of Osthoff be added as an author on H. F. No. 308. The motion prevailed.

ADJOURNMENT

Anderson, I., moved that when the House adjourns today it adjourn until 2:00 p.m., Wednesday, April 13, 1977. The motion prevailed.

Anderson, I., moved that the House adjourn. The motion prevailed, and the Speaker declared the House stands adjourned until 2:00 p.m., Wednesday, April 13, 1977.

EDWARD A. BURDICK, Chief Clerk, House of Representatives

STATE OF MINNESOTA

SEVENTIETH SESSION - 1977

THIRTY-FOURTH DAY

SAINT PAUL, MINNESOTA, WEDNESDAY, APRIL 13, 1977

The House of Representatives convened at 2:00 p.m. and was called to order by the Speaker.

Prayer was offered by the Chaplain.

The roll was called and the following members were present:

Abeln	Cohen	Jaros	Moe	Searles
Adams	Corbid	Jensen	Munger	Sherwood
Albrecht	Cummiskey	Johnson	Murphy	Sieben, H.
Anderson, B.	Dahl	Jude	Neisen	Sieben, M.
Anderson, D.	Dean	Kahn	Nelsen, B.	Simoneau
Anderson, G.	Den Ouden	Kaley	Nelsen, M.	Skoglund
Anderson, I.	Eckstein	Kalis	Nelson	Smogard
Anderson, R.	Eken	Kelly, R.	Niehaus	Spanish
Arlandson	Ellingson	Kelly, W.	Norton	Stanton
Battaglia	Enebo	Kempe, A.	Novak	Stoa
Beauchamp	Erickson	Kempe, R.	Osthoff	Suss
Begich	Esau	King	Patton	Swanson
Berg	Evans	Knickerbocker	Pehler	Tomlinson
Berglin	Ewald	Kostohryz	Peterson	Vanasek
Berkelman	Faricy	Kroening	Petrafeso	Voss
Biersdorf	Fjoslien	Kvam	Pleasant	Waldorf
Birnstihl	Forsythe	Laidig	Prahl	Welch
Brandl	Friedrich	Langseth	Reding	Wenstrom
Braun	Fudro	Lehto	Rice	Wenzel
Brinkman	Fugina	Lemke	Rose	White
Byrne	George	Mangan	St. Onge	Wieser
Carlson, A.	Gunter	Mann	Samuelson	Wigley
Carlson, D.	Hanson	McCarron	Sarna	Williamson
Carlson, L.	Haugerud	McCollar	Savelkoul	Wynia
Casserly	Heinitz	McDonald	Scheid	Zubay
Clark	Hokanson	McEachern	Schulz	Speaker Sabo
Clawson	Jacobs	Metzen	Searle	

A quorum was present.

The Chief Clerk proceeded to read the Journal of the preceding day. Vanasek moved that further reading of the Journal be dispensed with and that the Journal be approved as corrected by the Chief Clerk. The motion prevailed.

REPORTS OF CHIEF CLERK

Pursuant to Rules of the House, printed copies of H. F. Nos. 192, 749, 1011, 790, 1096, 365, 502, 76 and 500 and S. F. Nos. 217, 213, 223, 718, 465, 141, 335, 270, 292, 709, 108, 719, 720, 721, 722, 742, 855, 860 and 1017 have been placed in the members' files.

REPORTS OF STANDING COMMITTEES

Mann from the Committee on Agriculture to which was referred:

H. F. No. 1236, A bill for an act relating to water; requiring that new domestic wells be registered with the local soil and water conservation district; requiring that the commissioner of natural resources be notified of the appropriation of water for domestic use; requiring pumping tests and monitoring on large wells, and providing for exceptions; changing criteria for issuance of groundwater appropriation permits; transferring the water well contractor licensing program from the state board of health to the commissioner of natural resources; appropriating money; amending Minnesota Statutes 1976, Sections 105.41, Subdivisions 1 and 1a; 105.44, by adding subdivisions; 105.45; 156A.03; 156A.04; 156A.05; 156A.06, Subdivision 1; 156A.07, Subdivisions 1, 4, 5, 6, 7 and 8; and 156A.08; and repealing Minnesota Statutes 1976, Section 105.44, Subdivision 8.

Reported the same back with the following amendments:

Strike everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 1976, Section 105.41, Subdivision 1, is amended to read:

105.41 [APPROPRIATION AND USE OF WATERS.]
Subdivision 1. It shall be unlawful for the state, any person, partnership, or association, private or public corporation, county, municipality, or other political subdivision of the state to appropriate or use any waters of the state, surface or underground, without the written permit of the commissioner, previously obtained upon written application therefor to the commissioner. Nothing in this section shall be construed to apply to the use of water for domestic purposes serving less than 25 persons, *provided that when a well is constructed to appropriate groundwater for domestic purposes to serve less than 25 persons, the person upon whose property the well is being constructed shall register the well with the local soil and water conservation district for the area in which the well is located. The registration shall be on forms supplied by the commissioner and shall include additional provisions for reporting on the hydrogeologic and quality*

characteristics of the well and water-bearing formations penetrated by the well. It shall be the responsibility of the person registering the well to provide completed information forms and to supply any supplemental data required to the local soil and water conservation district located in the area in which the well is constructed.

The local soil and water conservation district shall provide the commissioner with copies of all well registrations, and any other data required upon completion of the well, within 15 days of receipt of the information.

Sec. 2. Minnesota Statutes 1976, Section 105.41, Subdivision 1a, is amended to read:

Subd. 1a. The commissioner shall submit to the legislature by January 1, (1975) 1978, for its approval, proposed rules governing the allocation of waters among potential water users. These rules shall be based on the following priorities for appropriation and use of water;

First priority. Domestic water supply, excluding industrial and commercial uses of municipal water supply. (AGRICULTURAL IRRIGATION, INVOLVING CONSUMPTION IN EXCESS OF 10,000 GALLONS PER DAY.)

Second priority. Any use of water that involves consumption of less than 10,000 gallons of water per day. For purposes of this section "consumption" shall mean water withdrawn from a supply which is lost for immediate further use in the area.

Third priority. *Agricultural irrigation, involving consumption in excess of 10,000 gallons per day.*

Fourth priority. Power production, involving consumption in excess of 10,000 gallons per day.

(FOURTH) *Fifth* priority. Industrial and commercial uses, involving consumption in excess of 10,000 gallons per day.

(FIFTH) *Sixth* priority. Other uses, involving consumption in excess of 10,000 gallons per day.

Appropriation and use of surface water from streams during periods of flood flows and high water levels shall be encouraged subject to consideration of the purposes for use, quantities to be used, and the number of persons appropriating water.

Appropriation and use of surface water from lakes of less than 500 acres in surface area shall be discouraged.

Diversions of water from the state for use in other states or regions of the United States or Canada shall be discouraged, subject to the jurisdiction of the United States government.

No permit shall be issued under this section unless it is consistent with state, regional, and local water and related land resources management plans, provided that regional and local plans are consistent with statewide plans.

Sec. 3. Minnesota Statutes 1976, Section 105.44, Subdivision 8, is amended to read:

Subd. 8. [PERMIT TO IRRIGATE AGRICULTURAL LAND.] When an application for permit to irrigate agricultural land from public waters is made, (A GENERAL STATEMENT IN THE APPLICATION OF THE PURPOSE OF THE PROPOSED USE OF PUBLIC WATERS AND THE ACREAGE TO BE IRRIGATED SHALL BE SUFFICIENT COMPLIANCE WITH THE REQUIREMENTS OF SUBDIVISION 1 WITH RESPECT TO MAPS, PLANS AND SPECIFICATIONS, UNLESS THE COMMISSIONER REASONABLY MAY REQUIRE ADDITIONAL SPECIFIED INFORMATION WITHIN TEN DAYS OF THE FILING OF THE APPLICATION. IN ANY SUCH CASE THE COMMISSIONER SHALL MAKE HIS ORDER GRANTING THE APPLICATION UNLESS HE FINDS AFTER HEARING THAT GRANTING THEREOF WOULD BE AGAINST THE PUBLIC INTEREST OR WOULD DEPRIVE ANOTHER THAN THE APPLICANT OF THE SHARE OF PUBLIC WATER WHICH SUCH OTHER HAS REQUESTED AND TO WHICH HE IS ENTITLED.) *upon receipt the commissioner shall send a copy of the permit application to the local soil and water conservation district in which the proposed appropriation is located. The soil and water conservation district may make recommendations to the commissioner regarding the disposition of the application and its compatibility to an approved conservation plan within 45 days of the receipt of the application. Within 30 days of the date of the application the commissioner may require additional specific information from the applicant. Upon receipt of all additional specific information required of the applicant, the commissioner shall have an additional 60 days to review that information, consider the soil and water conservation recommendations and rule on the permit.* In the case of an application for permit to irrigate agricultural land, failure of the commissioner to act thereon by granting or denial or other hearing thereon within (30 DAYS AFTER FILING OF THE APPLICATION, OR IN CASE THE COMMISSIONER HAS REASONABLY REQUIRED ADDITIONAL SPECIFIED INFORMATION THAN THAT GIVEN IN THE APPLICATION WITHIN 20 DAYS AFTER THE FILING OF SUCH ADDITIONAL INFORMATION) *the specified time period, shall be deemed an order granting the application. This order shall be deemed granted ten days after the applicant has given written notice to the commissioner stating his intention to proceed with the appropriation.*

Sec. 4. Minnesota Statutes 1976, Section 105.44, is amended by adding a subdivision to read:

Subd. 11. [APPROPRIATIONS OF GROUNDWATER.] When a permit application is received for an appropriation of groundwater in an amount exceeding 100,000 gallons in any day, the commissioner shall require that a pumping test be conducted to determine whether sufficient groundwater is likely to be available in the amount and for the period of time requested. Before, during, and after the pumping test the commissioner shall require monitoring of water levels in an observation well located at such distance from the pumping well which he has reason to believe may be affected by the new appropriation. The duration of the test shall be prescribed by the commissioner depending on the hydrologic characteristics of the aquifer, but shall not exceed 72 hours for wells under unconfined or water table conditions and 24 hours for wells under confined or artesian conditions.

The permit applicant shall be responsible for all costs of the pumping tests and monitoring in one observation well. He shall be responsible for the construction of one observation well if suitable existing wells cannot be used for this purpose. The required pumping tests, hydrogeologic data acquisition and monitoring shall be performed by a licensed water well contractor. At least 48 hours prior to conducting the pumping tests, the water well contractor must submit a notification of intent to the soil and water conservation district for the area in which the observation well is located. In order to ensure the accuracy of the information provided by the water well contractor, the soil and water conservation district shall have the authority to supervise the pumping tests. For purposes of uniformity, the commissioner shall adopt guidelines to be used by the various soil and water conservation districts in implementing the provisions of this section. The commissioner shall establish a statewide training program to provide training in the conduct of such tests and data acquisition programs.

If the commissioner believes that more than one observation well is needed to adequately evaluate the appropriation request, the commissioner shall be responsible for the monitoring and construction costs of the additional wells.

Sec. 5. Minnesota Statutes 1976, Section 105.44, is amended by adding a subdivision to read:

Subd. 12. [WAIVER OF GROUNDWATER TESTS.] The commissioner may delineate areas of the state where in his opinion the underground water resources are known to be of sufficient availability and where the pumping test or monitoring of neighboring wells required by section 4 is not needed to assess water appropriation permit applications. In such areas he may

waive part or all of the pumping test or monitoring requirements. The delineated areas and the procedure for waiver of requirements shall be established by the commissioner's order. The first commissioner's order shall include those areas defined in U. S. Geological Survey Water Supply Papers 1899E, 1899J, 1983, 2003, 2039B, 2009D, Water Resources Investigation 23-75, Open File Report; Anoka Sand Plains.

Sec. 6. Minnesota Statutes 1976, Section 105.45, is amended to read:

105.45 [PERMITS AND ORDERS OF COMMISSIONER; NOTICE.] The commissioner shall make findings of fact upon all issues necessary for determination of the applications heard by him. All orders made by the commissioner shall be based upon findings of fact made on substantial evidence. He may cause investigations to be made, and in such event the facts disclosed thereby shall be put in evidence at the hearing or any adjournment thereof.

If the commissioner concludes that the plans of the applicant are reasonable, practical, and will adequately protect public safety and promote the public welfare, and, in the case of groundwater appropriations, the commissioner is satisfied that the supply of groundwater is such that the applicant's appropriation and use, in conjunction with other existing and potential appropriations and uses based on reasonable use of the aquifer systems involved, and considering the suitability of the land for the proposed use, would not cause a serious decline in groundwater levels and would not result in lowering of levels of lakes and flows of streams, in the area involved, to the detriment of the public interests and uses of those lakes and streams, he shall grant the permit, and, if that be in issue, fix the control levels of public waters accordingly. In all other cases the commissioner shall reject the application or he may require such modification of the plan as he deems proper to protect the public interest.

A decline of the groundwater levels in unconfined or water table aquifers shall be considered a serious decline if the non-pumping water levels would decline more than one-half of the saturated thickness of the aquifer or if the effects on lakes and streams due to lowering of the well water levels are detrimental to the public interest and use of the lakes and streams involved.

A decline of the groundwater levels in confined or artesian aquifers shall be considered a serious decline if the nonpumping water levels would be lowered below the confining layer of the artesian systems involved. The commissioner shall provide for restriction of pumpage to assure that well water levels are at least five feet above the bottom of the confining layer of the artesian system involved to provide a margin of safety against mining water.

In all permit applications the applicant has the burden of proving that the proposed project is reasonable, practical, and will adequately protect public safety and promote the public welfare. *In the case of groundwater appropriations, the applicant has the additional burden of proving that the supply of groundwater is adequate for the use intended, that the appropriation will not result in a serious decline in groundwater levels in the aquifer systems involved, that the levels of lakes and flows of streams would not be lowered to the detriment of the public interest and use of the lakes and streams involved, and that the appropriation will not cause a lowering of water levels in private domestic or public domestic wells resulting in inadequate water supply for the domestic purposes served, if the domestic wells involved are reasonably efficient.*

In the case of appropriations for purposes of irrigation, the commissioner shall, based on the recommendations of the soil and water conservation district, consider the suitability of the soils present and the adequacy of soil and water conservation measures in determining the reasonableness and practicality of the applicant's proposed use of water.

In granting a permit the commissioner may include therein such terms and reservations with respect to the amount and manner of such use or appropriation or method of construction or operation of controls as appears reasonably necessary for the safety and welfare of the people of the state. *If the commissioner determines that existing, neighboring private domestic or public domestic wells are likely to be adversely affected by a groundwater appropriation based on considerations of the efficiency of the domestic wells involved, he shall not permit the appropriation until he is satisfied that the permit applicant will provide adequate supplies of water for existing, neighboring private domestic or public domestic wells in order to assure that the existing users will have reasonable use of their groundwater supply, in accordance with priorities for use established in section 105.41, subdivision 1a.*

The determination of the efficiency of the domestic well shall be based on consideration of the condition of the well casing, and screen where applicable, of the degree of penetration of the well into the aquifer systems and the relative nonpumping and pumping levels of the domestic well before the new appropriator's pumping occurred, and the condition of the well with respect to compliance with applicable public health requirements.

The possible effects on domestic wells of pumping by future appropriators from the same aquifer systems will be evaluated where adequate data are available and in such instances owners of domestic wells will be notified of the predicted cumulative effects on their wells by the total potential water use which might be developed from the aquifer system. In processing future permit applications for appropriation and use from the aquifer sys-

tem the commissioner shall consider necessary restrictions on pumping rates and withdrawals which should be applied to maintain reasonable use of the aquifer systems and to prevent damage to domestic water users unless the domestic users are satisfactorily compensated for the effects.

Notice of all orders made after hearing shall be given by publication of the order once each week for two successive weeks in a legal newspaper in the county where the hearing was held, and by mailing copies of the order to all parties who entered an appearance at such hearing.

The commissioner shall make his order pursuant to hearing within 60 days after the completion of the hearing.

Sec. 7. [WATER WELL CONTRACTORS; TRANSFER OF POWERS.] *Subdivision 1. All powers, duties, and functions heretofore vested in or imposed on the state board of health or the commissioner of health by Minnesota Statutes, Chapter 156A, are transferred to, vested in, and imposed upon the commissioner of natural resources.*

Subd. 2. The commissioner of natural resources shall be deemed a continuation of the state board of health as to those matters within the jurisdiction of the state board of health which are transferred to the commissioner of natural resources by this section, with the same force and effect as though the functions, powers or duties had not been assigned or transferred, and shall not be held to constitute a new authority for the purpose of succession to those rights, powers, duties and obligations of the state board of health, as constituted at the time of the transfer. All rules heretofore promulgated under authority of a power, duty or responsibility transferred by this section to the commissioner of natural resources shall remain in full force and effect as promulgated until modified or repealed.

Subd. 3. Any proceeding, court action, prosecution, or other business or matter which is pending on the effective date of this section and which was undertaken or commenced prior to the effective date of this section by the state board of health or commissioner of health pursuant to chapter 156A may be conducted and completed by the commissioner of natural resources in the same manner, under the same terms and conditions, and with the same effect as though it were undertaken or commenced and conducted or completed by the state board of health or the commissioner of health prior to the transfer.

Subd. 4. The commissioner of health shall transfer all contracts, books, maps, plans, papers, records, and property of every description that were obtained for or in the course of the administration of chapter 156A to the commissioner of natural resources.

Subd. 5. All unexpended funds appropriated to the state board of health or the department of health for the purpose of any function, power, or duty which is transferred by this section to the commissioner of natural resources are hereby transferred to the commissioner of natural resources.

Subd. 6. All persons employed in the classified service by the state board of health or the commissioner of health to perform functions, powers or duties pursuant to chapter 156A are transferred to the department of natural resources. This shall not be construed as abrogating or modifying any rights now enjoyed by affected employees under the terms of an agreement between an exclusive representative of public employees and the state or one of its appointing authorities.

Subd. 7. The water well contractors advisory council created by section 156A.06 shall remain in effect as an advisory council to the commissioner of natural resources, and the composition and membership of the council shall not be changed by virtue of the transfer of powers regarding chapter 156A.

Sec. 8. Minnesota Statutes 1976, Section 156A.03, is amended to read:

156A.03 [REGULATION AND LICENSING.] Subdivision 1. The (STATE BOARD OF HEALTH) *commissioner of natural resources* shall regulate and license the drilling and constructing of all water wells within this state, examine and license water well contractors and, after consultation with the (COMMISSIONER OF NATURAL RESOURCES) *state board of health* and the pollution control agency establish standards for the design, location and construction of water wells within this state.

Subd. 2. No contractor shall drill or construct a water well within this state unless in possession of a valid license to do so issued annually by the (STATE BOARD OF HEALTH) *commissioner of natural resources*. An applicant who is otherwise qualified but who does not have practical field experience in the operation of conventional drilling machines such as a cable tool, rotary, hollow rod, or auger, but who does install unconventional wells such as drive point, or who is in the well repair service which involves modification to the well casing, screen, depth, or diameter below the upper termination of the well casing, shall have his license limited to such water well contracting work.

Sec. 9. Minnesota Statutes 1976, Section 156A.04, is amended to read:

156A.04 [SUSPENSION OR REVOCATION OF LICENSE.] The (STATE BOARD OF HEALTH) *commissioner of natural resources* may, after hearing upon reasonable notice, suspend or revoke the license of a contractor upon finding that

the licensee has violated the provisions of sections 156A.01 to 156A.08 or the rules and regulations adopted hereunder. Proceedings by the (STATE BOARD OF HEALTH) *commissioner of natural resources* pursuant to this section and review thereof shall be in accordance with the administrative procedure act.

Sec. 10. Minnesota Statutes 1976, Section 156A.05, is amended to read:

156A.05 [POWERS AND DUTIES OF THE COMMISSIONER.] Subdivision 1. The (STATE BOARD OF HEALTH) *commissioner of natural resources* shall possess all powers reasonable and necessary to enable it to exercise effectively the authority granted to it by sections 156A.01 to 156A.08.

Subd. 2. The (BOARD OF HEALTH) *commissioner of natural resources* shall (BY DECEMBER 31, 1971,) in the manner prescribed by chapter 15(, HOLD A PUBLIC HEARING AND) promulgate rules (AND REGULATIONS) *as necessary* to carry out the purposes of sections 156A.01 to 156A.08 including, but not limited to:

- (a) Issuance of licenses for qualified water well contractors.
- (b) Establishment of conditions for examination and review of applications for license.
- (c) Establishment of conditions for revocation and suspension of license.
- (d) Establishment of minimum standards for design, location and construction of wells to effectuate the purpose and intent of sections 156A.01 to 156A.08.
- (e) Establishment of a system for reporting on wells drilled by licensed water well contractors.

Subd. 3. The (STATE BOARD OF HEALTH) *commissioner of natural resources* may inspect water wells drilled, or drilling, and shall have access to same at all reasonable times.

Sec. 11. Minnesota Statutes 1976, Section 156A.06, Subdivision 1, is amended to read:

156A.06 [WATER WELL CONTRACTORS ADVISORY COUNCIL; MEMBERS; TERMS; EMPLOYEES.] Subdivision 1. There is hereby created the water well contractors advisory council, herein referred to as the "advisory council," as an advisory council to the (STATE BOARD OF HEALTH) *commissioner of natural resources*. The advisory council shall be composed of nine voting members. Of the nine voting members, one member shall be from the state department of health, appointed by the secretary and executive officer of the state board

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; 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) *natural resources*. 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.

Sec. 12. Minnesota Statutes 1976, Section 156A.07, Subdivision 1, is amended to read:

156A.07 [WATER WELL CONTRACTORS' LICENSES.] Subdivision 1. Any person not already licensed under sections 156A.01 to 156A.08 who desires to engage in the drilling, making or construction of one or more wells for underground water in this state shall first file an application with the (BOARD) *commissioner of natural resources* for a contractor's license, setting out his qualifications therefor, the equipment proposed to be used in such contracting, and such other information as may be required by the (BOARD) *commissioner*, all upon forms prescribed by the (BOARD) *commissioner*. The (BOARD) *commissioner* shall charge a fee in an amount prescribed by (IT) *him* pursuant to section (144.122) *105.44* for the filing of such application by any person, and (IT) *he* shall not act upon any application until the fee has been paid. When the (BOARD) *commissioner* has approved the application, the applicant shall take an examination given by the (BOARD) *commissioner*.

Sec. 13. Minnesota Statutes 1976, Section 156A.07, Subdivision 4, is amended to read:

Subd. 4. All persons licensed under the provisions of sections 156A.01 to 156A.08 shall, within 30 days after completion of any well, submit a verified report to the (MINNESOTA DEPARTMENT OF HEALTH) *commissioner of natural resources* upon forms provided by (IT) *him* containing the following information: (a) the name and address of the owner of such well and the actual location of such well; (b) a well log of the materials and water encountered in connection with drilling such well, together with all pumping tests relating thereto; (c) such other information as the (BOARD OF HEALTH) *commissioner* may require concerning the drilling of such well. The (BOARD OF

HEALTH) *commissioner* shall send one copy of the report to the (COMMISSIONER OF NATURAL RESOURCES) *board of health* and one copy to the director of the Minnesota geological survey within 30 days of receipt from the water well contractor. The (DEPARTMENT OF HEALTH) *commissioner* may: (1) Establish procedures for coordinating well data collection with other state and local governmental agencies; and (2) Establish criteria and procedures for submission of well logs, formation samples or well cuttings, water samples or other special information which may be required for geologic and water resource mapping to protect, develop, and manage, for the public health and welfare and to assist in the development of a state water information system. The license of any person licensed under sections 156A.01 to 156A.08 may be suspended or revoked, as provided in section 156A.03, for violation of any of the provisions of this subdivision.

Sec. 14. Minnesota Statutes 1976, Section 156A.07, Subdivision 5, is amended to read:

Subd. 5. When an applicant has successfully passed the examination for original license, he shall submit to the (BOARD) *commissioner* a license application and a fee in an amount prescribed by the (BOARD) *commissioner* pursuant to section (144.122) 105.44, upon the receipt of which the (BOARD) *commissioner* may issue a license.

Sec. 15. Minnesota Statutes 1976, Section 156A.07, Subdivision 6, is amended to read:

Subd. 6. The license issued pursuant to this section is not transferable. Application to renew the license shall be submitted on a date specified by the (BOARD) *commissioner*, accompanied by a fee in an amount prescribed by the (BOARD) *commissioner* pursuant to section (144.122) 105.44. A penalty fee in an amount prescribed by the (BOARD) *commissioner* pursuant to section (144.122) 105.44 shall also be paid if the renewal application is submitted after the prescribed renewal date. If a water well contractor submits his renewal application after the prescribed renewal date, he shall not work as a water well contractor after that date until he has submitted an application, fee, and penalty fee.

Sec. 16. Minnesota Statutes 1976, Section 156A.07, Subdivision 7, is amended to read:

Subd. 7. The license issued pursuant to this section shall include the registration of one drilling machine. Each licensed water well contractor shall pay an annual fee in an amount prescribed by the (BOARD) *commissioner* pursuant to section (144.122) 105.44 for the registration with the board of each additional drilling machine.

Sec. 17. Minnesota Statutes 1976, Section 156A.07, Subdivision 8, is amended to read:

Subd. 8. The (BOARD OF HEALTH) *commissioner of natural resources* upon application therefor, and payment of the fees herein provided, may issue a license, without giving an examination, to any water well contractor who holds a similar license or certificate of registration in any state, territory, or possession of the United States, or any foreign country, if the requirements for licensing of water well contractors under which the applicant received a license or certificate of registration do not conflict with the provisions of sections 156A.01 to 156A.08, are of a standard not lower than that specified by the rules (, REGULATIONS,) and construction code adopted hereunder, and if equal reciprocal privileges are granted to licensees of this state.

Sec. 18. Minnesota Statutes 1976, Section 156A.08, is amended to read:

156A.08 [PENALTIES.] Any person who shall willfully violate any lawful (REGULATION,) rule or order of the (BOARD) *commissioner*, or who shall engage in the business of drilling or making water wells without first having obtained a license as in sections 156A.01 to 156A.08 required, or who shall violate any provision of sections 156A.01 to 156A.08, shall be guilty of a misdemeanor. Any violation of sections 156A.01 to 156A.08 shall be prosecuted by the county attorney in the county in which the said violation occurred or is occurring, and the trial thereof shall be held in that county.

Sec. 19. [APPROPRIATIONS.] *There is appropriated from the general fund to the commissioner of natural resources for the biennium ending June 30, 1979, the sum of \$500,000 for administration of sections 1 to 18, development of groundwater data systems, groundwater data acquisition, groundwater management, groundwater investigations, and groundwater reports and publications; the sum of \$100,000 for the training program authorized in section 4; and the sum of \$155,000 for the purposes of administration of chapter 156A.*

The commissioner of natural resources may increase the authorized personnel complement of the department of natural resources by not more than 13 positions to accomplish the purposes of sections 1 to 18.

There is appropriated from the general fund to the Minnesota geological survey for the biennium ending June 30, 1979, the sum of \$270,000 for the purpose of completing a statewide data bank of waterwell logs and compilation of data obtained from current drilling activities.

There is appropriated from the general fund to the soil and water conservation board for the biennium ending June 30, 1979, the sum of \$184,000 for the purposes of groundwater data co-

lection and management as authorized in sections 1 and 3. The soil and water conservation board shall allocate the sum of \$2,000 to each soil and water conservation district.

Sec. 20. [EFFECTIVE DATE.] *Sections 1 to 6, 19 and 20 are effective the day following final enactment. Sections 7 to 18 are effective July 1, 1977."*

Further amend the title as follows:

Page 1, line 15, after "105.44," insert "Subdivision 8, and".

Page 1, line 17, after "156A.08;" delete "and".

Page 1, delete lines 18 and 19.

With the recommendation that when so amended the bill pass and be re-referred to the Committee on Environment and Natural Resources.

The report was adopted.

Hanson from the Committee on Commerce and Economic Development to which was referred:

H. F. No. 157, A bill for an act relating to public utilities; prohibiting certain discounts and rate reductions based on volume; providing for refund of overcharges if certain rates become effective before approval by the public service commission; removing construction in progress from rate bases; prohibiting approval of rates which make allowances for certain advertising expenses; delaying implementation of certain rate schedules; amending Minnesota Statutes 1976, Sections 216B.07; 216B.16, Subdivisions 2, 3 and 6, and by adding a subdivision.

Reported the same back with the following amendments:

Strike everything after the enacting clause and insert the following:

"Section 1. Minnesota Statutes 1976, Section 216B.16, Subdivision 1, is amended to read:

216B.16 [RATE CHANGES; PROCEDURE; HEARING.] Subdivision 1. Unless the commission otherwise orders, no public utility shall change any rate which has been duly established under (LAWS 1974, CHAPTER 429) *chapter 216B*, except after (30) 90 days notice to the commission, which notice shall include statements of facts, expert opinions, substantiating documents, and exhibits, supporting the change requested, and further shall state the change proposed to be made in the rates then

in force, and the time when the modified rates will go into effect. The (COMMISSION) *filing utility* shall give written notice, *as approved by the commission*, of the proposed change to the governing body of each municipality and county in the area affected. All proposed changes shall be shown by filing new schedules or shall be plainly indicated upon schedules on file and in force at the time.

Sec. 2. Minnesota Statutes 1976, Section 216B.16, Subdivision 2, is amended to read:

Subd. 2. Whenever there is filed with the commission any schedule modifying or resulting in a change in any rates then in force, together with the filed statements of facts, expert opinions, substantiating documents, and exhibits, supporting the changes requested, the commission shall upon complaint or may upon its own motion, upon reasonable notice to the governing bodies of municipalities affected, conduct a hearing to determine whether the rates are unjust or unreasonable(; AND). Pending the hearing and the decision thereon, the commission(, UPON) *may suspend the operation of the schedule by filing with the schedule of rates and delivering to the affected utility a statement in writing of its reasons (THEREFOR) for the suspension at any time before (THEY) the rates become effective(, MAY SUSPEND THE OPERATION OF THE SCHEDULE BUT). The suspension shall not be for a longer period than 90 days beyond the time when the schedule of rates would otherwise go into effect unless the commission (SHALL FIND) finds that a longer time will be required(, IN WHICH CASE). If a longer time is required the commission may further extend the period (FOR NOT TO EXCEED A TOTAL) of (NINE MONTHS. IF THE COMMISSION DOES NOT MAKE A FINAL DETERMINATION CONCERNING ANY SCHEDULE OF RATES WITHIN A PERIOD OF NINE MONTHS BEYOND THE TIME WHEN THE SCHEDULE OF RATES WOULD OTHERWISE GO INTO EFFECT, UNDER SUBDIVISION 1, THE SCHEDULE SHALL BE DEEMED TO HAVE BEEN APPROVED BY THE COMMISSION) suspension, but in no event shall the period of suspension be more than nine months from the date when the schedule of rates would otherwise go into effect. If the commission does not make a final determination on or before the expiration of 12 months from the date the rates were initially filed, the schedule of rates shall be deemed to have been approved by the commission. The overcharge resulting from implementation of the schedule prior to the final determination of the commission shall be refunded to the customers of the utility in a manner prescribed by rules of the commission.*

Sec. 3. Minnesota Statutes 1976, Section 216B.16, Subdivision 6, is amended to read:

Subd. 6. The commission, in the exercise of its powers under Laws 1974, Chapter 429 to determine just and reasonable rates for public utilities, shall give due consideration to the pub-

lic need for adequate, efficient, and reasonable service and to the need of the public utility for revenue sufficient to enable it to meet the cost of furnishing the service, including adequate provision for depreciation of its utility property used and useful in rendering service to the public, and to earn a fair and reasonable return upon the investment in such property. In determining the rate base upon which the utility is to be allowed to earn a fair rate of return, the commission shall give due consideration to evidence of the cost of the property when first devoted to public use, to prudent acquisition cost to the public utility less appropriate depreciation on each, to construction work in progress, *subject to the provisions of subdivision 6a*, to offsets in the nature of capital provided by sources other than the investors, and (ANY OTHER FACTORS OR EVIDENCE MATERIAL AND RELEVANT THERETO. TO THE EXTENT THAT CONSTRUCTION WORK IN PROGRESS IS INCLUDED IN THE RATE BASE, THE INCOME USED IN DETERMINING THE ACTUAL RETURN ON THE PUBLIC UTILITY PROPERTY SHALL INCLUDE AN ALLOWANCE FOR FUNDS USED DURING CONSTRUCTION) *to other expenses of a capital nature. For purposes of determining rate base, the commission shall consider the original cost of utility property included in the base and shall make no allowance for its estimated current replacement value.*

Sec. 4. Minnesota Statutes 1976, Section 216B.16, is amended by adding a subdivision to read:

Subd. 6a. Construction work in progress shall not be included in the rate base unless it constitutes a prudent investment and the commission so determines to include construction work in progress after consideration of the following factors:

- (a) The magnitude of the construction work in progress as a percentage of the net investment rate base;*
- (b) The impact on cash flow and the utility's capital costs;*
- (c) The effect on consumer rates;*
- (d) Whether it confers a present benefit upon an identifiable class or classes of customers; and*
- (e) Whether it is of a short term nature or will be imminently useful in the provision of utility service.*

Sec. 5. Minnesota Statutes 1976, Section 216B.16, is amended by adding a subdivision to read:

Subd. 8. The commission shall disapprove the portion of any rate which makes an allowance directly or indirectly for ex-

penses incurred by a public utility to provide a public advertisement which:

(a) Is designed to influence or has the effect of influencing public attitudes towards legislation or proposed legislation, or toward a rule, proposed rule, authorization or proposed authorization of the public service commission or other agency of government responsible for regulating a public utility;

(b) Is designed to justify or otherwise support or defend a rate, proposed rate, practice or proposed practice of a public utility; or

(c) Is designed primarily to promote consumption of the services of the utility.

The commission may approve a rate which makes an allowance for expenses incurred by a public utility to disseminate information which:

(a) Is designated to encourage conservation of energy supplies;

(b) Is designed to promote safety; or

(c) Is designed to inform and educate customers as to financial services made available to them by the public utility.

The commission shall not withhold approval of a rate because it makes an allowance for expenses incurred by the utility to disseminate information about corporate affairs to its owners.

Sec. 6. Minnesota Statutes 1976, Section 216B.16, is amended by adding a subdivision to read:

Subd. 9. The commission shall scrutinize all contributions and allow only 50 percent of those contributions as operating expenses which the commission deems prudent and which qualify under Minnesota Statutes, Section 290.21, Subdivision 3, Clause (b).

Sec. 7. Minnesota Statutes 1976, Chapter 237, is amended by adding a section to read:

[237.075] [RATE CHANGES.] *Subdivision 1. Unless the commission otherwise orders, no telephone company shall change any rate which has been duly established under chapter 237, except after 90 days notice to the commission. The notice shall include statements of facts, expert opinions, substantiating documents, and exhibits, supporting the change requested, and state the change proposed to be made in the rates then in force, and the time when the modified rates will go into effect.*

The filing telephone company shall give written notice, as approved by the commission, of the proposed change to the governing body of each municipality and county in the area affected. All proposed changes shall be shown by filing new schedules or shall be plainly indicated upon schedules on file and in force at the time.

Subd. 2. When there is filed with the commission a schedule modifying or resulting in a change in any rate then in force, together with the filed statements of fact, expert opinions, substantiating documents, and exhibits, supporting the changes requested, the commission shall upon complaint or may upon its own motion, upon reasonable notice to the governing bodies of municipalities and counties affected, conduct a hearing to determine whether the rates are unjust or unreasonable. Pending the hearing and the decision thereon, the commission may suspend the operation of the schedule by filing of the schedule of rates and delivering to the affected telephone company a statement in writing of its reasons for the suspension at any time before the rates become effective. The suspension shall not be for a longer period than 90 days beyond the time when the schedule of rates would otherwise go into effect unless the commission finds that a longer time will be required. If a longer time is required the commission may further extend the period of suspension, but in no event shall the period of suspension be more than nine months from the date when the schedule of rates would otherwise go into effect. If the commission does not make a final determination on or before the expiration of 12 months from the date the rates were initially filed, the schedule of rates shall be deemed to have been approved by the commission. The overcharge resulting from implementation of the schedule prior to the final determination of the commission shall be refunded to the customers of the telephone company in a manner prescribed by rules of the commission. For the purposes of this subdivision "final determination" means the initial decision of the commission and not any order which may be entered by the commission in response to a petition for rehearing or other further relief. The commission may further suspend rates until it determines all such petitions.

Subd. 3. Notwithstanding any order of suspension of a proposed increase in rates, the telephone company may put the suspended schedule into effect on the date when it would have become effective if not suspended, or any date subsequent thereto within the suspension period, by filing with the commission a bond in an amount approved by the commission with sureties approved by the commission, conditioned upon the refund, in a manner to be prescribed by order of the commission, of the excess in increased rates, including interest thereon which shall be at the current rate of interest as determined by the commission, collected during the period of the suspension if the schedule so put into effect is finally disallowed by the commission. There may be substituted for the bond other arrangements satisfactory

to the commission for the protection of persons affected. If the telephone company fails to make refunds within the period of time prescribed by the commission, the commission shall sue therefor and is authorized to recover on behalf of all persons entitled to a refund. In addition to the amount of the refund and interest due, the commission shall be entitled to recover reasonable attorney's fees, court costs and estimated cost of administering the distribution of the refund to persons entitled thereto. No suit under this subdivision shall be maintained unless instituted within two years after the end of the period of time prescribed by the commission for repayment of refunds. However, no telephone company shall put a suspended rate schedule into effect as provided by this subdivision until at least 90 days after the commission has made a determination concerning any previously filed change of the rate schedule or the change has otherwise become effective under subdivision 2.

Subd. 4. The burden of proof to show that the rate change is just and reasonable shall be upon the telephone company seeking the change.

Subd. 5. If, after the hearing, the commission finds the rates to be unjust or unreasonable or discriminatory, the commission shall determine the rates to be charged or applied by the telephone company for the service in question and shall fix them by order to be served upon the telephone company. The rates shall thereafter be observed until changed, as provided by chapter 237. In no event shall the rates exceed the level of rates requested by the telephone company, except that individual rates may be adjusted upward or downward.

Subd. 6. The commission, in the exercise of its powers under chapter 237 to determine just and reasonable rates for telephone companies, shall give due consideration to the public need for adequate, efficient, and reasonable service and to the need of the telephone company for revenue sufficient to enable it to meet the cost of furnishing the service, including adequate provision for depreciation of its telephone company property used and useful in rendering service to the public, and to earn a fair and reasonable return upon the investment in the property. In determining the rate base upon which the telephone company is to be allowed to earn a fair rate of return, the commission shall give due consideration to evidence of the cost of the property when first devoted to public use, to prudent acquisition cost to the telephone company, less appropriate depreciation on each cost, to construction work in progress, to offsets in the nature of capital provided by sources other than the investors, and to other expenses of a capital nature. To the extent that construction work in progress is included in the rate base, the income used in determining the actual return on the telephone company property shall include an allowance for funds used during construction. For purposes of determining rate base, the commission shall consider the original cost of telephone company property included in the base

and shall make no allowance for its estimated current replacement value.

Subd. 7. The commission shall not make an allowance for operating expenses incurred by a telephone company for institutional advertising.

Subd. 8. The commission shall scrutinize all contributions and allow only 50 percent of those contributions as operating expenses which the commission deems prudent and which qualify under Minnesota Statutes, Section 290.21, Subdivision 3, Clause (b).

Sec. 8. *Minnesota Statutes 1976, Section 237.08, is repealed.*

Sec. 9. *This act shall be effective the day following enactment."*

And further amend the title as follows:

Page 1, line 2, delete "prohibiting certain".

Page 1, delete line 3.

Page 1, line 10, after the "semicolon" insert "restricting approval of rates which make allowances for charitable contributions; regulating telephone company rates;"

Page 1, line 11, delete "Sections 216B.07;" and insert "Section".

Page 1, line 12, after "Subdivisions" insert "1,".

Page 1, line 12, delete "3".

Page 1, line 12, delete "a".

Page 1, line 13, delete "subdivision" and insert "subdivisions; and Chapter 237, by adding a section; repealing Minnesota Statutes 1976, Section 237.08".

With the recommendation that when so amended the bill pass.

The report was adopted.

Munger from the Committee on Environment and Natural Resources to which was referred:

H. F. No. 968, A bill for an act relating to the pollution control agency; its powers and duties; prescribing additional enforcement powers with respect to air, land, noise and hazardous

waste pollution control; amending Minnesota Statutes 1976, Section 116.07, by adding a subdivision.

Reported the same back with the following amendments:

Page 1, line 12, delete "ADDITIONAL" and insert "CLARIFICATION OF".

With the recommendation that when so amended the bill pass.

The report was adopted.

Fugina from the Committee on Higher Education to which was referred:

H. F. No. 210, A bill for an act relating to education; higher education coordinating board; authorizing the board to contract for spaces for Minnesota residents in out of state schools of optometry; authorizing the board to explore the feasibility of a regional school of optometry; appropriating money.

Reported the same back with the following amendments:

Page 2, line 14, after the first "of" insert "\$77,365".

Page 2, line 17, after "of" insert "\$25,365".

With the recommendation that when so amended the bill pass and be re-referred to the Committee on Appropriations.

The report was adopted.

Fugina from the Committee on Higher Education to which was referred:

H. F. No. 1115, A bill for an act relating to education; state universities; handicapped students; waiving tuition for legally blind students; amending Minnesota Statutes 1976, Section 136.11, Subdivision 1.

Reported the same back with the recommendation that the bill pass and be re-referred to the Committee on Appropriations.

The report was adopted.

Enebo from the Committee on Labor-Management Relations to which was referred:

H. F. No. 320, A bill for an act relating to labor; providing for the elimination of the tip credit in computing minimum

wage; amending Minnesota Statutes 1976, Sections 177.23, by adding a subdivision; 177.24; repealing Minnesota Statutes 1976, Section 177.28, Subdivision 4.

Reported the same back with the following amendments:

Strike everything after the enacting clause and insert:

“Section 1. Minnesota Statutes 1976, Section 177.23, Subdivision 9, is amended to read:

Subd. 9. “Gratuities” means voluntary monetary contributions received *directly or indirectly* by an employee from a guest, patron, or customer for services rendered *and includes any moneys charged to a guest, patron, or customer as a separate service or labor charge and which might reasonably be construed by the guest, customer, or patron as being a payment for personal services rendered by an employee and for which no clear and conspicuous notice is given by the employer to the customer, guest, or patron that such charge is not the property of the employee.*

Sec. 2. Minnesota Statutes 1976, Section 177.24, is amended to read:

177.24 [PAYMENT OF MINIMUM WAGES.] *Subdivision 1. Except as may otherwise be provided in sections 177.21 to 177.35, or by regulation issued pursuant thereto, every employer shall pay to each of his employees who is 18 years of age or older wages at a rate of not less than \$2.10 an hour and shall pay to each of his employees who is under the age of 18 wages at a rate of not less than \$1.89 an hour.*

Subd. 2. No employer shall directly or indirectly credit, apply or utilize gratuities towards payment of minimum wages except as provided for under section 177.28.

Subd. 3. For purposes of this act, any gratuity received by an employee or deposited in or about a place of business for personal services rendered by an employee is the sole property of the employee. No employer shall require an employee to contribute or share any or all of his gratuities with the employer to a fund or pool operated for the benefit of the employer or his employees, provided that nothing in this section shall prevent an employee from voluntarily, and upon an individual basis, sharing his gratuities with other employees.

Sec. 3. Minnesota Statutes 1976, Section 177.28, Subdivision 4, is amended to read:

Subd. 4. An employee who receives (\$20) \$50 or more per month in gratuities is a tipped employee. His employer is en-

titled to a credit in an amount up to (25) *ten* percent of the minimum wage which a tipped employee receives. Said credit against the wages due (FOR GRATUITIES RECEIVED BY A TIPPED EMPLOYEE) may not be taken unless *at the time the credit is taken the employer has received* a signed statement for that pay period from (EACH) the tipped employee (STATES) *stating* that he did receive and retain during (THE) *that* pay period all gratuities received by him in an amount equal to or greater than the credit applied against the wages due by his employer. Such statements shall be maintained by the employer as a part of his business records.”.

Further, amend the title as follows:

Page 1, line 2, delete “the elimination” and insert “reduction”.

Page 1, line 5, delete “by adding a subdivision” and insert “Subdivision 9”.

Page 1, line 5, delete “repealing”.

Page 1, line 6, delete “Minnesota Statutes 1976, Section”.

With the recommendation that when so amended the bill pass.

The report was adopted.

Berg from the Committee on Local and Urban Affairs to which was referred:

H. F. No. 1, A bill for an act relating to public welfare; establishing a formula for allocating state funds to counties for social service programs; prescribing county duties; providing for social service tax levies; prescribing duties of the commissioner of public welfare; appropriating money; amending Minnesota Statutes 1976, Sections 144.065; 145.55, Subdivision 1; 245.70; 252.22; 252.23; 252.26; 252.27, Subdivision 1; 253A.02, by adding a subdivision; 253A.07, Subdivisions 1 and 7; 253A.09, Subdivision 1; 253A.10, Subdivision 4; 253A.14, Subdivision 1; 253A.15, Subdivisions 6, 11, 12 and 13; 254A.05, Subdivision 1; 254A.07, Subdivisions 1 and 2; 254A.08, Subdivision 1; 256.12, Subdivision 9; 256.871, Subdivision 5; 256.95; 260.251, Subdivision 1a; 275.50, Subdivision 5; 393.07, Subdivisions 2 and 3; 477A.01, Subdivision 2; 626.556, Subdivision 2; repealing Minnesota Statutes 1976, Sections 145.08, Subdivision 2; 145.11; 145.12; 145.123; 145.125, Subdivisions 1 and 2; 145.47; 145.48; 145.49; 145.50; 145.51; 145.52; 145.53; 145.54; 145.911; 145.912; 145.913; 145.914; 145.915; 145.916; 145.917; 145.918; 145.919; 145.92; 145.921; 145.922; 245.61; 245.62; 245.63; 245.64; 245.65; 245.66; 245.67; 245.68; 245.69; 245.691; 245.72; 245.83; 245.84; 245.85; 245.86; 245.87; 252.21; 252.24; 252.25; 254A.02, Subdivision 12; 254A.07, Subdivision 3; 254A.08, Sub-

division 3; 254A.12; 254A.14; 254A.15; 254A.16; 254A.17; 393.01; 393.02; 393.03; 393.04; 393.06; 393.07, Subdivision 8; 393.08; 393.09; 393.11.

Reported the same back with the following amendments:

Strike everything after the enacting clause and insert:

"ARTICLE I

Section 1. [STATE FUNDS FOR COMMUNITY HEALTH AND SOCIAL SERVICES.] *Subdivision 1. [FORMULA.] The commissioner of finance shall distribute community health and social service aids to each county board in an amount certified by the commissioner of public welfare for county planning and provision of community health and social services. The commissioner of public welfare shall determine the amount according to the following formula.*

a. *In calendar year 1978:*

(1) *An amount equal to \$80 times the average number of persons who receive AFDC or general assistance per month in calendar year 1977 as reported in the average monthly caseload reports required under sections 256D.04 and 256.01, subdivision 4, and certified by the commissioner of public welfare;*

(2) *Plus an amount equal to \$9 times the number of persons residing in the county in calendar year 1975 as determined by the state demographer;*

(3) *Plus an amount equal to \$50 times the number of persons residing in the county who is 60 years old or older in calendar year 1975 as determined by the state demographer;*

(4) *Less an amount equal to \$9 times the number of persons residing in the county in calendar year 1975 or one and one-half mills times the adjusted assessed value of the county for calendar year 1976, as determined by the equalization aid review committee pursuant to section 124.212, subdivision 10, whichever is less.*

b. *In calendar year 1979:*

(1) *An amount equal to \$90 times the average number of persons who receive AFDC or general assistance per month in calendar year 1978 as reported in the average monthly caseload reports required under sections 256D.04 and 256.01, subdivision 4, and certified by the commissioner of public welfare;*

(2) *Plus an amount equal to \$10 times the number of persons residing in the county in calendar year 1975 as determined by the state demographer;*

(3) Plus an amount equal to \$55 times the number of persons residing in the county who is 60 years old or older in calendar year 1975 as determined by the state demographer;

(4) Less an amount equal to \$10 times the number of persons residing in the county in calendar year 1975 or one and one-half mills times the adjusted assessed value of the county for calendar year 1977, as determined by the equalization aid review committee pursuant to section 124.212, subdivision 10, whichever is less.

Subd. 2. [MINIMUM FUNDING LEVEL.] No county shall receive less for community health and social services under subdivision 1, in calendar years 1978 and 1979 than it received in state funds in calendar years 1977 and 1978 for moneys earned in calendar year 1977 as authorized by Laws 1975, Chapter 434; Laws 1976, Chapter 9 and Chapter 125, Section 11, and the 1977 legislature for the following services: community based residential services for the mentally ill, the chemically dependent and the mentally retarded; community mental health centers; daytime activity centers for the mentally retarded; cost of care for the mentally retarded, the epileptic and the emotionally disturbed; day care services development and funding, except funds appropriated for migrant labor day care; foster care for children under state guardianship; foster group care; and community health services.

For purposes of this subdivision, 50 percent of the county administrative cost reimbursement and 50 percent of the equalization aid authorized by Laws 1975, Chapter 434, which were received in calendar year 1977 are considered community health and social service funds. The term state funds does not include any federal funds received by the state or counties for financing these services.

Subd. 3. [HUMAN SERVICES BOARD AND MULTI-COUNTY INCREMENT.] In addition to the funds granted in subdivision 1, a county which alone or in cooperation with other counties establishes a human services board pursuant to chapter 402 or two or more contiguous counties having an aggregate population of 30,000 or more persons or an aggregate area of 3,500 square miles or more, or three or more contiguous counties situated within the boundaries of the same region designated pursuant to sections 462.381 to 462.396 or the metropolitan area as defined in section 473.121 which have combined for purposes of administering community health or social services shall be granted an amount equal to ten percent of the sum of the factors in subdivision 1, clauses (1), (2) and (3) for the appropriate year.

Subd. 4. [COMMUNITY HEALTH AND SOCIAL SERVICE LEVY.] In calendar year 1977 for taxes payable 1978, a county board shall levy upon all taxable property in the county a tax equal to the amount determined in subdivision 1, para-

graph a(4), for community health and social service programs. In calendar year 1978 for taxes payable 1979 a county board shall levy upon all taxable property in the county a tax equal to the amount determined in subdivision 1, paragraph b(4). Levies authorized in subdivisions 4 and 5 shall replace any community health and social service levies authorized pursuant to section 275.50. All funds available to counties pursuant to article I may be used by counties to match federal funds.

Subd. 5. [OPTIONAL EXCESS LEVY.] In addition to the levy required by subdivision 4, a county may levy one and one-half mills on the current adjusted assessed value as certified by the equalization aid review committee pursuant to Minnesota Statutes, Section 124.212, Subdivision 10, for community health and social service programs funded pursuant to article I. If the sum of state aid and local levies for community health and social services authorized in any year is less than the sum of state aids and county levies received by a county for community health and social services in calendar year 1977, that county may levy the additional amount required to equal the community health and social service funds it received in 1977 from state aids and county levies. The term county levies for community health and social services means levies for community health and social services made pursuant to Minnesota Statutes, Section 275.50, including levies which were made to match federal funds received pursuant to Title XX of the federal social security act.

Sec. 2. [PAYMENTS TO COUNTIES.] The commissioner of finance shall make payments for community health and social services to each county, as calculated and certified by the commissioner of public welfare, in 12 equal installments payable on or before the 15th day of each month. The commissioner of public welfare may certify the payments for the first three months of a calendar year based on estimates of the number of persons receiving AFDC or general assistance for the prior year. The following nine payments shall be adjusted to reflect the actual number of persons who received AFDC or general assistance as required by section 1, subdivision 1.

Sec. 3. [PENALTIES.] Subdivision 1. [FAILURE TO SPEND.] A county which has not spent the aids granted under sections 1 and 2 for community health and social services within two years of receiving those aids shall receive a reduction in aid calculated pursuant to section 1, subdivision 1. This reduction shall be made in the calendar year which begins no more than 24 months after the underspending has occurred and shall be equal to one-half the amount of aids which were not spent.

Subd. 2. [FAILURE TO LEVY; PENALTY.] A county which levies less than the levy required in section 1, subdivision 4, shall receive a reduction in the aid calculated pursuant to section 1, subdivision 1. The commissioner shall calculate the reduced aid as follows:

(a) *Divide the amount levied by the amount required to be levied in section 1, subdivision 4.*

(b) *Multiply the ratio derived in clause (a) times the aid calculated under section 1, subdivision 1.*

Sec. 4. Minnesota Statutes 1976, Section 477A.01, Subdivision 2, is amended to read:

Subd. 2. Every county government except that of a county containing a city of the first class shall receive a distribution equal to the distribution it was entitled to receive in 1975 pursuant to Minnesota Statutes 1974, Section 477A.01. *Beginning in calendar year 1979 the distribution shall be reduced by an amount equal to the community health and social services aids allocated pursuant to sections 1 and 2 in the immediately preceding year which have been spent for purposes unauthorized by articles I to III.*

Sec. 5. [TITLE XX ALLOCATION.] *Funds for social services which are received from the federal government to reimburse counties for social service expenditures pursuant to Title XX of the Social Security Act shall be allocated to each county according to the formula established in section 1, as follows:*

(a) *The commissioner shall derive an index for each county by adding the amounts calculated in section 1, subdivision 1, clauses (1), (2), and (3).*

(b) *The index for each county shall be divided by the sum of the indices for all counties in the state.*

(c) *The total county share of title XX funds shall be multiplied by the ratio derived in clause (b) for each county. At least 94 percent of the funds received from the federal government for social services pursuant to title XX of the social security act shall be allocated to the counties pursuant to this section.*

(d) *In calendar year 1978 and subsequent years, no county shall receive a reimbursement of an amount less than 100 percent of the federal title XX funds it received in the calendar year 1976. If the amount allocated to any county pursuant to paragraphs (a), (b) and (c) is less than 100 percent of its 1976 allocation, its allocation shall be raised to 100 percent of the 1976 allocation and the allocations to other counties shall be reduced proportionately as necessary to supply the difference. If in any year the amount of federal title XX funds to the state is reduced, the guarantee provided in this paragraph shall be reduced by a percentage reduction equal to the percentage reduction in title XX funds to the state as a whole. The commissioner of public welfare shall quarterly review the use of title XX funds by each county and reallocate unused funds among the other counties ac-*

ording to the formula in section 1 so that all available federal funds are used within the federal fiscal year.

Sec. 6. Minnesota Statutes 1976, Section 275.50, Subdivision 5, is amended to read:

Subd. 5. Notwithstanding any other law to the contrary for taxes levied in 1975 payable in 1976 and thereafter, "special levies" means those portions of ad valorem taxes levied by governmental subdivisions to:

(a) satisfy judgments rendered against the governmental subdivision by a court of competent jurisdiction in any action other than an action on an express contract or default on an express contract, or to pay the costs of settlements out of court against the governmental subdivision in any action other than an action on an express contract when substantiated by a stipulation for the dismissal of the action filed with the court of competent jurisdiction and signed by both the plaintiff and the legal representative of the governmental subdivision, but only to the extent of the increase in levy for such judgments and out of court settlements over levy year 1970, taxes payable in 1971;

(b) pay the costs of complying with any written lawful order issued by the state of Minnesota, or the United States, or any agency or subdivision thereof, which is authorized by law, statute, special act or ordinance and is enforceable in a court of competent jurisdiction, or any stipulation agreement or permit for treatment works or disposal system for pollution abatement in lieu of a lawful order signed by the governmental subdivision and the state of Minnesota, or the United States, or any agency or subdivision thereof which is enforceable in a court of competent jurisdiction. The commissioner of revenue shall in consultation with other state departments and agencies, develop a suggested form for use by the state of Minnesota, its agencies and subdivisions in issuing orders pursuant to this subdivision;

(c) pay the costs of complying with any law enacted by the 1975 legislature or a subsequent year's legislature *except this act* which specifically and directly requires a new or altered activity after levy year 1974, taxes payable in 1975, but only to the extent of the increased cost for such activity after levy year 1974, taxes payable in 1975;

(d) pay the costs of an expanded county court system to the extent of the increase in costs over the amount levied in support of a county court or a probate court in levy year 1974, taxes payable in 1975;

(e) pay amounts required by any public pension plan to the extent that operation of the laws of the state of Minnesota or the United States governing such fund directly causes the level of

governmental financial support to exceed the level of such support prior to July 1, 1971, provided that such increases are not the result of amendment by any means to the benefit plan after July 1, 1971 which required the approval of the governing body of the governmental subdivision;

(f) pay amounts required to be levied in support of a volunteer firemen's relief association if resulting from the operation of sections 69.772 and 69.773;

(g) pay the costs to a governmental subdivision for their share of any program otherwise authorized by law, including the administrative costs (OF SOCIAL SERVICES AND) of county (WELFARE SYSTEMS) *public assistance programs*, for which matching funds have been appropriated by the state of Minnesota or the United States, but only to the extent that the costs to the governmental subdivision for the program exceed those expended in calendar year 1970, subject to rules promulgated by the commissioner of revenue pursuant to the administrative procedures act. *Funds distributed pursuant to section 1 and section 6 shall not be considered matching funds for purposes of this levy;*

(h) pay expenses reasonably and necessarily incurred in preventing, preparing for or repairing the effects of natural disaster. "Natural disaster" as used herein means the occurrence or threat of widespread or severe damage, injury or loss of life or property resulting from natural causes, including and limited to fire, flood, earthquake, wind storm, wave action, oil spill, or other water contamination requiring action to avert danger or damage, volcanic activity, drought or air contamination. The emergency services division of the state department of public safety shall formulate standards by which an occurrence of any of the aforementioned natural phenomena would be deemed a natural disaster by reason of the level of damage, injury or loss of life or property that has occurred or would occur if preventative action was not taken;

(i) pay the costs not reimbursed by the state or federal government, of payments made to or on behalf of recipients of aid under any public assistance program authorized by law;

(j) pay the costs of principal and interest on bonded indebtedness, or, effective for taxes levied in 1973 and years thereafter, to reimburse for the amount of liquor store revenues used to pay the principal and interest due in the year preceding the year for which the levy limit is calculated on municipal liquor store bonds;

(k) pay the costs of principal and interest on certificates of indebtedness, except tax anticipation or aid anticipation certificates of indebtedness, issued for any corporate purpose except current expenses or funding an insufficiency in receipts

from taxes or other sources or funding extraordinary expenditures resulting from a public emergency;

(l) fund the payments made to the Minnesota state armory building commission pursuant to section 193.145, subdivision 2, to retire the principal and interest on armory construction bonds;

(m) provide for the bonded indebtedness portion of payments made to another political subdivision of the state of Minnesota;

(n) pay the amounts required to compensate for a decrease in revenues from public service enterprises, municipal liquor stores, licenses, permits, fines and forfeits and no other, to the extent that the aggregate of revenues from these sources in the calendar year preceding the year of levy are less than the aggregate of revenues from these sources in calendar year 1971. "Revenues" from a public service enterprise or a municipal liquor store shall mean the net income or loss of such public service enterprise or municipal liquor store, determined by subtracting total expenses from total revenues, and before any contribution to or from the governmental subdivision. "Fines" for a municipal court means the net amount remaining after subtracting total municipal court expenses from total collections of municipal court fines. A governmental subdivision shall qualify for this special levy only if the decrease in aggregate revenues as computed herein and divided by the population of the governmental subdivision in the preceding levy year is equal to or greater than two percent of the per capita levy limitation for the preceding levy year;

(o) pay the amounts required to compensate for a decrease in mobile homes property tax receipts to the extent that the governmental subdivision's portion of the total levy in the current levy year, pursuant to section 273.13, subdivision 3, as amended, is less than the distribution of the mobile homes tax to the governmental subdivision pursuant to section 273.13, subdivision 3, in calendar year 1971;

(q) pay the amounts required, in accordance with section 275.075, to correct for a county auditor's error of omission in levy year 1971 or a subsequent levy year, but only to the extent that when added to the preceding year's levy it is not in excess of an applicable statutory, special law or charter limitation, or the limitation imposed on the governmental subdivision by sections 275.50 to 275.56 in the preceding levy year;

(r) pay amounts required to correct for an error of omission in the levy certified to the appropriate county auditor or auditors by the governing body of a city or town with statutory city powers in levy year 1971 or a subsequent levy year, but only to the extent that when added to the preceding year's levy it is not

in excess of an applicable statutory, special law or charter limitation, or the limitation imposed on the governmental subdivision by sections 275.50 to 275.56 in the preceding levy year;

(s) pay the increased cost of municipal services as the result of an annexation or consolidation ordered by the Minnesota municipal board in levy year 1971 or a subsequent levy year, but only to the extent and for the levy years as provided by the board in its order pursuant to section 414.01, subdivision 15. Special levies authorized by the board shall not exceed 50 percent of the levy limit base of the governmental subdivision and may not be in effect for more than three years after the board's order;

(t) pay the increased costs of municipal services provided to new private industrial and nonresidential commercial development, to the extent that the extension of such services are not paid for through bonded indebtedness or special assessments, and not to exceed the amount determined as follows. The governmental subdivision may calculate the aggregate of:

(1) The increased expenditures necessary in preparation for the delivering of municipal services to new private industrial and nonresidential commercial development, but limited to one year's expenditures one time for each such development;

(2) The amount determined by dividing the overall levy limitation established pursuant to sections 275.50 to 275.56, and exclusive of special levies and special assessments, by the total taxable value of the governmental subdivision, and then multiplying this quotient times the total increase in assessed value of private industrial and nonresidential commercial development within the governmental subdivision. For the purpose of this clause, the increase in the assessed value of private industrial and nonresidential commercial development is calculated as the increase in assessed value over the assessed value of the real estate parcels subject to such private development as most recently determined before the building permit was issued. In the fourth levy year subsequent to the levy year in which the building permit was issued, the increase in assessed value of the real estate parcels subject to such private development shall no longer be included in determining the special levy.

The aggregate of the foregoing amounts, less any costs of extending municipal services to new private industrial and nonresidential commercial development which are paid by bonded indebtedness or special assessments, equals the maximum amount that may be levied as a "special levy" for the increased costs of municipal services provided to new private industrial and nonresidential commercial development;

(u) recover a loss or refunds in tax receipts incurred in non-special levy funds resulting from abatements or court action in the previous year pursuant to section 275.48.

Sec. 7. *There is appropriated from the general fund to the commissioner of finance an amount sufficient to pay the state aids authorized by this article.*

Sec. 8. [CITATION.] *Sections 1 to 4 shall be referred to as the Minnesota social service equalization aid formula.*

ARTICLE II

Section 1. [COUNTY HEALTH AND SOCIAL SERVICE AUTHORITY.] *The county board is the designated authority for the planning and provision of community health and social services in the county, and has the powers and duties with regard to community health and social services as provided in article II.*

Sec. 2. [COUNTY HEALTH AND SOCIAL SERVICE PROGRAMS.] *Subdivision 1. [DUTIES.] The county board of each county receiving community health and social service aids under article I, section 1, shall distribute the funds for community health and social service programs within the county as it deems appropriate. These services provided by the county shall comply with rules established by the commissioner of public welfare and the state board of health. "Community health and social services" means those services or social service programs included in the state social service plan of the commissioner of public welfare, and those defined by Laws 1976, Chapter 9, Section 2.*

Subd. 2. [MANDATORY COMMUNITY HEALTH AND SOCIAL SERVICES.] *Among the community health and social services the county provides shall be:*

(a) *Adoption services, pursuant to Minnesota Statutes, Chapter 259;*

(b) *Child protective services, pursuant to Minnesota Statutes, Sections 393.07 and 626.556;*

(c) *Detoxification services, pursuant to Minnesota Statutes, Section 254A.03;*

(d) *Foster care services, pursuant to Minnesota Statutes, Sections 252.27, 260.251 and 261.27; provided, however, that no county shall be required to spend more than 25 percent of the aids received pursuant to article I, sections 1 and 2, for the services required in section 252.27, subdivision 1;*

(e) *Mental health, mental retardation and inebriacy services, pursuant to Minnesota Statutes, Section 252.23; Chapters 252A and 253A; Section 393.07; and section 7 of this act;*

(f) *Disease prevention and control services as defined by Laws 1976, Chapter 9, Section 2, Subdivision 8, and pursuant to Minnesota Statutes 1976, Sections 145.49 and 145.22;*

(g) *Community nursing and home health services as defined by Laws 1976, Chapter 9, Section 2, Subdivisions 6 and 7, and pursuant to Minnesota Statutes 1976, Sections 145.08 to 145.125.*

Subd. 3. [DELIVERY OF COMMUNITY HEALTH AND SOCIAL SERVICES.] *The county board may contract with private organizations or political subdivisions, as defined in section 15.162, subdivision 5, for the planning and delivery of community health and social services. The county board shall appoint a social services advisory committee and a community health services advisory committee, which shall assist in the formulation of the plan and shall make formal recommendations to the board concerning the allocation of funds and implementation of the plan prior to final adoption by the board. Membership on the community health services advisory committee shall include representation from cities within the county. The advisory committee may appoint task forces to assist it in its functions.*

Subd. 4. [PLANNING PROCESS.] *By July 1 of each calendar year commencing in 1978, the county board shall publish a proposed county health and social service plan for the following year which shall include:*

(a) *A description of each service program proposed;*

(b) *Identification of the agency or person proposed to provide the service;*

(c) *The amount of funds proposed to be allocated to each service;*

(d) *Methods to be employed to encourage participation of citizens and providers in development of the plan and allocation of funds;*

(e) *Methods whereby existing providers of health and social services may be utilized on a purchase of service basis; and*

(f) *Any comments from the appropriate health systems agency, designated pursuant to 42 USC 300M, which may be available at least 25 days prior to the plan's publication regarding the consistency of the plan with health planning objectives.*

Subd. 5. [TECHNICAL ASSISTANCE.] *A county may request technical assistance from the commissioner of public welfare, the state board of health, the regional development commission or the metropolitan council to plan, implement, or improve any community health and social services which it is required to or may provide, or which it plans to provide.*

Subd. 6. [PUBLIC NOTICE.] The county board shall make available to the public through publication or posting in public buildings the names and locations of agencies responsible for delivery of community health and social services.

Subd. 7. [RULE PROMULGATION; AUTHORITY AND ENFORCEMENT.] (a) By resolution the county board may adopt, amend and repeal rules governing the providing of community health and social services, applicable throughout the whole or any part of the county. Proposed rules shall be published at least once in a newspaper of general circulation throughout the county at least 15 days before adoption. No county rule shall supersede or conflict with higher standards established by statute, the rules of the commissioner of public welfare, the rules of the state board of health, or the provisions of the charter or ordinances of any city pertaining to the same subject matter.

(b) The county board may enforce its rules and laws governing the provision of community health and social services.

Subd. 8. [MAXIMUM USE OF FACILITIES.] Before the county or counties allocate state aids for capital expenditures in excess of \$50,000 for community health and social service programs, the commissioner of public welfare shall certify that existing institutions or facilities could not be acquired or leased to provide the needed facilities safely and at a lower cost, including schools and public and private hospitals. The commissioner shall respond to requests for certification required by this subdivision within 60 days.

Subd. 9. By October 1 of each calendar year commencing in 1978, the county board shall submit to the state and publish a final county health and social service plan for the following year.

Sec. 3. [COMMUNITY HEALTH AND SOCIAL SERVICE FUND.] *Subdivision 1. [CREATION.] In the accounts and records of each county there shall be created a community health and social service fund. All aids provided for community health and social services by article I and all other tax moneys, fees, grants-in-aid, gifts, or bequests designated for community health and social service purposes, shall be identified in the record of the fund. This fund shall be used only for community health and social service purposes as defined in article II. If county boards have joined for purposes of providing community health and social services, the county boards may create a "joint community health and social service fund". If human service boards have been designated, the human service board shall account for their community health and social service funds as a part of the human services program offered under the provisions of chapter 402.*

Subd. 2. [COLLECTION OF FEES.] Twenty percent of the community health and social service funds of the county

under article I, sections 1 and 2, may be distributed to provide community health and social services to clients on a sliding fee plan based on the client's ability to pay. The county board shall establish by rule a schedule of fees for community health and social services to be charged to recipients of these services.

Payment, in whole or in part, for services may be accepted from any person. When services are provided any person, including but not limited to a recipient of any type of social security aids administered by the federal or state governments, or a recipient of direct relief, payment of any charges due may be billed to and accepted either from a local, county, state or federal public assistance agency or any combination thereof, or from any individual, governmental agency, or corporation, public or private.

Subd. 3. [PROGRAM SPENDING.] No county shall be required to spend more than 60 percent of the aids distributed pursuant to article I for community health and social services which are required in article II, section 2, subdivision 2.

Subd. 4. [FINANCIAL REPORTING BY COUNTIES.] Beginning in calendar year 1979 each county shall submit to the commissioner of public welfare a quarterly financial statement of the county health and social service fund. The first quarterly statement shall be submitted no later than January 15 of each year, and shall include:

(a) A detailed balance sheet of the county health and social service fund for the preceding year;

(b) A detailed statement of income and expenses attributable to the fund in the preceding year; and

(c) A statement of the source and application of all funds used for community health and social services by the county during the preceding year, including the number of clients served and expenditures for each service provided, as required by the commissioner of public welfare.

If county boards have joined for purposes of providing community health and social services, the county boards may submit a joint statement. If a human service board has been created, the human service board shall submit the statement.

Sec. 4. In calendar years 1978 and 1979 the county shall not reduce the funding provided for each of the community health and social services which were funded in calendar year 1977. The total amount of funds provided in 1977 for community health services delivered by cities which received funds pursuant to Laws 1976, Chapter 9, shall not be reduced by the county in calendar years 1978 and 1979.

Sec. 5. [INTERCOUNTY COOPERATION.] *Two or more contiguous counties which are situated within the boundaries of the same region designated pursuant to sections 462.381 to 462.396 or chapter 473B and which have not established a human services board may, by resolution of their respective county boards, agree to combine into one board for community health and social service purposes to serve the counties that enter into the agreement. The joint board shall have the same powers, duties and functions as the individual county boards. The term of the joint board, withdrawal from the joint board, composition of the board, and contribution to the expenses of the board shall be according to the terms of the agreement. Nothing in this section shall prevent a county board from purchasing services from an agency outside the boundaries of the Minnesota economic development region in which it is situated. A joint board established pursuant to this section may encompass completely two regions.*

Sec. 6. [COUNTY LIAISON TO STATE; INCOME MAINTENANCE DUTIES.] *The county board shall designate the human services board, or if none is established, the county board, to cooperate with state agencies in administering income maintenance programs in the county. The county board shall designate an agency to perform the functions required of public health nursing committees pursuant to Minnesota Statutes, Sections 145.08 to 145.125, and county health departments pursuant to Minnesota Statutes, Sections 145.47 to 145.55, and the functions of county welfare boards pursuant to chapter 393.*

Sec. 7. [MENTAL HEALTH SERVICES.] *Each county shall provide mental health services which shall include: (a) outpatient diagnostic and treatment services; (b) rehabilitative services for patients suffering from mental or emotional disorders, particularly those who have received prior treatment in an in-patient facility; (c) consultative services as requested by public and private agencies; (d) collaborative and cooperative services with other public and private agencies for programs of prevention of mental illness. Mental health services provided by the county shall comply with standards established by the commissioner of public welfare. The county may utilize existing agencies to meet this responsibility.*

Sec. 8. Minnesota Statutes 1976, Section 252.22, is amended to read:

252.22 [APPLICANTS FOR ASSISTANCE; TAX LEVY.] Any city, town, county or non-profit corporation or any combination thereof, may apply to the commissioner of public welfare for *technical* assistance in establishing and operating a daytime activity center and program for mentally retarded and cerebral palsied persons. (APPLICATION FOR SUCH ASSISTANCE SHALL BE ON FORMS SUPPLIED BY THE COMMISSIONER. EACH APPLICANT SHALL ANNUALLY SUBMIT TO THE COMMISSIONER ITS PLAN AND BUD-

GET FOR THE NEXT FISCAL YEAR. NO APPLICANT SHALL BE ELIGIBLE FOR A GRANT HEREUNDER UNLESS ITS PLAN AND BUDGET HAVE BEEN APPROVED BY THE COMMISSIONER.)

Any (CITY, TOWN, OR) county is authorized, at the discretion of its governing body, to make grants from (SPECIAL TAX REVENUES) *state and county health and social services funds* or from its general revenue fund to any nonprofit organization, governmental or corporate, within or outside its jurisdiction, that has established a daytime activity center for the mentally retarded and cerebral palsied. (IN ORDER TO PROVIDE NECESSARY FUNDS TO ESTABLISH AND OPERATE DAYTIME ACTIVITY CENTERS FOR THE MENTALLY RETARDED AND CEREBRAL PALSIED, THE GOVERNING BODY OF ANY CITY, TOWN, OR COUNTY MAY LEVY ANNUALLY UPON ALL TAXABLE PROPERTY IN SUCH CITY, TOWN, OR COUNTY, A SPECIAL TAX IN EXCESS OF ANY STATUTORY OR CHARTER LIMITATION BUT SUCH LEVY SHALL NOT EXCEED ONE-SIXTH OF ONE MILL AS TO ANY CITY OR TOWN. THE GOVERNING BODY OF ANY CITY, TOWN, OR COUNTY MAY MAKE SUCH A LEVY, WHERE NECESSARY, SEPARATE FROM THE GENERAL LEVY. NOTHING CONTAINED HEREIN SHALL IN ANY WAY PRECLUDE THE USE OF FUNDS AVAILABLE FOR THIS PURPOSE UNDER ANY EXISTING STATUTE OR CHARTER PROVISION RELATING TO CITIES, TOWNS AND COUNTIES.)

Sec. 9. Minnesota Statutes 1976, Section 252.23, is amended to read:

252.23 [ELIGIBILITY REQUIREMENTS.] (AN APPLICANT) *Each county* shall (SATISFY ALL OF THE FOLLOWING REQUIREMENTS TO BE ELIGIBLE FOR ASSISTANCE UNDER SECTIONS 252.21 TO 252.26):

(1) Provide daytime activities *and other outpatient diagnostic and treatment services* for any or all of the following classes of persons:

Mentally retarded and cerebral palsied children who can benefit from the program of services, including those school age children who have been excused or excluded from school;

Mentally retarded and cerebral palsied children and adults who are unable to attend school because of their chronological age and are unable to independently engage in ordinary community activities;

(2) Provide counseling services to parents or guardians (OF) *or others responsible* for mentally retarded and cerebral palsied persons (WHO MAY REGISTER AT THE CENTER);

(3) *Consultative services as requested by public and private agencies;*

((3)) (4) Comply with all rules (AND REGULATIONS DULY) promulgated by the commissioner of public welfare.

Sec. 10. Minnesota Statutes 1976, Section 252.26, is amended to read:

252.26 [DUTIES OF DAY ACTIVITIES CENTERS.] Subject to (THE PROVISIONS OF SECTIONS 252.21 TO 252.26 AND) the rules (AND REGULATIONS) of the commissioner of public welfare, (EACH BOARD OF DIRECTORS OF) a day-time activity center *established pursuant to section 252.22* shall:

(1) Recruit and promote financial support for the center from sources such as business, labor, industrial and private foundations, voluntary agencies, *the county board*, and the general public;

(2) Promote and enter into working agreements with other social service and educational agencies, both public and private, which provide service to the mentally retarded and cerebral palsied;

(3) Advise the (COMMISSIONER OF PUBLIC WELFARE) *county board* on the adoption and implementation of policies to stimulate effective community relations;

(4) Review the annual budget and plan of the center and make recommendations thereon;

(5) Review and evaluate periodically the services provided by the center and report thereon to the (COMMISSIONER OF PUBLIC WELFARE) *county board*, and when indicated to the public;

(6) Provide for transportation to and from the center of all persons who fulfill the eligibility requirements of section 252.23 (, CLAUSE (1)) and who attend the center, if provision for this transportation is not unreasonably burdensome to the center and if a more efficient, reasonable, alternative means of transportation does not exist.

Sec. 11. Minnesota Statutes 1976, Section 252.27, Subdivision 1, is amended to read:

252.27 [COST OF BOARDING CARE OUTSIDE OF HOME OR INSTITUTION.] Subdivision 1. Whenever any child who is mentally retarded, epileptic or emotionally handicapped is cared for outside the home and outside the several state insti-

tutions, in a facility approved by the commissioner of public welfare, the cost of such care shall be paid by the county in which such child has settlement for poor relief purposes; if the child does not have a settlement in this state, such cost shall be paid by the county in which he is found. (THE COUNTY PAYING THE COSTS OF SUCH CARE AND TREATMENT SHALL, SUBJECT TO UNIFORM REGULATIONS ESTABLISHED BY THE COMMISSIONER OF PUBLIC WELFARE, RECEIVE REIMBURSEMENT NOT EXCEEDING 70 PERCENT OF SUCH COSTS FROM FUNDS MADE AVAILABLE FOR THIS PURPOSE BY THE LEGISLATURE, PROVIDED, HOWEVER, THAT SUCH REIMBURSEMENT SHALL CEASE UPON THE MENTALLY RETARDED, EPILEPTIC OR EMOTIONALLY HANDICAPPED CHILD REACHING AGE 18. IF THE STATE APPROPRIATION FOR THIS PURPOSE IS INSUFFICIENT, REIMBURSEMENT SHALL BE PRORATED.) For the purposes of this section an "emotionally handicapped child" means any child having a psychiatric or other disorder which substantially impairs his mental health and who is in need of treatment or supervision.

Sec. 12. Minnesota Statutes 1976, Section 253A.02, is amended by adding a subdivision to read:

Subd. 23. "Designated agency" means an agency selected by the county board to provide the services under Minnesota Statutes, Chapter 253A.

Sec. 13. Minnesota Statutes 1976, Section 253A.07, Subdivision 1, is amended to read:

253A.07 [JUDICIAL COMMITMENT.] Subdivision 1. Any interested person may file in the probate court of the county of the proposed patient's settlement or presence a petition for commitment of a proposed patient, setting forth the name and address of the proposed patient, the name and address of his nearest relatives, and the reasons for the petition. Such petition shall be accompanied either by a written statement by a licensed physician stating that he has examined the proposed patient and is of the opinion that the proposed patient may be mentally ill, mentally deficient, or inebriate, and should be hospitalized, or by a written statement by the petitioner that, after reasonable effort, the petitioner has been unable to obtain an examination by a licensed physician or that an examination could not be performed. Before filing, a copy of the petition shall be delivered by the petitioner to the (COUNTY WELFARE DEPARTMENT) *designated agency*.

Sec. 14. Minnesota Statutes 1976, Section 253A.07, Subdivision 7, is amended to read:

Subd. 7. The probate court shall direct the (COUNTY WELFARE DEPARTMENT) *designated agency* to make an investi-

gation into the financial circumstances, family relationships, residence, social history, and background of such patient and make a report thereof in writing to be filed with the court for the use and guidance of the head of the hospital to which such person may be committed. The court may require that such report be filed prior to the commitment hearing.

Sec. 15. Minnesota Statutes 1976, Section 253A.09, Subdivision 1, is amended to read:

253A.09 [TRANSPORTATION.] Subdivision 1. Whenever an individual is about to be placed in a hospital or public health facility under the terms of sections 253A.01 to 253A.21, the court may by order:

(a) Upon the request of an interested person, authorize the (COUNTY WELFARE DEPARTMENT) *designated agency* to arrange for the individual's transportation to the hospital with appropriate medical or nursing attendants, and by such means as may be suitable for the individual's condition. The person making the request shall be liable for the cost of such transportation.

(b) Authorize (COUNTY WELFARE DEPARTMENT) *the designated agency* or public health facility personnel to transport the individual to the designated facility if the head of the (WELFARE DEPARTMENT) *designated agency* or health facility has advised the court that such personnel are available for the purpose.

(c) Authorize an interested or any other responsible person to transport the individual to the designated facility.

(d) Authorize a peace officer to transport the individual to the hospital or public health facility. Unless otherwise ordered by the court, the peace officer shall not be in uniform and shall use a motor vehicle not visibly marked as a police vehicle.

Sec. 16. Minnesota Statutes 1976, Section 253A.10, Subdivision 4, is amended to read:

Subd. 4. The (COUNTY WELFARE BOARD) *designated agency* shall take such reasonable measures, including provision for medical treatment, as may be necessary to assure proper care and treatment of a person temporarily detained pursuant to this section.

Sec. 17. Minnesota Statutes 1976, Section 253A.14, Subdivision 1, is amended to read:

253A.14 [TRANSFER.] Subdivision 1. The commissioner may transfer any patient who is committed by probate court

as mentally ill, mentally deficient, or inebriate from one state hospital or institution to any other hospital or other institution under his jurisdiction which is capable of providing such patient proper care and treatment, unless such patient was found by the committing court to be dangerous to the public or to have a psychopathic personality. Whenever a patient is transferred from one hospital to another written notice shall be given to the probate court if the patient was committed under sections 253A.-01 to 253A.21, and to his parent or spouse or, if none be known, to an interested person, and the (COUNTY WELFARE BOARD) *designated agency*.

Sec. 18. Minnesota Statutes 1976, Section 253A.15, Subdivision 6, is amended to read:

Subd. 6. Notice of the expiration of the one year period or of the extended period shall be given by the head of the hospital to the committing court, the commissioner, and the (COUNTY WELFARE BOARD) *designated agency*.

Sec. 19. Minnesota Statutes 1976, Section 253A.15, Subdivision 11, is amended to read:

Subd. 11. (a) The head of any hospital, prior to the discharge or provisional discharge of any patient committed as mentally ill, mentally deficient, or inebriate, shall notify the patient's spouse, or if there be none, an adult child, or if there be none, the next of kin of the patient, of the proposed discharge date. The notice shall be sent to the last known address of the patient's next of kin by registered mail with return receipt. Further, the notice shall include the following information: (1) the proposed date of discharge or provisional discharge; (2) the date, time and place of the meeting of the staff, who have been treating the patient, to discuss discharge and discharge planning; (3) that the patient will be present at the meeting; (4) that the next of kin may attend the designated staff meeting and present any information relevant to the discharge of the patient. The notice shall be sent to the next of kin at least one week prior to the date designated for the meeting.

(b) The head of any hospital, upon the provisional discharge, partial hospitalization, or release of any patient hospitalized under sections 253A.01 to 253A.21, shall notify the (WELFARE BOARD AND IN THE EVENT THE PATIENT IS A DRUG DEPENDENT PERSON THE COMMUNITY MENTAL HEALTH CENTER OF THE COUNTY OF SUCH PATIENT'S RESIDENCE) *designated agency* before the patient is to leave the hospital. Whenever possible said notice shall be given at least one week before the patient is to leave the hospital. The commissioner shall provide by (REGULATION) *rule* the procedure and methods whereby such patient shall be helped to receive all public assistance benefits provided by state or federal law to which his residence and circumstances entitle him. (SUCH REGULA-

TIONS) *The rules shall be uniformly applied in all counties, and all counties shall provide temporary relief whenever necessary to meet the intent of this subdivision.*

Sec. 20. Minnesota Statutes 1976, Section 253A.15, Subdivision 12, is amended to read:

Subd. 12. Prior to the date of discharge, provisional discharge, partial hospitalization, or release of any patient hospitalized under sections 253A.01 to 253A.21, the (COUNTY WELFARE BOARD) *designated agency* of the county of such patient's residence, in cooperation with the head of the hospital where the patient is hospitalized, (THE DIRECTOR OF THE COMMUNITY HEALTH CENTER SERVICE OF SAID AREA,) and the patient's physician, if notified pursuant to subdivision 13, shall establish a continuing plan of after-care services for such patient including a plan for medical and psychiatric treatment, nursing care, vocational assistance, and such other aid as the patient shall need. It shall be the duty of (SUCH WELFARE BOARD) *the designated agency* to supervise and assist such patient in finding employment, suitable shelter, and adequate medical and psychiatric treatment, and to aid in his readjustment to the community.

Sec. 21. Minnesota Statutes 1976, Section 253A.15, Subdivision 13, is amended to read:

Subd. 13. In establishing such plan for after-care services the (COUNTY WELFARE BOARD) *designated agency* shall engage in (SUCH) consultation with persons or agencies, including any public health nurse and vocational rehabilitation personnel, as is necessary to insure adequate planning for after-care services.

Sec. 22. Minnesota Statutes 1976, Section 254A.07, Subdivision 1, is amended to read:

254A.07 [COMPREHENSIVE PROGRAMS; COORDINATION OF LOCAL PROGRAMS.] Subdivision 1. The (COMMISSIONER OF PUBLIC WELFARE SHALL DESIGNATE THE COMMUNITY MENTAL HEALTH BOARDS TO (A)) *county board shall* coordinate all alcohol and other drug abuse services conducted by (LOCAL) agencies *in the county*, and (TO (B)) review all proposed agreements, contracts, plans, and programs in relation to alcohol and other drug abuse prepared by (ANY SUCH LOCAL) *those agencies* for funding from any local, state or federal governmental sources.

County alcohol and drug abuse services shall include (a) out-patient diagnostic and treatment services, (b) rehabilitative services for patients who have received prior treatment in an in-patient facility and (c) cooperative services with other agencies for the prevention of chemical dependency.

Sec. 23. Minnesota Statutes 1976, Section 254A.08, Subdivision 1, is amended to read:

254A.08 [DETOXIFICATION CENTERS.] Subdivision 1. Every (COMMUNITY MENTAL HEALTH)*county* board shall provide a detoxification program for drug dependent persons (WITHIN ITS AREA;). The *county* board may utilize existing treatment programs and other agencies to meet this responsibility.

Sec. 24. Minnesota Statutes 1976, Section 256.12, Subdivision 9, is amended to read:

Subd. 9. [COUNTY AGENCY.] As used in sections 256.72 to 256.87, "county agency" means the (COUNTY BOARD OF PUBLIC WELFARE AS ESTABLISHED BY LAW) *agency designated by the county board.*

Sec. 25. Minnesota Statutes 1976, Section 256.871, Subdivision 5, is amended to read:

Subd. 5. [COUNTY AUTHORITY.] The county (WELFARE) board shall designate (A) *an agency*, person or persons who shall be authorized to immediately grant emergency assistance pursuant to this section.

Sec. 26. Minnesota Statutes 1976, Section 256.95, is amended to read:

256.95 [EXPENSE OF ATTENDANCE AT CONFERENCE.] The necessary expenses of all probate judges and of one (MEMBER OF THE) *person representing county child welfare (BOARD) programs and appointed by the county board* in each county invited to attend such conference shall be paid out of the funds of their respective counties.

Sec. 27. Minnesota Statutes 1976, Section 260.251, Subdivision 1a, is amended to read:

Subd. 1a. [COST OF GROUP FOSTER CARE.] Whenever a child is placed in a group foster care facility *licensed by the commissioner of public welfare* as provided in section 260.185, subdivision 1, clause (b) or clause (c), item (5), or clause (f), the cost of providing the care shall, upon certification by the juvenile court, be paid (FROM THE WELFARE FUND OF) *by the county in which the proceedings were held. (TO REIMBURSE THE COUNTIES FOR THE COSTS OF PROVIDING GROUP FOSTER CARE FOR DELINQUENT CHILDREN AND TO PROMOTE THE ESTABLISHMENT OF SUITABLE GROUP FOSTER HOMES, THE STATE SHALL QUARTERLY, FROM FUNDS APPROPRIATED FOR THAT PURPOSE, REIMBURSE COUNTIES 50 PERCENT OF THE COSTS NOT*

PAID BY FEDERAL AND OTHER AVAILABLE STATE AIDS AND GRANTS. REIMBURSEMENT SHALL BE PRO-RATED IF THE APPROPRIATION IS INSUFFICIENT.)

(THE COMMISSIONER OF CORRECTIONS SHALL ESTABLISH PROCEDURES FOR REIMBURSEMENT AND CERTIFY TO THE COMMISSIONER OF FINANCE EACH COUNTY ENTITLED TO RECEIVE STATE AID UNDER THE PROVISIONS OF THIS SUBDIVISION. UPON RECEIPT OF A CERTIFICATE THE COMMISSIONER OF FINANCE SHALL ISSUE A STATE WARRANT TO THE COUNTY TREASURER FOR THE AMOUNT DUE, TOGETHER WITH A COPY OF THE CERTIFICATE PREPARED BY THE COMMISSIONER OF CORRECTIONS.)

Sec. 28. Minnesota Statutes 1976, Section 393.07, Subdivision 2, is amended to read:

Subd. 2. [ADMINISTRATION OF PUBLIC WELFARE.] The county (WELFARE) board, subject to the supervision of the commissioner of public welfare, shall administer all forms of public welfare, both for children and adults, responsibility for which now or hereafter may be imposed on the commissioner of public welfare by law, including general assistance, aid to dependent children, county supplementation, if any, or state aid to recipients of supplemental security income for aged, blind and disabled, child welfare services, mental health services, and other public assistance or public welfare services (, PROVIDED THAT THE COUNTY WELFARE BOARD SHALL NOT EMPLOY PUBLIC HEALTH NURSING OR HOME HEALTH SERVICE PERSONNEL OTHER THAN HOMEMAKER HOME HELP AIDES, BUT SHALL CONTRACT FOR OR PURCHASE THE NECESSARY SERVICES FROM EXISTING COMMUNITY AGENCIES). The duties of the county (WELFARE) board shall be performed in accordance with the (STANDARDS,) rules (AND REGULATIONS WHICH MAY BE) promulgated by the commissioner of public welfare to achieve the purposes intended by law and in order to comply with the requirements of the federal social security act in respect to public assistance and child welfare services, so that the state may qualify for grants-in-aid available under that act. The county (WELFARE) board shall supervise wards of the commissioner and, when so designated, act as agent of the commissioner of public welfare in the placement of (HIS) *such* wards in adoptive homes or in other foster care facilities.

Sec. 29. Minnesota Statutes 1976, Section 393.07, Subdivision 3, is amended to read:

Subd. 3. [FEDERAL SOCIAL SECURITY.] The county welfare board shall (BE CHARGED WITH THE DU-

TIES OF ADMINISTRATION OF) *administer* all forms of public assistance and public child welfare or other programs within the purview of the federal social security act, (OTHER THAN PUBLIC HEALTH NURSING AND HOME HEALTH SERVICES,) and which now are, or hereafter may be, imposed on the commissioner of public welfare by law, of both children and adults. The duties of (SUCH) *the* county welfare board shall be performed in accordance with (THE STANDARDS,) rules (AND REGULATIONS WHICH MAY BE) promulgated by the commissioner of public welfare in order to achieve the purposes of the law and to comply with the requirements of the federal social security act needed to qualify the state to obtain grants-in-aid available under that act. (NOTWITHSTANDING THE PROVISIONS OF ANY OTHER LAW TO THE CONTRARY.) The welfare board may delegate to the director the authority to determine eligibility and disburse funds without first securing board action, provided that the director shall present to the board, at the next scheduled meeting, any such action taken by him for ratification by the board.

Sec. 30. Minnesota Statutes 1976, Section 626.556, Subdivision 2, is amended to read:

Subd. 2. [DEFINITIONS.] As used in this section, the following terms have the meanings given them unless the specific content indicates otherwise:

(a) "Sexual abuse" means the subjection by the child's parents, guardian, or person responsible for the child's care, to any act which constitutes a violation of sections 609.291, 609.292, 609.293, 609.295, or 609.296.

(b) "Neglected child" shall have the meanings defined in section 260.015, subdivision 10. Nothing in this section shall be construed to mean that a child is neglected solely because the child's parent, guardian or other person responsible for his care in good faith selects and depends upon spiritual means or prayer for treatment or care of disease or remedial care of the child.

(c) "Physical abuse" means:

(i) Any physical injury inflicted by a parent, guardian or other person responsible for the child's care on a child other than by accidental means; or

(ii) Any physical injury that cannot reasonably be explained by the history of injuries provided by the parent, guardian or other person responsible for the child's care.

(d) "Report" means any report received by the local welfare agency pursuant to this section.

(e) "Local welfare agency" means the agency designated by the county board to provide the services required under Minnesota Statutes, Section 626.556.

ARTICLE III

Section 1. [STATE RESPONSIBILITY FOR COUNTY HEALTH AND SOCIAL SERVICE PROGRAMS.] *Subdivision 1. [TECHNICAL ASSISTANCE.] The commissioner of public welfare is the state authority responsible for providing technical assistance to counties and for assisting the planning and providing of community health and social services as requested by the county. The state board of health shall provide technical assistance to counties in matters pertaining to the public health.*

Subd. 2. [CERTIFICATION OF FUNDS.] The commissioner of public welfare shall certify to the commissioner of finance the amounts due to each county according to the formula established in article I.

Subd. 3. [PROGRAM PLANNING.] The commissioner of public welfare and the state board of health shall provide consultative staff service to counties to assist in ascertaining local needs and in planning and establishing county health and social service programs. The commissioner of public welfare, in collaboration with the state board of health, and with representation from county boards, shall develop guidelines to assist counties in the development of community health and social service plans and the administration and provision of services to clients. Compliance with these guidelines shall not be a prerequisite for receipt of aids allocated pursuant to article I, sections 1 and 2. Each county shall enumerate the numbers and types of recipients of each service and shall establish measurable program objectives and performance criteria for each community health and social service program. The commissioner of public welfare shall establish a comprehensive program evaluation system which shall encompass all major community health and social service programs. The commissioner of public welfare shall conduct studies of the relative cost and effectiveness of programs and shall submit these evaluations to the respective counties and to the legislature for review. The commissioner shall consult with the state health planning and development agency, designated pursuant to 42 USC 300M, regarding the consistency of county health and social service plans with the state health plan developed pursuant to 42 USC 3001-1.

Subd. 4. [REVIEW OF FINANCIAL REPORTS.] The commissioner of public welfare shall review the financial statement of the county health and social service fund of each county within 60 days of receipt. The commissioner shall then certify to the commissioner of finance any reduction in subsequent allocations pursuant to the provisions of article I if applicable.

Subd. 5. [APPEAL.] Prior to certifying to the commissioner of finance any reduction in aids, the commissioner of public welfare shall notify the county or counties of his intention to certify a reduction. He shall notify the county or counties of the right to a hearing. If the county or counties request a hearing within thirty days of notification of intention to reduce aids, the commissioner shall not certify any reduction in aids until a hearing is conducted and a decision rendered in accordance with the provisions of chapter 15 for contested cases.

Subd. 6. [GRANTS FOR EXPERIMENTAL PROGRAMS.] To encourage innovation and increase the efficiency and effectiveness of delivery of social services and community health services, the commissioner of public welfare may make grants to counties for experimental social service programs which are not included in the state social service plan. The state board of health may make grants to counties for experimental community health services not defined in Laws 1976, Chapter 9, Section 2. No experimental program shall receive a grant under this section for more than three years. The experimental program shall be certified pursuant to rules of the commissioner of public welfare or the state board of health before a grant is made. The commissioner may request assistance from the state board of health in evaluating experimental health programs.

Subd. 7. [PLANNING GRANTS.] The commissioner of public welfare may make grants to a human services board or to the county board of any county or group of counties, for planning social service programs. The state board of health may make grants to a human services board or the county board of any county or group of counties for planning community health services. The state board of health shall specify the terms and conditions of grants. Planning grants shall be limited to one year.

Subd. 8. [FEE SCHEDULE.] The commissioner of public welfare shall make grants to counties to establish a sliding fee scale based upon ability to pay for social service programs. The commissioner shall promulgate rules providing for approval of fee scales established by counties. The commissioner shall gather data on the implementation of such sliding fee schedules and report to the legislature by January 15, 1979, with recommendations regarding the need for the continuation of grants for sliding fee schedules.

Sec. 2. Minnesota Statutes 1976, Section 144.065, is amended to read:

144.065 [VENEREAL DISEASE TREATMENT CENTERS.] The state board of health shall assist (LOCAL) county boards and health agencies and organizations throughout the state with the development and maintenance of services for the detection and treatment of venereal diseases. These services shall provide for diagnosis, treatment, case finding, investigation, and

the dissemination of appropriate educational information. The state board of health shall promulgate (REGULATIONS RELATIVE TO THE COMPOSITION OF SUCH) *rules for providing the services* (AND SHALL ESTABLISH A METHOD OF PROVIDING FUNDS TO LOCAL HEALTH AGENCIES AND ORGANIZATIONS WHICH OFFER SUCH SERVICES). The state board of health shall provide technical assistance to (SUCH) agencies and organizations in accordance with the needs of the (LOCAL AREA) *county*.

Sec. 3. Minnesota Statutes 1976, Section 145.55, Subdivision 1, is amended to read:

145.55 [AGREEMENT TO PERFORM FUNCTIONS OF STATE BOARD.] Subdivision 1. The state board of health (HEREAFTER CALLED THE STATE AGENCY) may enter into an agreement with (ANY) *the county* (WHICH HAS ESTABLISHED A HEALTH DEPARTMENT, HEREAFTER CALLED THE COUNTY AGENCY, UNDER THE PROVISIONS OF LAWS 1969, CHAPTER 235, OR MINNESOTA STATUTES, SECTIONS 145.47 TO 145.54), under which agreement (SUCH) *the county* (AGENCY) may agree to perform all or part of the licensing, inspection and enforcement duties authorized under the provisions of Minnesota Statutes, Sections 144.075 and 144.12 and Chapter 157. Such agreement may set out requirements that the county (AGENCY) comply with rules and regulations promulgated by the state agency for the performance of duties under the provisions of Minnesota Statutes, Sections 144.075 and 144.12 and Chapter 157. It may also set forth criteria under which the state agency will determine that the performance by the county (AGENCY) complies with state standards and shall be deemed sufficient to replace licensing by the state board of health.

The agreement may further specify minimum staff requirements and qualifications and may provide for procedures for termination if the state agency finds that the county (AGENCY) fails to comply with the terms and requirements of the agreement.

Sec. 4. Minnesota Statutes 1976, Section 245.70, is amended to read:

245.70 [MENTALLY ILL AND MENTALLY RETARDED; FEDERAL AID.] The commissioner of public welfare (IS HEREBY DESIGNATED THE STATE AGENCY TO) *shall* establish and administer a state-wide plan for the construction, equipment, maintenance, and operation of any facilities for the care, treatment, diagnosis, or rehabilitation, of the mentally retarded or mentally ill which are or may be required as a condition for eligibility for benefits under any federal law and in particular under the Federal Mental Retardation Facilities and Community Mental Health Centers Construction Act of 1963

(P.L. 88-164). The commissioner of public welfare (IS AUTHORIZED AND DIRECTED TO) shall receive, administer, and expend any funds that may be available under any federal law (OR FROM ANY OTHER SOURCE, PUBLIC OR PRIVATE,) for such purposes.

Sec. 5. Minnesota Statutes 1976, Section 254A.05, Subdivision 1, is amended to read:

254A.05 [DUTIES OF ADVISORY COUNCIL.] Subdivision 1. (a) The council shall assist in the formulation of policies and guidelines for the implementation of the commissioner's responsibilities in the area of alcohol and drug abuse.

(b) The council shall advise the commissioner and director on policies, goals, and the operation of the comprehensive state plan for alcohol and drug abuse program services in the state and other matters as directed by the commissioner and director, and shall encourage public understanding and support of the alcohol and drug abuse programs.

(c) The council shall make recommendations to the commissioner regarding grants (TO COMMUNITY MENTAL HEALTH BOARDS UNDER SECTION 254A.07).

Sec. 6. Minnesota Statutes 1976, Section 254A.07, Subdivision 2, is amended to read:

Subd. 2. The (DEPARTMENT OF PUBLIC WELFARE) county board may make grants (TO COMMUNITY MENTAL HEALTH BOARDS) for comprehensive programs for prevention, care, and treatment of alcohol and other drug abuse as developed and defined by the state authority. (GRANTS MADE FOR PROGRAMS SERVING THE NATIVE AMERICAN COMMUNITY SHALL TAKE INTO ACCOUNT THE GUIDELINES ESTABLISHED IN SECTION 254A.03, SUBDIVISION 1, CLAUSE (1). GRANTS MAY BE MADE FOR THE COST OF THOSE COMPREHENSIVE PROGRAMS AND SERVICES WHETHER PROVIDED DIRECTLY BY COMMUNITY MENTAL HEALTH BOARDS OR BY OTHER PUBLIC AND PRIVATE AGENCIES AND ORGANIZATIONS, BOTH PROFIT AND NONPROFIT, AND INDIVIDUALS, PURSUANT TO CONTRACT.) Nothing herein shall prevent the state authority from entering into contracts with and making grants to other state agencies for the purpose of providing specific services and programs.

Sec. 7. *There is appropriated from the general fund to the commissioner of public welfare the sum of \$..... for the purposes of article III, section 1, subdivisions 5 and 6; \$..... shall be used for grants for social service programs on a sliding fee scale as authorized by subdivision 8. There is appropriated*

from the general fund to the state board of health the sum of \$ for making community health services experimental and planning grants as authorized in article III, section 1, subdivisions 5 and 6.

Sec. 8. *In the next and all subsequent editions of Minnesota Statutes, the revisor shall substitute the words "county board" for the words "county welfare board" wherever they occur.*

Sec. 9. [REPEALER.] *Minnesota Statutes 1976, Sections 145.08, Subdivision 2; 145.11; 145.12; 145.123; 145.125, Subdivisions 1 and 2; 145.47; 145.48; 145.49; 145.50; 145.51; 145.52; 145.53; 145.54; 145.911; 145.912; 145.913; 145.914; 145.915; 145.916; 145.917; 145.918; 145.919; 145.92; 145.921; 245.61; 245.62; 245.63; 245.64; 245.65; 245.66; 245.67; 245.68; 245.69; 245.691; 245.72; 245.83; 245.84; 245.85; 245.86; 245.87; 252.21; 252.24; 252.25; 254A.02, Subdivision 12; 254A.07, Subdivision 3; 254A.08, Subdivision 3; 254A.12; 254A.14; 254A.15; 254A.16; 254A.17; 393.01; 393.02; 393.03; 393.04; 393.06; 393.07, Subdivision 8; 393.08; 393.09; 393.11, are repealed."*

Further, amend the title by striking it in its entirety and inserting:

"A bill for an act relating to public health and welfare; establishing a formula for allocating state funds to counties for community health and social service programs; prescribing county duties; providing for community health and social service tax levies; prescribing duties of the commissioner of public welfare; appropriating money; amending Minnesota Statutes 1976, Sections 144.065; 145.55, Subdivision 1; 245.70; 252.22; 252.23; 252.26; 252.27, Subdivision 1; 253A.02, by adding a subdivision; 253A.07, Subdivisions 1 and 7; 253A.09, Subdivision 1; 253A.10, Subdivision 4; 253A.14, Subdivision 1; 253A.15, Subdivisions 6, 11, 12 and 13; 254A.05, Subdivision 1; 254A.07, Subdivisions 1 and 2; 254A.08, Subdivision 1; 256.12, Subdivision 9; 256.871, Subdivision 5; 256.95; 260.251, Subdivision 1a; 275.50, Subdivision 5; 393.07, Subdivisions 2 and 3; 477A.01, Subdivision 2; 626.556, Subdivision 2; repealing Minnesota Statutes 1976, Sections 145.08, Subdivision 2; 145.11; 145.12; 145.123; 145.125, Subdivisions 1 and 2; 145.47; 145.48; 145.49; 145.50; 145.51; 145.52; 145.53; 145.54; 145.911; 145.912; 145.913; 145.914; 145.915; 145.916; 145.917; 145.918; 145.919; 145.92; 145.921; 245.61; 245.62; 245.63; 245.64; 245.65; 245.66; 245.67; 245.68; 245.69; 245.691; 245.72; 245.83; 245.84; 245.85; 245.86; 245.87; 252.21; 252.24; 252.25; 254A.02, Subdivision 12; 254A.07, Subdivision 3; 254A.08, Subdivision 3; 254A.12; 254A.14; 254A.15; 254A.16; 254A.17; 393.01; 393.02; 393.03; 393.04; 393.06; 393.07, Subdivision 8; 393.08; 393.09; 393.11."

With the recommendation that when so amended the bill pass and be re-referred to the Committee on Taxes.

The report was adopted.

Berg from the Committee on Local and Urban Affairs to which was referred:

H. F. No. 61, A bill for an act relating to the city of Cottage Grove; authorizing the rendering of emergency service by a physician's trained mobile intensive care paramedic; authorizing reasonable charges for the services; granting limited immunity from civil liability for paramedics and physicians advising or instructing paramedics.

Reported the same back with the following amendments:

Page 3, line 22, delete "Subdivision".

Page 3, line 23, delete "1."

Page 3, delete lines 28 to 32.

Page 4, delete lines 1 to 18.

With the recommendation that when so amended the bill pass and be placed on the Consent Calendar.

The report was adopted.

Berg from the Committee on Local and Urban Affairs to which was referred:

H. F. No. 145, A bill for an act relating to highways; requiring a hearing by a county board prior to the adoption of a resolution revoking a county highway that would revert to a town; amending Minnesota Statutes 1976, Section 163.11, by adding a subdivision.

Reported the same back with the following amendments:

Page 1, line 22, delete "*but only*".

Page 1, delete line 23.

Page 2, delete line 1 except for the period.

With the recommendation that when so amended the bill pass and be placed on the Consent Calendar.

The report was adopted.

Fudro from the Committee on Transportation to which was referred:

H. F. No. 473, A bill for an act relating to the operation of state government; authorizing value analysis of certain department of transportation construction projects; establishing procedures for implementing value analysis change proposals.

Reported the same back with the following amendments:

Strike everything after the enacting clause and insert:

“Section 1. [DEFINITIONS.] Subdivision 1. For the purposes of sections 1 to 3, and unless a different meaning is indicated by the context, the terms defined in this section have the meanings given them.

Subd. 2. “Construction project” means any state construction project undertaken by the department of transportation.

Subd. 3. “Value analysis” means the systematic and creative functional analysis of construction projects, specifications, standards, practices and procedures for the purposes of identifying and eliminating unnecessary costs by developing modifications which satisfy required functions of a project for the lowest cost in a manner consistent with requirements for performance, reliability, quality and maintainability.

Subd. 4. “Value engineering proposal” means a formal written proposal with supporting documentation. A value engineering proposal shall be developed by application of value analysis principles, shall be documented by a contractor or subcontractor pursuant to the provisions of the construction contract, and shall suggest one or more changes in the construction project, specifications, standards, practices or procedures which would result in direct and immediate net savings in terms of reducing the costs of the construction contract.

Sec. 2. [CONTRACTS TO INCLUDE VALUE ANALYSIS AUTHORIZATION.] All contracts for construction projects may contain contract provisions which:

(a) Authorize the contractor, with regard to specified matters governed by the contract, and any subcontractor, with regard to matters governed by the subcontracting agreement with the contractor, to submit value engineering proposals as provided in sections 1 to 3;

(b) Specify such procedural and substantive requirements for the preparation, development and documentation for value engineering proposals as may be required for the particular construction project;

(c) Require that copies of all value engineering proposals and all supporting documents be submitted to the commissioner of transportation; and

(d) Provide that if a value engineering proposal is adopted for the construction project contract as provided in section 3, a supplemental agreement shall reduce contract payments to the contractor or subcontractor that submitted the value engineering proposal, by an amount equal to one-half of the amount of direct and immediate net savings under the contract resulting from the adoption of the value engineering proposal.

Sec. 3. [EVALUATION OF VALUE ENGINEERING PROPOSALS.] Subdivision 1. After receipt of a value engineering proposal and supporting documents, the commissioner of transportation shall investigate and analyze the value engineering proposal, estimate the amount of the direct and immediate net savings in terms of construction project contract costs which would result upon adoption of the value engineering proposal.

Subd. 2. Subject to the provisions of sections 1 to 3 and the provisions of any other applicable law, if the commissioner of transportation determines, based upon the reports and recommendation of his department, that adoption of a value engineering proposal will result in direct and immediate savings in the construction project contract costs, the commissioner shall approve and authorize the adoption of the implementing supplemental agreement and the supplemental agreement shall be processed and adopted as otherwise provided by law.

Sec. 4. [EFFECTIVE DATE.] This act is effective July 1, 1977.”

Further amend the title as follows:

Delete all of line 2.

With the recommendation that when so amended the bill pass and be re-referred to the Committee on Governmental Operations.

The report was adopted.

Fudro from the Committee on Transportation to which was referred:

H. F. No. 557, A bill for an act relating to highways; reimbursement of fire fighting and protection expenses in certain instances; appropriating funds.

Reported the same back with the following amendments:

Page 1, line 7, before “Expenses” insert “Ordinary”.

Page 1, line 11, delete "at the request" and insert "upon approval".

Page 1, line 11, after "of" insert "a police officer or".

Page 1, line 16, delete the second "Funds".

Page 1, delete line 17.

Page 1, line 18, delete "this purpose."

Page 1, line 20, delete "funds" and insert "moneys".

Further amend the title as follows:

Line 2, after "highways;" insert "requiring".

Line 4, delete "; appropriating funds".

With the recommendation that when so amended the bill pass and be placed on the Consent Calendar.

The report was adopted.

Fudro from the Committee on Transportation to which was referred:

H. F. No. 818, A bill for an act relating to highway traffic regulations; implements of husbandry; defined; restricting the speed of certain implements of husbandry on the highways; amending Minnesota Statutes 1976, Section 169.01, Subdivision 55; and Chapter 169, by adding a section.

Reported the same back with the following amendments:

Pages 1 and 2, delete all of Section 1.

Page 2, line 15, after the period insert "*Violation of this section is a misdemeanor.*".

Re-number the remaining sections.

Further amend the title as follows:

Line 3, delete "defined;"

Line 5, after "highways;" insert "providing a penalty;"

Line 6, delete "Section 169.01, Subdivision 55; and".

With the recommendation that when so amended the bill pass and be placed on the Consent Calendar.

The report was adopted.

Fudro from the Committee on Transportation to which was referred:

H. F. No. 821, A bill for an act relating to highways; state-aid system; contracts for construction and improvement of county state-aid highways and municipal state-aid streets; requiring percentage payments thereunder; and requiring payment of interest on money due and not paid in accordance with the contract; amending Minnesota Statutes 1976, Sections 162.04 and 162.10.

Reported the same back with the following amendments:

Page 1, line 16, after "contract" insert "*and the construction or improvement is not financed in whole or in part by federal aid highway funds*".

Page 2, line 8, before "Failure" insert "*Where there is no dispute thereof,*".

Page 2, line 9, after "contract" insert "*within 30 days of the monthly estimate thereof or within 90 days of the final estimate,*".

Page 2, line 10, delete "*, the supplier of materials and the*".

Page 2, line 11, delete "*supplier of professional services eight percent*" and insert "*simple*".

Page 2, line 12, after "contract" insert "*at an annual rate of interest equal to the monthly index of long term United States government bond yields for the month immediately prior to the month in which the obligation is incurred plus an additional one percent per annum*".

Page 2, line 17, after "contract," insert "*and the construction or improvement is not financed in whole or in part by federal aid highway funds,*".

Page 3, line 2, before "Failure" insert "*Where there is no dispute thereof,*".

Page 3, line 4, after "contract" insert "*within 30 days of the monthly estimate thereof or within 90 days of the final estimate,*".

Page 3, line 5, delete "*, the supplier of materials and the supplier*".

Page 3, line 6, delete "*of professional services eight percent*" and insert "*simple*".

Page 3, line 7, after "*contract*" insert "*at an annual rate of interest equal to the monthly index of long term United States government bond yields for the month immediately prior to the month in which the obligation is incurred plus an additional one percent per annum*".

With the recommendation that when so amended the bill pass.

The report was adopted.

SECOND READING OF HOUSE BILLS

H. F. Nos. 157, 968, 320, 61, 145, 557, 818 and 821 were read for the second time.

INTRODUCTION AND FIRST READING OF HOUSE BILLS

The following House Files were introduced:

Lemke, Eckstein, Mann, Biersdorf and Schulz introduced:

H. F. No. 1385, A bill for an act relating to agriculture; dairy industry unfair trade practices; repealing Minnesota Statutes 1976, Chapter 32A.

The bill was read for the first time and referred to the Committee on Agriculture.

Wenzel and Suss introduced:

H. F. No. 1386, A bill for an act relating to agriculture; clarifying certain terms; eliminating six months license provision; permitting license suspension; permitting waiver of the right to a hearing; clarifying weighing locations and weighing fees; amending Minnesota Statutes 1976, Sections 17A.03, Subdivisions 6 and 7; 17A.04, Subdivision 1, and by adding a subdivision; 17A.05, Subdivision 2; 17A.06, Subdivisions 2 and 3; 17A.10; and 17A.11.

The bill was read for the first time and referred to the Committee on Agriculture.

Reding, Kroening, Jaros, Casserly and Sherwood introduced:

H. F. No. 1387, A bill for an act relating to housing; providing an exception to interest limitations for borrowing by housing and development authorities; amending Minnesota Statutes 1976, Section 462.555.

The bill was read for the first time and referred to the Committee on Commerce and Economic Development.

Brinkman; Nelsen, M.; Osthoff and Metzen introduced:

H. F. No. 1388, A bill for an act relating to liquor; minimum resale prices for off-sale sales at retail; providing a penalty.

The bill was read for the first time and referred to the Committee on Commerce and Economic Development.

Sieben, M.; Ellingson; Pleasant; Casserly and Adams introduced:

H. F. No. 1389, A bill for an act relating to commerce; permitting price advertising of eyeglasses; amending Minnesota Statutes 1976, Section 148.57, Subdivision 3.

The bill was read for the first time and referred to the Committee on Commerce and Economic Development.

Wenzel, Jude, Schulz and Niehaus introduced:

H. F. No. 1390, A bill for an act relating to state government; providing for the election of public service commission members; amending Minnesota Statutes 1976, Sections 202A.52; 216A.03, Subdivision 1; and 216A.035; repealing Minnesota Statutes 1976, Section 216A.03, Subdivision 1a.

The bill was read for the first time and referred to the Committee on Commerce and Economic Development.

Simoneau, Osthoff, Novak, Braun and Friedrich introduced:

H. F. No. 1391, A bill for an act relating to insurance; removing licensing exemptions for certain insurance adjusters and appraisers; establishing a bill of rights for the processing of certain automobile claims; prohibiting certain practices; amending Minnesota Statutes 1976, Sections 72B.03; and 72B.14; repealing Minnesota Statutes 1976, Section 72B.10.

The bill was read for the first time and referred to the Committee on Commerce and Economic Development.

Faricy introduced:

H. F. No. 1392, A bill for an act relating to Independent School District 625; providing for the severance pay of employees.

The bill was read for the first time and referred to the Committee on Education.

Neisen, Smogard, Schulz, Hanson and Pleasant introduced:

H. F. No. 1393, A bill for an act relating to game and fish; reduced license fees for senior citizens; special permits for certain handicapped; amending Minnesota Statutes 1976, Sections 98.45, Subdivision 8; and 98.48, Subdivision 12.

The bill was read for the first time and referred to the Committee on Environment and Natural Resources.

Schulz, White and Lemke introduced:

H. F. No. 1394, A bill for an act relating to natural resources; empowering the commissioner of natural resources to negotiate for the creation of a fish refuge.

The bill was read for the first time and referred to the Committee on Environment and Natural Resources.

Novak, Neisen and George introduced:

H. F. No. 1395, A bill for an act relating to the Rice Creek watershed district; providing state funds for improvement of the Long Lake chain of lakes in Ramsey county; appropriating money.

The bill was read for the first time and referred to the Committee on Environment and Natural Resources.

Anderson, G.; George; Suss; Voss and Friedrich introduced:

H. F. No. 1396, A bill for an act relating to bank charters, confidentiality of financial statements, hearing costs, managing officers, automatic expiration; amending Minnesota Statutes 1976, Sections 45.04; and 45.07.

The bill was read for the first time and referred to the Committee on Financial Institutions and Insurance.

Kostohryz; Anderson, I.; Voss; Savelkoul and Rice introduced:

H. F. No. 1397, A bill for an act relating to elections; providing for an informational pamphlet on voting methods, voter registration and constitutional amendments at the general election; appropriating money.

The bill was read for the first time and referred to the Committee on General Legislation and Veterans Affairs.

Scheid, Williamson, Nelson, McCollar and Ellingson introduced:

H. F. No. 1398, A bill for an act relating to ethics; restricting activities of lobbyists; amending Minnesota Statutes 1976, Section 10A.04, Subdivision 4.

The bill was read for the first time and referred to the Committee on General Legislation and Veterans Affairs.

Wenzel, Braun, Schulz, Samuelson and Patton introduced:

H. F. No. 1399, A bill for an act relating to veterans; providing bronze star markers for veterans; appropriating funds to the commissioner of veterans affairs; amending Minnesota Statutes 1976, Chapter 197, by adding a section.

The bill was read for the first time and referred to the Committee on General Legislation and Veterans Affairs.

Suss; St. Onge; Anderson, I.; Laidig and Sherwood introduced:

H. F. No. 1400, A bill for an act relating to American Indians; changing references from native American to American Indian; defining in terms of a federally recognized tribe; amending Minnesota Statutes 1976, Sections 84.10; 124.48; 145.922, Subdivision 2; 152.02, Subdivision 2; 245.76; 254A.02, Subdivision 11; 254A.03; 254A.031; 254A.07, Subdivision 2; 325.41; 362.40, Subdivision 2; 462A.07, Subdivision 14; 462A.21, Subdivision 4c; 462A.26; 472.03, Subdivision 12; and 517.18, Subdivision 4.

The bill was read for the first time and referred to the Committee on Governmental Operations.

Fugina introduced :

H. F. No. 1401, A bill for an act relating to representation before public bodies; permitting assistance in preparation and education of persons to represent themselves; amending Minnesota Statutes 1976, Section 481.02, by adding a subdivision.

The bill was read for the first time and referred to the Committee on Governmental Operations.

Nelson, Petrafeso, Moe, Berglin and Dean introduced :

H. F. No. 1402, A bill for an act relating to civil service; providing an affirmative action program for the state work force; amending Minnesota Statutes 1976, Section 43.15.

The bill was read for the first time and referred to the Committee on Governmental Operations.

Voss, Neisen and McCarron introduced :

H. F. No. 1403, A bill for an act relating to retirement; maximum benefits for firemen's relief associations; amending Minnesota Statutes 1976, Section 69.691.

The bill was read for the first time and referred to the Committee on Governmental Operations.

Berkelman, Jaros, Lehto and Munger introduced :

H. F. No. 1404, A bill for an act relating to the city of Duluth; firemen's survivor benefits; amending Laws 1975, Chapter 127, Section 2, as amended.

The bill was read for the first time and referred to the Committee on Governmental Operations.

Patton; Ewald; Sieben, H.; Ellingson and Beauchamp introduced :

H. F. No. 1405, A bill for an act relating to state employees; providing for investment options for deferred compensation; amending Minnesota Statutes 1976, Section 352.96, Subdivision 2.

The bill was read for the first time and referred to the Committee on Governmental Operations.

Prahl, Reding, White, Smogard and Anderson, R., introduced:

H. F. No. 1406, A bill for an act relating to deaf or mute persons; requiring appointment of interpreters in certain judicial and administrative proceedings; providing for selection and appointment of the interpreters; providing for their compensation.

The bill was read for the first time and referred to the Committee on Governmental Operations.

Hokanson, Sabo, Faricy, Sieben, H., and Forsythe introduced:

H. F. No. 1407, A bill for an act relating to state government; regulating the use of federal funds by state agencies; providing legislative oversight.

The bill was read for the first time and referred to the Committee on Governmental Operations.

Pehler; Sieben, H.; Beauchamp; Patton and Knickerbocker introduced:

H. F. No. 1408, A bill for an act relating to state employees; providing for wage and fringe benefits for certain state employees; ratifying collective bargaining agreements; providing emergency rule making authority; increasing salary ranges; appropriating money; amending Minnesota Statutes 1976, Chapter 43, by adding a section; Sections 43.09, Subdivision 3; 43.12, Subdivisions 2, 3, 5, 6, 7, 8, 10, 11, 14, 16, and 17, and by adding a subdivision; 43.122, Subdivision 3, and by adding a subdivision; 43.126, Subdivision 1; 43.323, by adding a subdivision; 43.42; 43.44, Subdivision 1; 43.46; and 43.50, Subdivision 1; repealing Minnesota Statutes 1976, Sections 43.09, Subdivision 7; and 43.12, Subdivisions 4 and 9.

The bill was read for the first time and referred to the Committee on Governmental Operations.

Scheid; Carlson, L.; Kaley; Waldorf and Wenstrom introduced:

H. F. No. 1409, A bill for an act relating to vital statistics; requiring reporting; establishing registration districts; defining terms; providing penalties; repealing Minnesota Statutes 1976, Sections 144.151 to 144.205; 517.071; 517.08, Subdivisions 2 and 3; and 518.001.

The bill was read for the first time and referred to the Committee on Health and Welfare.

Stoa, Lemke and Wieser introduced:

H. F. No. 1410, A bill for an act relating to public health; authorizing school superintendents appointed to county nursing committees to designate certain other persons to serve in their place; amending Minnesota Statutes 1976, Section 145.12.

The bill was read for the first time and referred to the Committee on Health and Welfare.

Nelson, Clark, Dean, Berglin and Brandl introduced:

H. F. No. 1411, A bill for an act relating to health; increasing public availability of articles relating to the prevention of conception or disease; amending Minnesota Statutes 1976, Section 617.251.

The bill was read for the first time and referred to the Committee on Health and Welfare.

Carlson, L.; Swanson; Berglin; Clawson and Ewald introduced:

H. F. No. 1412, A bill for an act relating to health; concerning health care facilities; providing for a moratorium on the expansion of the complement of hospital beds; closing certain existing facilities; amending Minnesota Statutes 1976, Sections 145.72; 145.74; 145.75; 145.751; 145.76, Subdivision 2; 145.761; and Chapter 145, by adding a section.

The bill was read for the first time and referred to the Committee on Health and Welfare.

Hanson, Hokanson, Osthoff, Kostohryz and Heinitz introduced:

H. F. No. 1413, A bill for an act relating to the organization and operation of state government; creating a human services board consisting of the heads of certain state agencies; requiring preparation of plans for the improvement of efficiency and coordination in the delivery of services relating to the employment, health, welfare and education of citizens of this state; providing for implementation of improvements; appropriating money.

The bill was read for the first time and referred to the Committee on Health and Welfare.

Cummiskey introduced:

H. F. No. 1414, A bill for an act relating to Nicollet county; providing for official county publications.

The bill was read for the first time and referred to the Committee on Local and Urban Affairs.

Clawson and Carlson, D., introduced :

H. F. No. 1415, A bill for an act relating to Chisago county and the issuance of revenue bonds and the acquisition of property by said county for apartment buildings for elderly persons of low and moderate income.

The bill was read for the first time and referred to the Committee on Local and Urban Affairs.

Anderson, I.; Sabo; Norton; Kelly, W., and Laidig introduced :

H. F. No. 1416, A bill for an act relating to the legislature; requiring that bodies wholly or principally composed of legislators submit budgets and complement requests to the legislative coordinating commission; amending Minnesota Statutes 1976, Chapter 3, by adding a section.

The bill was read for the first time and referred to the Committee on Rules and Legislative Administration.

Tomlinson introduced :

H. F. No. 1417, A bill for an act relating to property taxation; providing for assessed value of condominiums and cooperatives of type I and II construction; amending Minnesota Statutes 1976, Section 273.13, Subdivision 20.

The bill was read for the first time and referred to the Committee on Taxes.

Novak, Kostohryz, Cohen, Swanson and Neisen introduced :

H. F. No. 1418, A bill for an act relating to taxation; exempting certain aids to handicapped persons from property tax assessments; amending Minnesota Statutes 1976, Section 272.02, Subdivision 1.

The bill was read for the first time and referred to the Committee on Taxes.

Wenzel introduced :

H. F. No. 1419, A bill for an act relating to taxation; exempting used motor vehicles from the motor vehicle excise tax; amending Minnesota Statutes 1976, Section 297B.03.

The bill was read for the first time and referred to the Committee on Taxes.

Wenzel, Braun, Pehler and Niehaus introduced:

H. F. No. 1420, A bill for an act relating to taxation; providing an allowance to certain small businesses for collecting the sales tax; amending Minnesota Statutes 1976, Section 297A.26, by adding a subdivision.

The bill was read for the first time and referred to the Committee on Taxes.

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Mr. Speaker:

I hereby announce the passage by the Senate of the following House File, herewith returned, as amended by the Senate, in which amendment the concurrence of the House is respectfully requested:

H. F. No. 262, A bill for an act relating to veterans; commissioner of veterans affairs; changing residency requirements for the commissioner and certain officers and employees of the department of veterans affairs; amending Minnesota Statutes 1976, Sections 196.02, Subdivision 1; and 197.601.

PATRICK E. FLAHAVEN, Secretary of the Senate

CONCURRENCE AND REPASSAGE

Swanson moved that the House concur in the Senate amendments to H. F. No. 262 and that the bill be repassed as amended by the Senate. The motion prevailed.

H. F. No. 262, A bill for an act relating to veterans; commissioner of veterans affairs; changing residency requirements for the commissioner, certain officers and employees of the department of veterans affairs, and veterans service officers; amending Minnesota Statutes 1976, Sections 196.02, Subdivision 1; and 197.601.

The bill was read for the third time, as amended by the Senate, and placed upon its repassage.

The question was taken on the repassage of the bill and the roll was called. There were 122 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Abein

Adams

Albrecht

Anderson, B. Anderson, D.

Anderson, G.	Eckstein	Kahn	Nelsen, B.	Sieben, M.
Anderson, I.	Eken	Kaley	Nelsen, M.	Simoneau
Anderson, R.	Ellingson	Kalis	Nelson	Skoglund
Arlandson	Enebo	Kelly, R.	Niehaus	Smogard
Battaglia	Erickson	Kelly, W.	Novak	Spanish
Beauchamp	Evans	Kempe, A.	Osthoff	Stanton
Begich	Ewald	Kempe, R.	Patton	Stoa
Berg	Faricy	King	Pehler	Suss
Berglin	Fjoslien	Kostohryz	Peterson	Swanson
Berkelman	Forsythe	Kroening	Petrafero	Tomlinson
Biersdorf	Friedrich	Kvam	Pleasant	Vanasek
Birnstihl	Fudro	Langseth	Prahl	Voss
Braun	Fugina	Lehto	Reding	Waldorf
Brinkman	George	Lemke	Rice	Welch
Byrne	Gunter	Mann	Rose	Wenstrom
Carlson, A.	Hanson	McCarron	St. Onge	Wenzel
Carlson, D.	Haugerud	McCollar	Samuelson	White
Carlson, L.	Heinitz	McDonald	Sarna	Wieser
Casserly	Hokanson	McEachern	Scheid	Williamson
Clark	Jacobs	Metzen	Schulz	Zubay
Corbid	Jaros	Moe	Searle	Speaker Sabo
Dahl	Jensen	Munger	Searles	
Dean	Johnson	Murphy	Sherwood	
Den Ouden	Jude	Neisen	Sieben, H.	

The bill was repassed, as amended by the Senate, and its title agreed to.

Mr. Speaker:

I hereby announce the passage by the Senate of the following House File, herewith returned, as amended by the Senate, in which amendment the concurrence of the House is respectfully requested:

H. F. No. 301, A bill for an act relating to veterans; establishing a deadline for entering military service and becoming eligible for veterans preference; redefining the term "veteran" for certain other purposes; amending Minnesota Statutes 1976, Sections 43.30 and 197.447.

PATRICK E. FLAHAVEN, Secretary of the Senate

Kostohryz moved that the House refuse to concur in the Senate amendments to H. F. No. 301, that the Speaker appoint a Conference Committee of 3 members of the House, and that the House requests that a like committee be appointed by the Senate to confer on the disagreeing votes of the two Houses. The motion prevailed.

CONSENT CALENDAR

H. F. No. 425, A bill for an act relating to municipalities; authorizing appropriations for historical work; amending Minnesota Statutes 1976, Section 471.93.

The bill was read for the third time and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 125 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Abeln	Cohen	Hokanson	McEachern	Schulz
Adams	Corbid	Jacobs	Metzen	Searle
Albrecht	Cummiskey	Jaros	Moe	Searles
Anderson, B.	Dahl	Jensen	Munger	Sherwood
Anderson, D.	Dean	Johnson	Murphy	Sieben, H.
Anderson, G.	Den Ouden	Jude	Neisen	Sieben, M.
Anderson, I.	Eckstein	Kahn	Nelsen, B.	Simoneau
Anderson, R.	Eken	Kaley	Nelsen, M.	Skoglund
Arlandson	Ellingson	Kalis	Nelson	Smogard
Battaglia	Enebo	Kelly, R.	Niehaus	Spanish
Beauchamp	Erickson	Kelly, W.	Novak	Stoa
Begich	Esau	Kempe, A.	Osthoff	Suss
Berg	Evans	Kempe, R.	Patton	Swanson
Berglin	Ewald	King	Pehler	Tomlinson
Berkelman	Faricy	Kostohryz	Peterson	Vanasek
Biersdorf	Fjoslien	Kroening	Petrafaso	Voss
Birnstihl	Forsythe	Kvam	Pleasant	Waldorf
Braun	Friedrich	Laidig	Prahl	Welch
Brinkman	Fudro	Langseth	Reding	Wenstrom
Byrne	Fugina	Lehto	Rice	Wenzel
Carlson, A.	George	Lemke	Rose	White
Carlson, D.	Gunter	Mann	St. Onge	Wieser
Carlson, L.	Hanson	McCarron	Samuelson	Williamson
Casserly	Haugerud	McCollar	Sarna	Zubay
Clark	Heinitz	McDonald	Scheid	Speaker Sabo

The bill was passed and its title agreed to.

H. F. No. 749 was reported to the House.

There being no objection, H. F. No. 749 was continued on the Consent Calendar for one day.

H. F. No. 502, A bill for an act relating to Hennepin county; authorizing compensation for Hennepin county park reserve district commissioners and Hennepin county library board members.

The bill was read for the third time and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 123 yeas and 4 nays as follows:

Those who voted in the affirmative were:

Abeln	Battaglia	Braun	Cohen	Enebo
Adams	Beauchamp	Brinkman	Corbid	Erickson
Albrecht	Begich	Byrne	Cummiskey	Esau
Anderson, B.	Berg	Carlson, A.	Dahl	Ewald
Anderson, D.	Berglin	Carlson, D.	Dean	Faricy
Anderson, G.	Berkelman	Carlson, L.	Den Ouden	Fjoslien
Anderson, I.	Biersdorf	Casserly	Eckstein	Forsythe
Anderson, R.	Birnstihl	Clark	Eken	Fudro
Arlandson	Brandl	Clawson	Ellingson	Fugina

George	King	Murphy	St. Onge	Suss
Gunter	Kostohryz	Neisen	Samuelson	Swanson
Hanson	Kroening	Nelsen, B.	Sarna	Tomlinson
Haugerud	Laidig	Nelsen, M.	Savelkoul	Vanasek
Heinitz	Langseth	Nelson	Scheid	Voss
Hokanson	Lehto	Niehaus	Schulz	Waldorf
Jacobs	Lemke	Novak	Searle	Welch
Jaros	Mangan	Patton	Searles	Wenstrom
Jensen	Mann	Pehler	Sherwood	Wenzel
Johnson	McCarron	Peterson	Sieben, H.	White
Kahn	McCollar	Petrafaso	Sieben, M.	Williamson
Kaley	McDonald	Pleasant	Simoneau	Wynia
Kalis	McEachern	Prahl	Skoglund	Zubay
Kelly, W.	Metzen	Reding	Smogard	Speaker Sabo
Kempe, A.	Moe	Rice	Spanish	
Kempe, R.	Munger	Rose	Stoa	

Those who voted in the negative were:

Jude	Kvam	Osthoff	Wieser
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The bill was passed and its title agreed to.

CALENDAR

H. F. No. 76, A bill for an act relating to highways; providing for the removal of trees, shrubs and other obstructions within highway limits; amending Minnesota Statutes 1976, Sections 160.22, Subdivision 8; and 160.27, Subdivision 6; repealing Minnesota Statutes 1976, Section 160.22, Subdivision 7.

The bill was read for the third time and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 124 yeas and 2 nays as follows:

Those who voted in the affirmative were:

Abeln	Carlson, D.	George	Laidig	Patton
Adams	Carlson, L.	Gunter	Langseth	Pehler
Albrecht	Casserly	Hanson	Lehto	Peterson
Anderson, B.	Clark	Haugerud	Lemke	Petrafaso
Anderson, D.	Clawson	Heinitz	Mangan	Pleasant
Anderson, G.	Cohen	Hokanson	Mann	Prahl
Anderson, I.	Corbid	Jacobs	McCarron	Reding
Anderson, R.	Cummiskey	Jaros	McCollar	Rice
Battaglia	Dahl	Jensen	McDonald	Rose
Beauchamp	Dean	Johnson	McEachern	St. Onge
Begich	Den Ouden	Jude	Metzen	Samuelson
Berg	Eckstein	Kaley	Moe	Sarna
Berglin	Eken	Kalis	Munger	Savelkoul
Berkelman	Enebo	Kelly, R.	Murphy	Scheid
Biersdorf	Erickson	Kelly, W.	Neisen	Schulz
Birnstihl	Esau	Kempe, A.	Nelsen, B.	Searle
Brandl	Ewald	Kempe, R.	Nelsen, M.	Searles
Braun	Faricy	King	Nelson	Sherwood
Brinkman	Fjoslien	Kostohryz	Niehaus	Sieben, H.
Byrne	Forsythe	Kroening	Novak	Sieben, M.
Carlson, A.	Fudro	Kvam	Osthoff	Simoneau

Skoglund	Stoa	Vanasek	Wenstrom	Williamson
Smogard	Suss	Voss	Wenzel	Wynia
Spanish	Swanson	Waldorf	White	Zubay
Stanton	Tomlinson	Welch	Wieser	

Those who voted in the negative were:

Ellingson Kahn

The bill was passed and its title agreed to.

S. F. No. 401, A bill for an act relating to motor vehicles; modifying certain motor vehicle dealer licensing requirements; amending Minnesota Statutes 1976, Section 168.27, Subdivisions 2 and 10.

The bill was read for the third time and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 127 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Abeln	Clawson	Johnson	Murphy	Sherwood
Adams	Cohen	Jude	Neisen	Sieben, H.
Albrecht	Corbid	Kahn	Nelsen, B.	Sieben, M.
Anderson, B.	Cummiskey	Kaley	Nelsen, M.	Simoneau
Anderson, D.	Dahl	Kalis	Nelson	Skoglund
Anderson, G.	Dean	Kelly, R.	Niehaus	Smogard
Anderson, I.	Den Ouden	Kelly, W.	Norton	Spanish
Anderson, R.	Eckstein	Kempe, A.	Novak	Stanton
Arlandson	Eken	Kempe, R.	Osthoff	Stoa
Battaglia	Ellingson	King	Patton	Suss
Beauchamp	Enebo	Kostohryz	Pehler	Swanson
Begich	Erickson	Kroening	Peterson	Tomlinson
Berg	Esau	Kvam	Petrafeso	Vanasek
Berglin	Ewald	Laidig	Pleasant	Voss
Berkelman	Faricy	Langseth	Prahl	Waldorf
Biersdorf	Fjoslien	Lehto	Reding	Welch
Birnstihl	Forsythe	Lemke	Rice	Wenstrom
Brandl	Fudro	Mangan	Rose	Wenzel
Braun	George	Mann	St. Onge	White
Brinkman	Hanson	McCarron	Samuelson	Wieser
Byrne	Haugerud	McCollar	Sarna	Williamson
Carlson, A.	Heinitz	McDonald	Savelkoul	Zubay
Carlson, D.	Hokanson	McEachern	Scheid	Speaker Sabo
Carlson, L.	Jacobs	Metzen	Schulz	
Casserly	Jaros	Moe	Searle	
Clark	Jensen	Munger	Searles	

The bill was passed and its title agreed to.

H. F. No. 500, A bill for an act relating to financial institutions; regulating lenders of conventional mortgage loans; regulating mortgages and escrow accounts; requiring registration and reporting; regulating installment loans; abolishing a usury exception; providing an extension of a usury exception; provid-

ing a penalty; amending Minnesota Statutes 1976, Sections 47.20; 48.153; 334.01, Subdivision 2; and 334.06.

The bill was read for the third time and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 118 yeas and 9 nays as follows:

Those who voted in the affirmative were:

Abeln	Corbid	Jude	Neisen	Sieben, M.
Adams	Cummiskey	Kahn	Nelsen, B.	Simoneau
Albrecht	Dahl	Kaley	Nelson	Skoglund
Anderson, B.	Dean	Kalis	Niehaus	Smogard
Anderson, D.	Den Ouden	Kelly, R.	Norton	Stanton
Anderson, G.	Eckstein	Kelly, W.	Novak	Stoa
Anderson, R.	Eken	Kempe, R.	Patton	Suss
Arlandson	Ellingson	King	Pehler	Swanson
Beauchamp	Erickson	Kostohryz	Peterson	Tomlinson
Berglin	Esau	Kvam	Petrafeso	Vanasek
Berkelman	Ewald	Laidig	Pleasant	Voss
Biersdorf	Faricy	Langseth	Prahl	Waldorf
Birnstihl	Fjoslien	Lehto	Reding	Welch
Brandl	Forsythe	Lemke	Rose	Wenstrom
Braun	Fudro	Mangan	St. Onge	Wenzel
Brinkman	George	Mann	Samuelson	White
Byrne	Gunter	McCarron	Sarna	Wieser
Carlson, A.	Haugerud	McCollar	Savelkoul	Wigley
Carlson, D.	Heinitz	McDonald	Scheid	Williamson
Carlson, L.	Hokanson	McEachern	Schulz	Wynia
Casserly	Jacobs	Metzen	Searle	Zubay
Clark	Jaros	Moe	Searles	Speaker Sabo
Clawson	Jensen	Munger	Sherwood	
Cohen	Johnson	Murphy	Sieben, H.	

Those who voted in the negative were:

Battaglia	Enebo	Kempe, A.	Nelsen, M.	Rice
Begich	Hanson	Kroening	Osthoff	

The bill was passed and its title agreed to.

H. F. No. 886, A bill for an act relating to education; school districts; community services levy; authorizing meeting notices to satisfy compliance requirement of meetings with municipalities; amending Minnesota Statutes 1976, Section 275.125, Subdivision 8.

The bill was read for the third time and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 123 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Abeln	Cohen	Johnson	Murphy	Sherwood
Adams	Corbid	Jude	Neisen	Sieben, H.
Albrecht	Cummiskey	Kaley	Nelsen, B.	Sieben, M.
Anderson, B.	Dahl	Kalis	Nelsen, M.	Simoneau
Anderson, D.	Dean	Kelly, R.	Nelson	Skoglund
Anderson, G.	Den Ouden	Kelly, W.	Niehaus	Smogard
Anderson, I.	Eckstein	Kempe, A.	Norton	Spanish
Anderson, R.	Eken	Kempe, R.	Novak	Stoa
Arlandson	Ellingson	King	Osthoff	Suss
Battaglia	Enebo	Kostohryz	Patton	Swanson
Beauchamp	Erickson	Kroening	Pehler	Tomlinson
Begich	Esau	Kvam	Petrafeso	Vanasek
Berg	Ewald	Laidig	Pleasant	Voss
Berglin	Faricy	Langseth	Prahl	Waldorf
Berkelman	Fjoslien	Lehto	Reding	Welch
Biersdorf	Forsythe	Lemke	Rice	Wenstrom
Birnstihl	Fudro	Mangan	Rose	Wenzel
Braun	George	Mann	St. Onge	White
Brinkman	Hanson	McCarron	Samuelson	Wieser
Byrne	Haugerud	McCollar	Sarna	Wigley
Carlson, A.	Heinitz	McDonald	Savelkoul	Williamson
Carlson, D.	Hokanson	McEachern	Scheid	Zubay
Carlson, L.	Jacobs	Metzen	Schulz	Speaker Sabo
Clark	Jaros	Moe	Searle	
Clawson	Jensen	Munger	Searles	

The bill was passed and its title agreed to.

GENERAL ORDERS

Pursuant to rules of the House, the House resolved itself into the Committee of the Whole, with Sabo in the Chair, for the consideration of bills pending on General Orders of the Day. After some time spent therein the Committee arose.

REPORT OF COMMITTEE OF THE WHOLE

The Speaker resumed the Chair, whereupon the following proceedings of the Committee as kept by the Chief Clerk were reported to the House:

H. F. No. 218 which it recommended to pass.

H. F. No. 7 which it recommended progress retaining its place on General Orders.

H. F. Nos. 324, 585, 1005, 53, 800, 676, 707, 993 and 79 which it recommended progress.

S. F. No. 170 which it recommended progress.

H. F. No. 203 which it recommended to pass with the following amendment offered by Carlson, L.:

Page 2, line 29, delete "*the votes cast on the question*" and insert "*those voting in the election*".

S. F. No. 483 which it recommended progress with the following amendments:

Offered by Sieben, H.:

Strike everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 1976, Section 15A.081, Subdivision 1, is amended to read:

15A.081 [SALARIES AND SALARY RANGES FOR CERTAIN EMPLOYEES.] Subdivision 1. The following salaries or salary ranges are provided for the below listed (OFFICERS AND) employees in the executive branch of government:

	Base Salary or Range
Administration, department of commissioner	(\$36,000)
	\$41,000
(DEPUTY COMMISSIONER	28,800)
(AERONAUTICS, DEPARTMENT OF COMMISSIONER	20,400)
Agriculture, department of commissioner	(22,000)
	36,000
(DEPUTY COMMISSIONER	17,600)
Attorney general, office of (ATTORNEY GENERAL	36,500)
deputy attorney general	(19,100 - 31,500)
	23,000 - 42,000
(AUDITOR, OFFICE OF) (AUDITOR	26,000)
(DEPUTY AUDITOR	20,800)
Commerce, department of commissioner of banks	(22,000)

	Base Salary or Range
	<i>32,000</i>
commissioner of insurance	(22,000)
	<i>32,000</i>
commissioner of securities	(22,000)
	<i>32,000</i>
<i>executive secretary, commerce commission</i>	<i>27,000</i>
Community college system	
chancellor	(27,500)
	<i>41,000</i>
Corrections, department of	
commissioner	(28,000)
	<i>36,000</i>
(DEPUTY COMMISSIONER	22,400)
<i>ombudsman</i>	<i>32,000</i>
Crime prevention and control, governor's commission on	
<i>executive director</i>	<i>32,000</i>
Economic development, department of	
commissioner	(22,000)
	<i>32,000</i>
(DEPUTY COMMISSIONER	17,600)
Education, department of	
commissioner	(29,800)
	<i>41,000</i>
Employment services, department of	
commissioner	(26,400)
	<i>32,000</i>
<i>Energy agency</i>	
<i>director</i>	<i>36,000</i>

	Base Salary or Range
Finance, department of commissioner	(35,500)
	45,000
(DEPUTY COMMISSIONER	28,400)
(GOVERNOR, OFFICE OF) (GOVERNOR	41,000)
Health, department of commissioner	(30,300)
	41,000
<i>Hearing examiners office</i> <i>chief hearing examiner</i>	36,000
Higher education coordinating board executive director	(26,100)
	36,000
(ASSISTANT EXECUTIVE DIRECTOR	20,900)
<i>Housing finance agency</i> <i>executive director</i>	36,000
Human rights, department of commissioner	(20,000)
	29,000
Indian affairs board executive director	(17,500)
	25,000
Investment, board of executive secretary	(35,000)
	41,000
<i>Iron range resources and rehabilitation board</i> <i>commissioner</i>	29,000
Labor and industry, department of commissioner	(26,400)
	36,000

	Base Salary or Range
(DEPUTY COMMISSIONER	21,100)
judge of the workers compensation court of appeals	(22,000)
	<i>36,000</i>
director, mediation services	(21,000)
	<i>29,000</i>
(LIEUTENANT GOVERNOR, OFFICE OF LIEUTENANT GOVERNOR	30,000)
Natural resources, department of commissioner	(28,300)
	<i>41,000</i>
(DEPUTY COMMISSIONER	22,600)
Personnel, department of commissioner	(31,000)
	<i>41,000</i>
(DEPUTY COMMISSIONER	24,800)
Planning agency director	(27,000)
	<i>41,000</i>
Pollution control agency director	(24,000)
	<i>36,000</i>
Public safety, department of commissioner	(26,900)
	<i>36,000</i>
(DEPUTY COMMISSIONER	21,500)
Public service, department of commissioner, public service commission	(22,000)
	<i>32,000</i>

	Base Salary or Range
director	(20,700)
	<i>32,000</i>
Public welfare, department of commissioner	(33,600)
	<i>41,000</i>
(DEPUTY COMMISSIONER	26,900)
Revenue, department of commissioner	(28,900)
	<i>41,000</i>
(SECRETARY OF STATE, OFFICE OF SECRETARY OF STATE	25,000
DEPUTY SECRETARY OF STATE	17,500)
State university system chancellor	(32,500)
	<i>41,000</i>
Transportation, Department of commissioner	(33,600)
	<i>41,000</i>
(TREASURY, STATE TREASURER	25,000
DEPUTY TREASURER	17,500)
Veterans affairs, department of commissioner	(16,000)
	<i>29,000</i>
Vocational rehabilitation, department of commissioner	32,000

Sec. 2. Minnesota Statutes 1976, Section 15A.081, is amended by adding a subdivision to read:

Subd. 5. A deputy of a position listed in subdivision 1, other than the attorney general, shall be paid a base salary equal to 90 percent of the salary of the head of that department or agency as listed in subdivision 1.

Sec. 3. Minnesota Statutes 1976, Section 43.067, is amended to read:

43.067 [SALARY LIMITS.] *Subdivision 1. [AGENCY HEADS AND DEPUTIES.] The base salary of the head of any state department or other agency in the executive branch shall serve as the upper limit of compensation in (HIS ORGANIZATION UNLESS THE PERSONNEL BOARD APPROVES AN EXEMPTION IN INDIVIDUAL CASES) the agency. Within the agency, no person other than the agency head shall be paid more than the base salary that is or would be paid a deputy agency head pursuant to section 15A.081 whether or not there is a deputy agency head position for that agency.*

Subd. 2. [DISCRETIONARY EXEMPTIONS.] The personnel board may grant exemptions from the provisions of subdivision 1 in the case of individual persons. A salary increase authorized by other law by reason of seniority or cost of living adjustments shall not be sufficient reason to grant an exemption. The board may grant an exemption upon application of the appointing authority, but only if the board determines that the position requires special expertise necessitating a higher salary in order to attract or retain qualified persons. In no event may a salary exempted pursuant to this subdivision exceed 120 percent of the base salary of the position in respect to which the exemption was requested.

Subd. 3. [MEDICAL DOCTORS EXEMPTED.] Salaries of medical doctors who are occupying positions which the commissioner of personnel determines requires an M.D. degree and who are paid under the provisions of section 43.126, shall be excluded from the limitation provided in this section.

Subd. 4. [LIMIT ON POLITICAL SUBDIVISION SALARIES.] Notwithstanding any other law to the contrary, no salary of a person employed by a city, county, town, school district or other political subdivision of the state may exceed the salary of the governor.

Sec. 4. Minnesota Statutes 1976, Section 43.069, is amended to read:

43.069 [BOARD MAY GRANT ACHIEVEMENT AWARDS.] *Subdivision 1. (EXCEPT AS PROVIDED IN SECTION 43.062,) The personnel board may (RAISE THE SALARY) grant an achievement award for any individual incumbent of a position whose base salary is established under the provisions of section 15A.081, (AND WHICH HAS NOT BEEN PROVIDED WITH A SALARY RANGE) subdivision 1 or section 2, provided:*

(a) The incumbent has, in the opinion of the board, (CHALLENGING) written objectives which are specific as to amount and time, *which directly relate to the incumbent's duties, which require efforts exceeding the expected performance of a person in the incumbent's position* and which have been (AGREED UPON) *approved* in advance by the appointing authority;

(b) The appointing authority of the incumbent applies to the board for the (SALARY INCREASE) *achievement award* and simultaneously certifies to the board that the incumbent has fulfilled, or is fulfilling, his (AGREED UPON) *approved* objectives.

Subd. 2. The board may require the appointing authority or the incumbent to submit additional information as it may deem necessary.

Subd. 3. (THE) *An* appointing authority may *annually* apply for, and the board may *annually* approve (SALARY RAISES) *an achievement award* for (THE) *an* incumbent (BY ANY INCREMENT, AND MORE THAN ONCE). (THE AGGREGATE OF THE INCREASES) *An annual achievement award* under this section shall not (INCREASE THE INDIVIDUAL SALARY BEYOND 25) *be more than ten* percent of the base salary established for the position under the provisions of section 15A.081.

Subd. 4. (ANY) *An annual* achievement award granted (TO INDIVIDUALS) under this section shall (REMAIN IN EFFECT FOR 12 MONTHS FROM THE DATE OF APPROVAL, UNLESS THE BOARD DETERMINES A LESSER EFFECTIVE PERIOD OF TIME) *be paid the recipient in a lump sum within 60 days after the end of the fiscal year, or portion thereof, for which the award was granted.*

Sec. 5. Minnesota Statutes 1976, Section 15A.081, is amended by adding a subdivision to read:

Subd. 7. [METROPOLITAN AGENCIES.] *The following salaries are provided for officers of metropolitan agencies:*

<i>Chairman, metropolitan council</i>	<i>\$39,000</i>
<i>Chairman, metropolitan airports commission</i>	<i>10,000</i>
<i>Chairman, metropolitan transit commission</i>	<i>33,500</i>
<i>Chairman, metropolitan waste control commission</i> ..	<i>15,000</i>

Fringe benefits for unclassified employees of the metropolitan waste control commission shall not exceed those fringe benefits received by unclassified employees of the metropolitan council.

Sec. 6. Minnesota Statutes 1976, Section 473.123, Subdivision 4, is amended to read:

Subd. 4. [CHAIRMAN; APPOINTMENT, DUTIES.] (a) The chairman of the metropolitan council shall be appointed by the governor as the 17th voting member thereof by and with the advice and consent of the senate to serve at his pleasure. He shall be a person experienced in the field of municipal and urban affairs with administrative training and executive ability.

(b) The chairman of the metropolitan council shall preside at the meetings of the metropolitan council and shall act as principal executive officer. He shall organize the work of the metropolitan council, appoint all officers and employees thereof, subject to the approval of the metropolitan council, and be responsible for carrying out all policy decisions of the metropolitan council. His salary (AND EXPENSE ALLOWANCES) shall be (FIXED BY THE METROPOLITAN COUNCIL) *as provided in section 15A.081, and he shall be eligible for expenses in the same manner and amount as state employees.*

Sec. 7. Minnesota Statutes 1976, Section 473.141, Subdivision 7, is amended to read:

Subd. 7. [COMPENSATION.] Each commission member shall be paid a per diem compensation of \$50 for each meeting and for such other services as authorized by the commission, and shall be reimbursed for all actual and necessary expenses incurred in the performance of his duties in the same manner and amount as state employees. The chairman shall receive a salary in an amount fixed by (THE MEMBERS OF THE COMMISSION) *section 15A.081* and shall be reimbursed for reasonable expenses to the same extent as a member.

Sec. 8. Minnesota Statutes 1976, Section 473.605, Subdivision 2, is amended to read:

Subd. 2. Each commission member shall be paid a per diem compensation of \$35 for each meeting and for such other services as are specifically authorized by the commission, and shall be reimbursed for all actual and necessary expenses incurred in the performance of his duties in the same manner and amount as state employees. The chairman shall receive (SUCH COMPENSATION AS THE COMMISSION SHALL DETERMINE) *a salary as prescribed in section 15A.081* and shall be reimbursed for reasonable expenses to the same extent as a member.

Sec. 9. Minnesota Statutes 1976, Section 15A.081, is amended by adding a subdivision to read:

Subd. 6. [CONSTITUTIONAL OFFICERS.] The following salaries are provided for the constitutional officers of the state:

Governor	\$58,000
Attorney general	49,000
Lieutenant governor	36,000
Auditor	30,000
Secretary of state	30,000
Treasurer	30,000

The salaries of the deputy auditor, deputy secretary of state and deputy treasurer shall be 90 percent of the salaries of their respective superior constitutional officers. The deputies shall be eligible for achievement awards as provided in section 43.069.

Sec. 10. Minnesota Statutes 1976, Section 3.099, is amended to read:

3.099 [MEMBERS; COMPENSATION AND EXPENSES, FLEXIBLE SESSIONS.] *Subdivision 1.* The compensation of each member (OF THE HOUSE OF REPRESENTATIVES) of the legislature shall be (\$16,800 FOR THE ENTIRE TERM TO WHICH HE IS ELECTED, WHICH SHALL BE) due on the first day of the regular legislative session of the term and payable (AS FOLLOWS:)

(\$700) *in equal parts* on the fifteenth day of January and on the first day of each month, February to December, inclusive, during the term for which he was elected.

(THE COMPENSATION OF EACH SENATOR OF THE LEGISLATURE SHALL BE \$33,600 FOR THE TERM TO WHICH HE IS ELECTED, OF WHICH \$16,800 SHALL BE DUE ON THE FIRST DAY OF EACH REGULAR LEGISLATIVE SESSION OF THE TERM AND PAYABLE AS FOLLOWS:

\$700 ON THE FIFTEENTH DAY OF JANUARY AND ON THE FIRST DAY OF EACH MONTH FEBRUARY TO DECEMBER, INCLUSIVE, DURING THE TERM FOR WHICH HE WAS ELECTED.)

Each member shall receive mileage for necessary travel in going to and returning from the place of meeting to his place of residence in such amount and for such trips as may be authorized by the senate as to senate members, and by the house of representatives as to house members.

Each member shall receive in addition to the foregoing, such per diem living expenses during a regular or special session of

the legislature in such amounts and for such purposes as may be determined by the senate as to senate members and by the house of representatives as to house members; *provided, that because of the salary increases provided in subdivision 2, the amount of the per diem living expenses payable commencing with the start of the legislative session in 1979 shall be substantially less than the per diem living expenses payable on the effective date on this act.*

On the fifteenth day of January and on the first day of each month, February to December, inclusive, the secretary of the senate and the chief clerk of the house of representatives, shall certify to the commissioner of finance, in duplicate, the amount of compensation then payable to each member of their respective houses, and the aggregate thereof.

Subd. 2. The compensation of each member of the legislature until the start of the legislative session in 1979 shall be \$8,400 per year. Commencing with the start of the legislative session in 1979, the compensation of each member of the legislature shall be \$16,500 per year. Effective January 1, 1980, the compensation of each member of the legislature will be \$18,500 per year.

Subd. 3. Commencing with the start of the legislative session in 1979, the president of the senate, the majority leader and minority leader of the senate, the speaker of the house of representatives, and the majority leader and minority leader of the house of representatives shall be paid 150 percent of the compensation of other members.

At the commencement of each biennial legislative session, each house of the legislature shall adopt a resolution designating the majority and minority leader of that respective body.

The majority leader shall be that person elected by a caucus of members in each house which constitutes the largest political affiliation within that body and the minority leader shall be that person elected by a caucus of members in each house which constitutes the second largest political affiliation within that body.

Sec. 11. Minnesota Statutes 1976, Section 3.102, is amended to read:

3.102 [LEGISLATIVE LIVING EXPENSES.] Each member of the legislature shall be reimbursed for expenses incurred while engaged in official business when the legislature is not in session. The amount of such reimbursement shall not exceed (\$33) \$48 per day as a per diem expense allowance for all expenses incurred except travel and lodging. The member shall also be reimbursed for travel and lodging expenses in the same manner and amount as state employees.

Expenses for members of the legislature are payable in the manner and in the amount designated by the senate committee on rules and administration as to members of the senate and by the committee on rules and legislative administration as to members of the house of representatives.

The expense allowances provided for herein to the persons designated are in lieu of any other expenses authorized by law or resolution for the same purposes.

Sec. 12. Minnesota Statutes 1976, Section 15A.083, is amended to read:

15A.083 [SALARIES FOR POSITIONS IN THE JUDICIAL BRANCH.] Subdivision 1. [ELECTIVE JUDICIAL OFFICERS.] The following salaries shall be paid annually to the enumerated elective judicial officers of the state:

(1) Chief justice of the supreme court	(\$40,000)
	\$52,000
(2) Associate justice of the supreme court	(36,500)
	49,000
(3) District judge, <i>judge of county court (learned in the law), probate court, and municipal court</i>	(32,000)
	40,000
(4) <i>Judge of a county court (not learned in the law)</i>	27,000

(EACH DISTRICT JUDGE SHALL RECEIVE \$1,500 ADDITIONAL ANNUALLY FROM EACH COUNTY IN HIS DISTRICT HAVING A POPULATION OF 200,000 OR MORE. WHEN ANY DISTRICT JUDGE SHALL PRESIDE UPON THE TRIAL OR HEARING OF ANY CAUSE OUTSIDE OF HIS RESIDENT DISTRICT WHEREIN THE DISTRICT JUDGE RECEIVES A LARGER SALARY HE SHALL RECEIVE AN ADDITIONAL COMPENSATION DURING THE PERIOD OF SUCH TRIAL OR HEARING THE DIFFERENCE BETWEEN HIS FIXED COMPENSATION AND THE COMPENSATION OF THE DISTRICT JUDGE OF THE DISTRICT WHERE HE HAS BEEN SO ENGAGED, TO BE PAID BY THE COUNTY WHEREIN THE TRIAL OR HEARING WAS HELD UPON CERTIFICATION OF THE SENIOR RESIDENT DISTRICT JUDGE THEREOF.)

(AN AMOUNT DUE FROM A COUNTY UNDER THIS SUBDIVISION SHALL BE PAID BY THE STATE AND FORTHWITH REIMBURSED BY THE COUNTY.)

Subd. 2. [COUNTY COURT AND COUNTY MUNICIPAL JUDGES.] (1) Notwithstanding any other law to the contrary, the salary paid to a judge of a county court shall also be paid to judges of the probate court of St. Louis county and to judges of the Duluth municipal court.

(2) Judges of the county municipal courts, and county courts in the counties of Hennepin, Ramsey, Washington, Anoka, Scott, St. Louis, Carver and Dakota (\$29,000)

\$40,000.

(3) If any judge enumerated in this subdivision dies while in office, the amount of his salary remaining unpaid for the month in which his death occurs, shall be paid to his estate.

(4) *The amounts required to pay the salaries of county, probate and municipal court judges and the salaries provided in this subdivision are appropriated from the general fund of the state treasury. All payments made pursuant to sections 490.11 and 490.12, subdivision 1, after the effective date of this act shall be made by the state regardless of whether the payments commenced before or commence after the effective date of this act.*

Subd. 3. [RANGES FOR OTHER JUDICIAL POSITIONS.] Salaries or salary ranges are provided for the following positions in the judicial branch of government. The appointing authority of positions for which ranges have been provided shall fix individual salaries under the provisions of section 15A.081, subdivision 2.

Public defender	(\$24,000 - 30,000)	\$35,000
Court administrator	(25,000 - 32,000)	32,000
County attorneys council executive director	(18,000 - 27,500)	25,000

Subd. 4. [TAX COURT OF APPEALS.] Salaries of judges of the tax court of appeals (\$10,500) \$15,000

Sec. 13. Minnesota Statutes 1976, Section 487.01, Subdivision 5, is amended to read:

Subd. 5. Each county court district shall elect one county court judge except:

(1) The district consisting of St. Louis county shall elect six judges; two of the county court judges shall reside and serve in and be elected at large by the voters of St. Louis county; two of the county court judges shall reside and serve in and be elected by the voters in that part of St. Louis county south of the following described line: South of the south line of township 55; the area to be known as the south district; one county court judge shall reside and serve in and be elected by the voters of an area to be known as the northwest district, which area lies within the following described lines in St. Louis county: North of the south line of township 55 and west of the west line of range 18 and excluding that part of Portage township west of the west line of range 18; and one county court judge shall reside and serve in and be elected by the voters of an area to be known as the northeast district, which area lies within the following described lines in St. Louis county: North of the south line of township 55 and east of the west line of range 18 and including that part of Portage township west of the west line of range 18.

(2) The district consisting of Dakota county, the district consisting of Anoka county and the district consisting of Stearns, Sherburne and Benton shall each elect five judges;

(3) The district consisting of Olmsted and Dodge counties, the district consisting of Winona and Wabasha counties and the district consisting of Washington county shall each elect three judges;

(4) The district consisting of Blue Earth county, the district consisting of Clay county, the district consisting of Sibley, Meeker and McLeod counties, the district consisting of Martin, Watonwan and Faribault counties and the district consisting of Pine, Chisago and Isanti counties shall each elect two county court judges (.);

(5) The number of judges to be elected may be increased by the county board of the affected county or by the concurrence of the county boards of those affected counties combined into districts; *provided that no new judge positions authorized pursuant to this section may be created without specific statutory authorization.*

Sec. 14. [TEMPORARY PROVISION.] *Notwithstanding any other provision of this act to the contrary, an increase in compensation provided a district or supreme court judge herein shall not take effect until every judge of the district court and justice of the supreme court who served in the district or supreme court prior to July 1, 1967, submits an executed agreement to the executive director of the Minnesota state retirement system in accord with section 490.106.*

Sec. 15. [TEMPORARY PROVISION.] *No incumbent whose salary is prescribed in section 15A.081 or 15A.083, or whose salary is limited by section 43.067, shall suffer a decrease in salary as a result of this act. If an incumbent's new salary as prescribed by section 15A.081 or 15A.083, is less than the salary he is earning on the day prior to the effective date of this act, the salary for that incumbent, for as long as he holds that position, shall be the salary he is receiving on the day prior to the effective date of this act. This provision shall be effective for a particular incumbent until a vacancy in the position occurs or the salary of the incumbent falls below a newly established statutory limit.*

An incumbent whose salary was, prior to the effective date of this act, set pursuant to section 43.126 may, at his discretion, continue to have his salary set pursuant to section 43.126 without reference to section 15A.081 or 43.067.

An incumbent whose position is not listed in section 15A.081 and whose salary on the effective date of this act is higher than that permitted by section 43.067, shall continue to receive that higher salary for as long as he holds that position, but he shall not be eligible for increases (1) until his salary is no longer higher than that permitted by section 43.067, or (2) unless the personnel board approves an exemption pursuant to section 43.067, subdivision 2.

No person shall be removed from his position as a result of the limitations placed in section 43.09, subdivision 2a, by this act. When a position which was filled as of March 1, 1977, pursuant to section 43.09, subdivision 2a, becomes vacant, the position may not be refilled unless the position meets the requirements of section 43.09, subdivision 2a, as amended by this act.

Sec. 16. [REPEALER.] *Minnesota Statutes 1976, Sections 15A.081, Subdivision 4; 43.066; 487.05; 490.102, Subdivision 5; and 526.18 are repealed. Minnesota Statutes 1976, Section 3.13 is repealed on January 1, 1979.*

Sec. 17. [EFFECTIVE DATE.] *This act is effective July 1, 1977."*

Further amend the title: Strike the title in its entirety and insert:

"A bill for an act relating to the operation of state government; raising base salaries for certain executive branch employees, metropolitan agency officers, legislators, judges and judicial branch employees; limiting possible increases for certain executive branch employees; limiting the ability of appointing authorities to fill certain unclassified positions; prohibiting salaries of employees of political subdivisions from exceeding

the salary of the governor; amending Minnesota Statutes 1976, Sections 3.099; 3.102; 15A.081, Subdivision 1, and by adding subdivisions; 15A.083; 43.067; 43.069; 473.123, Subdivision 4; 473.141, Subdivision 7; 473.605, Subdivision 2; and 487.01, Subdivision 5; repealing Minnesota Statutes 1976, Sections 3.13; 15A.081, Subdivision 4; 43.066; 487.05; 490.102, Subdivision 5; and 526.18.”.

Offered by Sieben, H.:

As amended by the first Sieben, H., amendment, page 3, line 2, underscore the language.

Page 7, line 7, delete “requires” and insert “require”.

Page 11, line 28, delete “commencing with the the start of the” and insert “pursuant to this section during the 71st legislative session shall be set at a level not to exceed \$27 for each member who has moved from his usual place of lodging during a substantial part of the session and not to exceed \$17 for each member who has not so changed his place of lodging.”.

Page 11, delete lines 29 to 31.

Page 12, line 15, delete everything after “1979,”.

Page 12, delete lines 16 to 19 and insert “the senate committee on rules and administration for the senate and the house committee on rules and legislative administration for the house may each designate for their respective body up to three leadership positions to receive up to 140 percent of the compensation of other members.”.

Page 13, after line 16, insert:

“Sec. 12. Minnesota Statutes 1976, Section 3A.02, Subdivision 1, is amended to read:

3A.02 [RETIREMENT ALLOWANCE.] Subdivision 1.
[QUALIFICATIONS.] Any former legislator:

(1) Who has served at least eight years or who has served during all or part of four regular sessions as such member of the legislature, which service need not be continuous, but must have been after January 1, 1965 except as hereinafter provided; and

(2) Who attains the age of 60 years; and

(3) Who has retired as a member of the legislature; and

(4) Who has made all contributions provided for in sections 3A.01 to 3A.10, or who has made payments in lieu of all contributions provided for in sections 3A.01 to 3A.10 as provided for in subdivision 2; shall be entitled upon written application to the director to receive a retirement allowance monthly of 40 percent of (HIS AVERAGE) *that member's final* monthly salary during the final term of office as a member of the legislature beginning with the first day of the month of receipt of such application and for the remainder of his life, provided he is not serving as a member of the legislature or as a constitutional officer or commissioner.

In addition to the amount provided above, the retired member who meets the qualifications of clauses (1), (2), (3) and (4) shall receive for every year of service over eight years a monthly allowance which equals two and one-half percent of the average monthly salary determined pursuant to clause (4).

Notwithstanding clause (4), a member shall receive two and one half percent of the average monthly salary determined pursuant to clause (4) for each year of service served after the beginning of the 1979 legislative session.

The retirement allowance shall cease with the last payment which had accrued to the retired legislator during his lifetime except that the surviving spouse, if any, shall be entitled to the retirement allowance for the calendar month in which the retired legislator died.

Effective for service rendered after the beginning of the 1981 legislative session, no member may accrue credit for more than 20 years service, nor shall member contributions thereafter be required for more than 20 years service.

For the purposes of this chapter the term salary shall not be deemed to include any additional payments provided by law for legislative leadership positions.

This subdivision is applicable to members of the legislature who terminate service after January 1, 1973, and to any widow or dependent child of any such member. Clauses (1) and (2) shall also be applicable to any former legislator who applies for a deferred annuity after June 5, 1975. Any former legislator who was in office on or after January 1, 1965, who had at least eight years of service but less than ten years of service as a member of the legislature, and who took a refund of his contributions, may upon application to the director repay to the director for credit to his account all refundments taken plus interest thereon at six percent per annum compounded annually. Upon repayment of the refundment, he shall then be entitled when otherwise qualified to a retirement allowance pursuant to subdivision 1, provided however that the retirement allowance shall be based on his salary at the time of his termination of service as a member of the legislature.”.

Page 14, delete lines 30 to 32.

Page 15, line 1, delete "*of the state treasury*" and insert "*Beginning January 1, 1978, the entire compensation of county, probate and municipal court judges shall be paid by the state. Beginning on July 1, 1977, the salary increases provided in this act for county, probate and municipal judges shall be paid by the state*".

Page 15, lines 2 and 3, delete "*the effective date of this act*" and insert "*January 1, 1978,*".

Page 15, line 14, delete "*32,000*" and insert "*27,400 - 35,000*".

Page 15, line 17, delete "*25,000*" and insert "*20,400 - 29,700*".

Page 15, after line 19, insert:

"Subd. 5. [REFEREE SALARIES.] Notwithstanding any other law or ordinance to the contrary, no referee or hearing examiner employed by a court in this state shall receive a salary which is in excess of 90 percent of the salary paid a judge of the court by which he is employed."

Page 16, after line 31, insert:

"Sec. 15. Minnesota Statutes 1976, Section 487.02, Subdivision 1, is amended to read:

487.02 [PAYMENT OF EXPENSES.] Subdivision 1. The salary and traveling expenses of a judge of the county court shall be paid by the (COUNTY IN WHICH THE EXPENSES WERE INCURRED FROM THE GENERAL REVENUE FUND OF THE COUNTY. IF THE DISTRICT CONSISTS OF MORE THAN ONE COUNTY, THE COUNTY OF THE JUDGE'S RESIDENCE SHALL PAY THE JUDGE AND SHALL BE REIMBURSED EACH MONTH BY THE OTHER COUNTIES OF THE DISTRICT BY APPORTIONING THE SALARY AND EXPENSES ACCORDING TO THE RESPECTIVE POPULATION OF THE COUNTIES AS DETERMINED BY THE LAST UNITED STATES CENSUS) *state in the amount prescribed by section 15A.083. Expenses shall be paid in the same manner and amount as provided for judges of the district court in section 484.54.*

Sec. 16. Minnesota Statutes 1976, Section 488A.021, Subdivision 8, is amended to read:

Subd. 8. [SALARIES.] Each judge shall be paid *by the state* an annual salary (OF \$26,000 IN BIWEEKLY INSTALLMENTS OUT OF THE TREASURY OF THE COUNTY OF HENNEPIN) *in the amount prescribed by section 15A.083.* If

a judge dies while in office, the amount of his salary remaining unpaid for the month in which his death occurs shall be paid to his estate. *Each judge shall be paid expenses in the same manner and amount as provided for judges of the district court in section 484.54.*

Sec. 17. Minnesota Statutes 1976, Section 488A.19, Subdivision 10, is amended to read:

Subd. 10. [SALARIES.] Each judge shall be paid by the state an annual salary (OF \$29,000 IN BIWEEKLY INSTALLMENTS OUT OF THE TREASURY OF THE COUNTY OF RAMSEY) *in the amount prescribed by section 15A.083. If a judge dies, the amount of his salary remaining unpaid for the month in which his death occurs shall be paid to his estate. Each judge shall be paid expenses in the same manner and amount as provided for judges of the district court in section 484.54."*

Page 18, delete lines 4 to 10.

Page 18, after line 10, insert:

"Sec. 20. [APPROPRIATIONS.] *Subdivision 1. The sums set forth in this section are appropriated from the general fund to the commissioner of finance for the purpose of paying compensation increases and county judges' compensation as authorized by this act, to be available for the fiscal year ending June 30 in the years indicated. Persons whose compensation is paid from open appropriations of dedicated receipts shall be paid from those appropriations and not from the appropriations made by this section. The commissioner of finance shall certify to the committee on finance of the senate and the committee on appropriations of the house of representatives the amount needed to be added to each appropriation account from which the compensation of a person affected by this act is paid, and shall then transfer that amount to the appropriate account.*

	1978	1979
	\$	\$
Subd. 2. Legislators		814,000
Subd. 3. Judges and Judicial Positions, as listed in Section 15A.083	5,562,000	8,164,000
Subd. 4. Constitutional Officers and their Deputies	101,700	101,700
Subd. 5. Department Heads and their Deputies	502,800	502,800".

Page 18, line 15, after “.]” insert “*Section 14 prohibiting the addition of county judges without legislative approval is effective the day after final enactment. The remainder of*”.

Renumber the sections.

Amend the title as follows:

Line 11, after the semicolon insert “prohibiting salaries of court referees and hearing examiners from exceeding the salaries of judges; appropriating money;”.

Line 12, after “3.102;” insert “3A.02, Subdivision 1;”.

Line 16, delete “and” and after “5;” insert “487.02, Subdivision 1; 488A.021, Subdivision 8; and 488A.19, Subdivision 10;”.

Offered by Carlson, A.:

As amended by the Sieben, H., amendment, page 7, line 15, delete “*governor*” and insert “*commissioner of finance*”.

On the motion of Anderson, I., the report of the Committee of the Whole was adopted.

ROLL CALLS IN COMMITTEE OF THE WHOLE

Pursuant to rule 1.6, the following roll calls were taken in the Committee of the Whole:

Forsythe moved to amend H. F. No. 203, as follows:

Page 3, after line 10, insert:

“Subd. 3. Any municipality, where a majority of the voters disapprove fluoridation, as provided in subdivision 2, shall be denied (a) medical assistance payments under Minnesota Statutes 1976, Chapter 256B; (b) general assistance maintenance care, as provided by Laws 1973, Chapter 437, Article 2 as amended; and catastrophic health expense protection, as provided by Laws 1976, Chapter 296, Article 3, in regards to all dental care.”.

The question was taken on the adoption of the amendment and the roll was called. There were 26 yeas and 94 nays as follows:

Those who voted in the affirmative were:

Abeln	Dean	Forsythe	Kaley	Peterson
Anderson, D.	Den Ouden	Friedrich	Kalis	Rose
Carlson, L.	Ellingson	George	Laidig	Savelkoul
Dahl	Ewald	Kahn	Neisen	Scheid

Searle
Searles

Stoa

Swanson

White

Zubay

Those who voted in the negative were:

Adams	Clark	Jensen	Moe	Sieben, M.
Albrecht	Clawson	Johnson	Murphy	Simoneau
Anderson, B.	Cohen	Jude	Nelsen, B.	Skoglund
Anderson, G.	Corbid	Kelly, R.	Nelson	Smogard
Anderson, I.	Cummiskey	Kelly, W.	Niehaus	Spanish
Anderson, R.	Eckstein	Kempe, A.	Norton	Suss
Battaglia	Eken	Kempe, R.	Novak	Tomlinson
Beauchamp	Enebo	Kostohryz	Osthoff	Vanasek
Begich	Erickson	Kroening	Patton	Voss
Berg	Evans	Kvam	Pehler	Waldorf
Berglin	Faricy	Langseth	Pleasant	Welch
Berkelman	Fjoslien	Lehto	Reding	Wenstrom
Biersdorf	Fudro	Lemke	Rice	Wenzel
Birnstihl	Fugina	Mangan	St. Onge	Wieser
Brandl	Gunter	Mann	Samuelson	Wigley
Brinkman	Hanson	McCollar	Sarna	Williamson
Byrne	Haugerud	McDonald	Schulz	Wynia
Carlson, A.	Heinitz	McEachern	Sherwood	Speaker Sabo
Carlson, D.	Jacobs	Metzen	Sieben, H.	

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

Sieben, H., moved to amend S. F. No. 483, as amended, as follows:

Page 3, line 2, underscore the language.

Page 7, line 7, delete "requires" and insert "require".

Page 11, line 28, delete "*commencing with the the start of the*" and insert "*pursuant to this section during the 71st legislative session shall be set at a level not to exceed \$27 for each member who has moved from his usual place of lodging during a substantial part of the session and not to exceed \$17 for each member who has not so changed his place of lodging.*".

Page 11, delete lines 29 to 31.

Page 12, line 15, delete everything after "1979".

Page 12, delete lines 16 to 19 and insert "*the senate committee on rules and administration for the senate and the house committee on rules and legislative administration for the house may each designate for their respective body up to three leadership positions to receive up to 140 percent of the compensation of other members.*".

Page 13, after line 16, insert:

"Sec. 12. Minnesota Statutes 1976, Section 3A.02, Subdivision 1, is amended to read:

3A.02 [RETIREMENT ALLOWANCE.] Subdivision 1. [QUALIFICATIONS.] Any former legislator:

(1) Who has served at least eight years or who has served during all or part of four regular sessions as such member of the legislature, which service need not be continuous, but must have been after January 1, 1965 except as hereinafter provided; and

(2) Who attains the age of 60 years; and

(3) Who has retired as a member of the legislature; and

(4) Who has made all contributions provided for in sections 3A.01 to 3A.10, or who has made payments in lieu of all contributions provided for in sections 3A.01 to 3A.10 as provided for in subdivision 2; shall be entitled upon written application to the director to receive a retirement allowance monthly of 40 percent of (HIS AVERAGE) *that member's final* monthly salary during the final term of office as a member of the legislature beginning with the first day of the month of receipt of such application and for the remainder of his life, provided he is not serving as a member of the legislature or as a constitutional officer or commissioner.

In addition to the amount provided above, the retired member who meets the qualifications of clauses (1), (2), (3) and (4) shall receive for every year of service over eight years a monthly allowance which equals two and one-half percent of the average monthly salary determined pursuant to clause (4).

Notwithstanding clause (4), a member shall receive two and one half percent of the average monthly salary determined pursuant to clause (4) for each year of service served after the beginning of the 1979 legislative session.

The retirement allowance shall cease with the last payment which had accrued to the retired legislator during his lifetime except that the surviving spouse, if any, shall be entitled to the retirement allowance for the calendar month in which the retired legislator died.

Effective for service rendered after the beginning of the 1981 legislative session, no member may accrue credit for more than 20 years service, nor shall member contributions thereafter be required for more than 20 years service.

For the purposes of this chapter the term salary shall not be deemed to include any additional payments provided by law for legislative leadership positions.

This subdivision is applicable to members of the legislature who terminate service after January 1, 1973, and to any widow or dependent child of any such member. Clauses (1) and (2) shall also be applicable to any former legislator who applies for a deferred annuity after June 5, 1975. Any former legislator who was in office on or after January 1, 1965, who had at least eight years of service but less than ten years of service as a member of the legislature, and who took a refund of his contributions, may upon application to the director repay to the director for credit to his account all refundments taken plus interest thereon at six percent per annum compounded annually. Upon repayment of the refundment, he shall then be entitled when otherwise qualified to a retirement allowance pursuant to subdivision 1, provided however that the retirement allowance shall be based on his salary at the time of his termination of service as a member of the legislature.”.

Page 14, delete lines 30 to 32.

Page 15, line 1, delete “*of the state treasury*” and insert “*Beginning January 1, 1978, the entire compensation of county, probate and municipal court judges shall be paid by the state. Beginning on July 1, 1977, the salary increases provided in this act for county, probate and municipal judges shall be paid by the state*”.

Page 15, lines 2 and 3, delete “*the effective date of this act*” and insert “*January 1, 1978,*”.

Page 15, line 14, delete “*32,000*” and insert “*27,400-35,000*”.

Page 15, line 17, delete “*25,000*” and insert “*20,400-29,700*”.

Page 15, after line 19, insert:

“*Subd. 5. [REFEREE SALARIES.] Notwithstanding any other law or ordinance to the contrary, no referee or hearing examiner employed by a court in this state shall receive a salary which is in excess of 90 percent of the salary paid a judge of the court by which he is employed.*”.

Page 16, after line 31, insert:

“Sec. 15. Minnesota Statutes 1976, Section 487.02, Subdivision 1, is amended to read:

487.02 [PAYMENT OF EXPENSES.] Subdivision 1. The salary and traveling expenses of a judge of the county court shall be paid by the (COUNTY IN WHICH THE EXPENSES WERE INCURRED FROM THE GENERAL REVENUE FUND OF THE COUNTY. IF THE DISTRICT CONSISTS OF MORE THAN ONE COUNTY, THE COUNTY OF THE JUDGE'S

RESIDENCE SHALL PAY THE JUDGE AND SHALL BE REIMBURSED EACH MONTH BY THE OTHER COUNTIES OF THE DISTRICT BY APPORTIONING THE SALARY AND EXPENSES ACCORDING TO THE RESPECTIVE POPULATION OF THE COUNTIES AS DETERMINED BY THE LAST UNITED STATES CENSUS) *state in the amount prescribed by section 15A.083. Expenses shall be paid in the same manner and amount as provided for judges of the district court in section 484.54.*

Sec. 16. Minnesota Statutes 1976, Section 488A.021, Subdivision 8, is amended to read:

Subd. 8. [SALARIES.] Each judge shall be paid *by the state* an annual salary (OF \$26,000 IN BIWEEKLY INSTALLMENTS OUT OF THE TREASURY OF THE COUNTY OF HENNEPIN) *in the amount prescribed by section 15A.083.* If a judge dies while in office, the amount of his salary remaining unpaid for the month in which his death occurs shall be paid to his estate. *Each judge shall be paid expenses in the same manner and amount as provided for judges of the district court in section 484.54.*

Sec. 17. Minnesota Statutes 1976, Section 488A.19, Subdivision 10, is amended to read:

Subd. 10. [SALARIES.] Each judge shall be paid *by the state* an annual salary (OF \$29,000 IN BIWEEKLY INSTALLMENTS OUT OF THE TREASURY OF THE COUNTY OF RAMSEY) *in the amount prescribed by section 15A.083.* If a judge dies, the amount of his salary remaining unpaid for the month in which his death occurs shall be paid to his estate. *Each judge shall be paid expenses in the same manner and amount as provided for judges of the district court in section 484.54."*

Page 18, delete lines 4 to 10.

Page 18, after line 10, insert:

"Sec. 20. [APPROPRIATIONS.] *Subdivision 1. The sums set forth in this section are appropriated from the general fund to the commissioner of finance for the purpose of paying compensation increases and county judges' compensation as authorized by this act, to be available for the fiscal year ending June 30 in the years indicated. Persons whose compensation is paid from open appropriations of dedicated receipts shall be paid from those appropriations and not from the appropriations made by this section. The commissioner of finance shall certify to the committee on finance of the senate and the committee on appropriations of the house of representatives the amount needed to be added to each appropriation account from which the compensation of a person affected by this act is paid, and shall then transfer that amount to the appropriate account.*

	1978	1979
	\$	\$
<i>Subd. 2. Legislators</i>		814,000
<i>Subd. 3. Judges and Judicial Positions, as listed in Section 15A.083</i>	5,562,000	8,164,000
<i>Subd. 4. Constitutional Officers and their Deputies</i>	101,700	101,700
<i>Subd. 5. Department Heads and their Deputies</i>	502,800	502,800".

Page 18, line 15, after ".]" insert "*Section 14 prohibiting the addition of county judges without legislative approval is effective the day after final enactment. The remainder of*".

Renumber the sections.

Amend the title as follows:

Line 11, after the semicolon insert "prohibiting salaries of court referees and hearing examiners from exceeding the salaries of judges; appropriating money;".

Line 12, after "3.102;" insert "3A.02, Subdivision 1;".

Line 16, delete "and" and after "5;" insert "487.02, Subdivision 1; 488A.021, Subdivision 8; and 488A.19, Subdivision 10;".

The question was taken on the adoption of the amendment and the roll was called. There were 123 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Abeln	Brandl	Eken	Haugerud	Laidig
Adams	Braun	Ellingson	Heinitz	Langseth
Albrecht	Brinkman	Enebo	Jacobs	Lehto
Anderson, B.	Byrne	Erickson	Jaros	Lemke
Anderson, D.	Carlson, D.	Esau	Jensen	Mangan
Anderson, G.	Carlson, L.	Evans	Johnson	Mann
Anderson, I.	Casserly	Ewald	Jude	McCarron
Arlandson	Clark	Faricy	Kahn	McCollar
Battaglia	Clawson	Fjoslien	Kaley	McDonald
Beauchamp	Cohen	Forsythe	Kalis	McEachern
Begich	Corbid	Friedrich	Kelly, R.	Metzen
Berg	Cummiskey	Fudro	Kelly, W.	Moe
Berglin	Dahl	Fugina	King	Murphy
Berkelman	Dean	George	Knickerbocker	Neisen
Biersdorf	Den Ouden	Gunter	Kostohryz	Nelsen, B.
Birnstihl	Eckstein	Hanson	Kroening	Nelson

Niehaus	Reding	Searle	Stanton	Wenstrom
Norton	Rice	Searles	Stoa	Wenzel
Novak	Rose	Sherwood	Suss	White
Patton	St. Onge	Sieben, H.	Swanson	Wieser
Pehler	Samuelson	Sieben, M.	Tomlinson	Williamson
Peterson	Sarna	Simoneau	Vanasek	Zubay
Petrafaso	Savelkoul	Skoglund	Voss	Speaker Sabo
Pleasant	Scheid	Smogard	Waldorf	
Prahl	Schulz	Spanish	Welch	

The motion prevailed and the amendment was adopted.

Savelkoul moved to amend S. F. No. 483, as amended by the second Sieben, H., amendment, as follows:

Page 1, line 9, of the amendment after "*shall be*" delete the remainder of the sentence and insert "*reduced to reimbursement for actual out of pocket expenses incurred while living away from home and traveling to and from the capitol.*"

The question was taken on the adoption of the amendment and the roll was called. There were 37 yeas and 88 nays as follows:

Those who voted in the affirmative were:

Adams	Erickson	Kaley	Niehaus	Sieben, M.
Albrecht	Evans	Kalis	Osthoff	Stoa
Anderson, D.	Ewald	Kempe, R.	Peterson	Tomlinson
Anderson, R.	Fjoslien	Knickerbocker	Pleasant	Wigley
Biersdorf	Forsythe	Kostohryz	Rose	Zubay
Carlson, A.	Friedrich	Laidig	Savelkoul	
Dahl	Heinitz	McDonald	Searle	
Dean	Jacobs	Nelsen, B.	Searles	

Those who voted in the negative were:

Abeln	Cassery	Jaros	Munger	Smogard
Anderson, B.	Clark	Jensen	Murphy	Spanish
Anderson, G.	Clawson	Johnson	Neisen	Stanton
Anderson, I.	Cohen	Jude	Nelson	Suss
Arlandson	Corbid	Kahn	Norton	Swanson
Battaglia	Cummiskey	Kelly, W.	Novak	Vanasek
Beauchamp	Den Ouden	King	Pehler	Voss
Begich	Eckstein	Kroening	Petrafaso	Waldorf
Berg	Eken	Langseth	Prahl	Welch
Berglin	Ellingson	Lehto	Rice	Wenstrom
Berkelman	Enebo	Lemke	Samuelson	Wenzel
Birnstihl	Fudro	Mangan	Sarna	White
Brandl	Fugina	Mann	Scheid	Wieser
Braun	George	McCarron	Schulz	Williamson
Brinkman	Gunter	McCollar	Sherwood	Wynia
Byrne	Hanson	McEachern	Sieben, H.	Speaker Sabo
Carlson, D.	Haugerud	Metzen	Simoneau	
Carlson, L.	Hokanson	Moe	Skoglund	

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

Savelkoul moved to amend S. F. No. 483, as amended, as follows:

Page 13, line 1, after "for" insert "actual".

Page 13, strike lines 3 through 6 and insert in lieu thereof "session in".

Page 13, strike lines 8 through 13.

The question was taken on the adoption of the amendment and the roll was called. There were 49 yeas and 77 nays as follows:

Those who voted in the affirmative were:

Abeln	Dean	Jude	McDonald	Searle
Adams	Den Ouden	Kaley	Murphy	Searles
Albrecht	Erickson	Kelly, R.	Nelsen, B.	Spanish
Anderson, D.	Esau	Kempe, A.	Niehaus	Stoa
Anderson, R.	Evans	Kempe, R.	Osthoff	Waldorf
Biersdorf	Ewald	Knickerbocker	Peterson	Wenzel
Carlson, A.	Fjoslien	Kostohryz	Pleasant	Wieser
Carlson, D.	Forsythe	Kvam	Rose	Wigley
Clawson	Friedrich	Laidig	St. Onge	Zubay
Dahl	Heinitz	McCollar	Savelkoul	

Those who voted in the negative were:

Anderson, B.	Clark	Johnson	Nelsen, M.	Skoglund
Anderson, G.	Cohen	Kahn	Nelson	Smogard
Anderson, I.	Corbid	Kalis	Norton	Stanton
Arlandson	Cummiskey	Kelly, W.	Novak	Suss
Battaglia	Eckstein	King	Patton	Swanson
Beauchamp	Eken	Kroening	Pehler	Tomlinson
Begich	Ellingson	Langseth	Petrafeso	Vanasek
Berg	Enebo	Lehto	Rice	Voss
Berglin	Fudro	Lemke	Samuelson	Welch
Berkelman	Fugina	Mangan	Sarna	White
Birnstihl	George	Mann	Scheid	Williamson
Brandl	Gunter	McCarron	Schulz	Wynia
Braun	Haugerud	McEachern	Sherwood	Speaker Sabo
Byrne	Hokanson	Metzen	Sieben, H.	
Carlson, L.	Jaros	Munger	Sieben, M.	
Casserly	Jensen	Neisen	Simoneau	

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

Carlson, A., moved to amend S. F. No. 483, as amended by the second Sieben, H., amendment, as follows:

Page 12, delete all of Subdivision 3 and insert:

"Subd. 3. Commencing with the start of the 1979 legislative session, the Speaker of the House and a leadership position in the Senate designated by that body shall be paid 150 percent of the compensation of other members."

The question was taken on the adoption of the amendment and the roll was called. There were 29 yeas and 95 nays as follows:

Those who voted in the affirmative were:

Albrecht	Den Ouden	Forsythe	McDonald	Savelkoul
Anderson, D.	Erickson	Friedrich	Nelsen, B.	Searle
Anderson, R.	Esau	Heinitz	Niehaus	Searles
Biersdorf	Evans	Kaley	Peterson	Wigley
Carlson, A.	Ewald	Kalis	Pleasant	Zubay
Dean	Fjoslien	Laidig	Rose	

Those who voted in the negative were:

Abeln	Clawson	Jensen	Moe	Sieben, H.
Adams	Cohen	Johnson	Munger	Sieben, M.
Anderson, B.	Corbid	Jude	Murphy	Skoglund
Anderson, G.	Cummiskey	Kahn	Neisen	Smogard
Anderson, I.	Dahl	Kelly, R.	Nelsen, M.	Stanton
Ariandson	Eckstein	Kelly, W.	Nelson	Stoa
Battaglia	Eken	Kempe, A.	Norton	Suss
Beauchamp	Ellingson	Kempe, R.	Novak	Swanson
Begich	Enebo	King	Osthoff	Tomlinson
Berg	Faricy	Kostohryz	Patton	Vanasek
Berglin	Fudro	Kroening	Pehler	Voss
Berkelman	Fugina	Langseth	Petrafeso	Waldorf
Birnstihl	George	Lehto	Rice	Welch
Brandl	Gunter	Lemke	St. Onge	Wenstrom
Braun	Hanson	Mangan	Samuelson	Wenzel
Brinkman	Haugerud	Mann	Sarna	White
Carlson, L.	Hokanson	McCarron	Scheid	Williamson
Cassery	Jacobs	McEachern	Schulz	Wynia
Clark	Jaros	Metzen	Sherwood	Speaker Sabo

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

Carlson, A., moved to amend S. F. No. 483, as amended, as follows:

Page 2, line 20, delete "~~32,000~~" and insert "30,000".

Page 2, line 24, delete "~~32,000~~" and insert "30,000".

Page 2, line 24, delete "~~32,000~~" and insert "30,000".

Page 2, line 28, delete "~~41,000~~" and insert "39,000".

Page 3, line 6, delete "~~32,000~~" and insert "30,000".

Page 3, line 18, delete "~~45,000~~" and insert "44,000".

Page 3, line 29, delete "~~36,000~~" and insert "32,000".

Page 4, line 18, delete "~~36,000~~" and insert "28,000".

Page 5, line 1, delete "41,000" and insert "36,000".

Page 5, line 11, delete "32,000" and insert "30,000".

Page 5, line 13, delete "32,000" and insert "30,000".

The question was taken on the adoption of the amendment and the roll was called. There were 51 yeas and 73 nays as follows:

Those who voted in the affirmative were:

Adams	Erickson	Kaley	Novak	Spanish
Albrecht	Esau	Kalis	Osthoff	Wenstrom
Anderson, D.	Evans	Kempe, R.	Peterson	Wenzel
Anderson, R.	Ewald	Knickerbocker	Pleasant	Wieser
Berkelman	Fjoslien	Kvam	Rose	Wigley
Biersdorf	Forsythe	Laidig	Samuelson	Williamson
Birnstihl	Friedrich	McDonald	Sarna	Zubay
Carlson, A.	Heinitz	McEachern	Savelkoul	
Carlson, D.	Jacobs	Neisen	Searle	
Dean	Jensen	Nelsen, B.	Searles	
Den Ouden	Jude	Niehaus	Smogard	

Those who voted in the negative were:

Abeln	Clawson	Johnson	Murphy	Skoglund
Anderson, B.	Cohen	Kahn	Nelsen, M.	Stanton
Anderson, G.	Corbid	Kelly, W.	Nelson	Stoa
Anderson, I.	Cummiskey	Kempe, A.	Norton	Suss
Arlandson	Dahl	King	Patton	Swanson
Battaglia	Eckstein	Kostohryz	Pehler	Tomlinson
Beauchamp	Eken	Kroening	Petrafeso	Vanasek
Begich	Ellingson	Langseth	Reding	Voss
Berg	Faricy	Lehto	Rice	Waldorf
Berglin	Fudro	Lemke	St. Onge	Welch
Brandl	George	Mangan	Scheid	White
Braun	Gunter	Mann	Schulz	Wynia
Carlson, L.	Hanson	Metzen	Sherwood	Speaker Sabo
Casserly	Hangerud	Moe	Sieben, H.	
Clark	Jaros	Munger	Sieben, M.	

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

Carlson, A., moved to amend S. F. No. 483, as amended, as follows:

Page 7, at the end of line 15, add "*Furthermore, notwithstanding any other law or ordinance to the contrary, no increase in compensation for an elected official of a political subdivision shall take effect until at least one half of the positions on the governing body which approved the increase have been filled by election held after the increase was approved.*".

Amend the title as follows:

Line 11, after "governor;" insert "and delaying certain salary increases".

The question was taken on the adoption of the amendment and the roll was called. There were 51 yeas and 71 nays as follows:

Those who voted in the affirmative were:

Abeln	Dean	Heinitz	Niehaus	Searles
Adams	Den Ouden	Hokanson	Novak	Smogard
Albrecht	Erickson	Kaley	Osthoff	Swanson
Anderson, D.	Esau	Kempe, A.	Patton	Wigley
Anderson, R.	Evans	Kempe, R.	Peterson	Williamson
Berkelman	Ewald	Knickerbocker	Pleasant	Wynia
Biersdorf	Faricy	Laidig	Reding	Zubay
Brandl	Fjoslien	McCollar	Rose	
Carlson, A.	Friedrich	McDonald	Samuelson	
Carlson, D.	Fudro	Nelsen, B.	Savekoul	
Carlson, L.	Hanson	Nelson	Searle	

Those who voted in the negative were:

Anderson, G.	Corbid	Kahn	Moe	Suss
Anderson, I.	Cummiskey	Kalis	Murphy	Tomlinson
Arlanson	Dahl	Kelly, R.	Neisen	Vanasek
Battaglia	Eckstein	Kelly, W.	Nelsen, M.	Voss
Beauchamp	Eken	King	Norton	Waldorf
Begich	Ellingson	Kostohryz	Petrafeso	Welch
Berg	Enebo	Kroening	Rice	Wenstrom
Berglin	George	Kvam	St. Onge	Wenzel
Birnstihl	Gunter	Langseth	Scheid	White
Braun	Haugerud	Lehto	Schulz	Wieser
Byrne	Jacobs	Lemke	Sieben, H.	Speaker Sabo
Casserly	Jaros	Mangan	Sieben, M.	
Clark	Jensen	Mann	Skoglund	
Clawson	Johnson	McCarron	Stanton	
Cohen	Jude	Metzen	Stoa	

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

Carlson, A., moved to amend S. F. No. 483, as amended, as follows:

Page 7, after line 15 insert a new subdivision to read:

"Subd. 5. [MILEAGE ALLOWANCE.] Notwithstanding any other law or ordinance to the contrary, an employee or official of a political subdivision shall be reimbursed for use of a personal automobile only when a motorpool vehicle owned by the political subdivision is not available and when use of a personal automobile is otherwise necessary. Furthermore, any mileage reimbursement for use of a personal automobile shall be based only on those miles necessarily traveled to conduct official business."

Amend the title as follows:

Page 1, line 11, after "governor;" insert "restricting mileage allowance for an employee or official of a political subdivision;".

The question was taken on the adoption of the amendment and the roll was called. There were 26 yeas and 93 nays as follows:

Those who voted in the affirmative were:

Albrecht	Den Ouden	Friedrich	Nelsen, B.	Wigley
Anderson, D.	Erickson	Heinitz	Niehaus	Zubay
Anderson, R.	Esau	Kaley	Peterson	
Carlson, A.	Evans	Kempe, R.	Pleasant	
Carlson, D.	Ewald	Laidig	Rose	
Dean	Fjoslien	McDonald	Searles	

Those who voted in the negative were:

Abeln	Clark	Jude	Neisen	Smogard
Adams	Cohen	Kahn	Nelsen, M.	Stanton
Anderson, B.	Corbid	Kalis	Nelson	Stoa
Anderson, G.	Cummiskey	Kelly, R.	Norton	Suss
Anderson, I.	Dahl	Kelly, W.	Novak	Swanson
Arlandson	Eckstein	Kempe, A.	Osthoff	Tomlinson
Battaglia	Ellingson	King	Patton	Vanasek
Beauchamp	Enebo	Knickerbocker	Pehler	Voss
Begich	Faricy	Kostohryz	Petrafeso	Waldorf
Berg	Fudro	Kroening	Prahl	Welch
Berglin	George	Langseth	Reding	Wenstrom
Berkelman	Gunter	Lehto	Rice	Wenzel
Birnstihl	Hanson	Lemke	St. Onge	White
Brandl	Haugerud	Mann	Sarna	Wieser
Braun	Hokanson	McCarron	Scheid	Williamson
Brinkman	Jacobs	McEachern	Sherwood	Wynia
Byrne	Jaros	Metzen	Sieben, H.	Speaker Sabo
Carlson, L.	Jensen	Moe	Sieben, M.	
Casserly	Johnson	Murphy	Skoglund	

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

Carlson, A., moved to amend S. F. No. 483, as amended, as follows:

Page 10, line 21, strike "36,000" and insert "30,000".

The question was taken on the adoption of the amendment and the roll was called. There were 29 yeas and 99 nays as follows:

Those who voted in the affirmative were:

Albrecht	Evans	Jensen	Laidig	Savelkoul
Anderson, R.	Ewald	Jude	McDonald	Searles
Biersdorf	Fjoslien	Kaley	Nelsen, B.	Wenzel
Birnstihl	Forsythe	Kempe, R.	Niehaus	Wigley
Carlson, A.	Friedrich	Knickerbocker	Peterson	Zubay
Esau	Heinitz	Kvam	Pleasant	

Those who voted in the negative were:

Abeln	Anderson, B.	Anderson, G.	Arlandson	Beauchamp
Adams	Anderson, D.	Anderson, I.	Battaglia	Begich

Berg	Eken	Kempe, A.	Norton	Skoglund
Berglin	Ellingson	King	Novak	Smogard
Berkelman	Enebo	Kostohryz	Osthoff	Stanton
Brandl	Faricy	Kroening	Patton	Stoa
Braun	Fudro	Langseth	Pehler	Suss
Brinkman	Fugina	Lehto	Petrafeso	Swanson
Byrne	George	Lemke	Reding	Tomlinson
Carlson, D.	Gunter	Mangan	Rice	Vanasek
Carlson, L.	Hanson	Mann	Rose	Voss
Casserly	Haugerud	McCarron	St. Onge	Waldorf
Clark	Hokanson	McCollar	Samuelson	Welch
Clawson	Jacobs	Metzen	Sarna	Wenstrom
Cohen	Jaros	Moe	Scheid	White
Corbid	Johnson	Munger	Schulz	Wieser
Dahl	Kahn	Murphy	Sherwood	Williamson
Dean	Kalis	Neisen	Sieben, H.	Wynia
Den Ouden	Kelly, R.	Nelsen, M.	Sieben, M.	Speaker Sabo
Eckstein	Kelly, W.	Nelson	Simoneau	

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

Carlson, A., moved to amend S. F. No. 483, as amended, as follows:

Page 10, line 19, strike "\$58,000" and insert "\$52,000".

A roll call was requested and properly seconded.

Patton moved to amend the Carlson, A., amendment to S. F. No. 483, as follows:

Delete "\$52,000" and insert "\$60,000".

The question was taken on the adoption of the Patton amendment to the Carlson, A., amendment and the roll was called. There were 13 yeas and 112 nays as follows:

Those who voted in the affirmative were:

Begich	Cummiskey	Petrafeso	Sherwood	Voss
Berg	Kahn	Rice	Simoneau	Williamson
Corbid	Patton	St. Onge		

Those who voted in the negative were:

Abeln	Berkelman	Cohen	Forsythe	Jude
Adams	Biersdorf	Dahl	Friedrich	Kaley
Albrecht	Birnstihl	Dean	Fudro	Kalis
Anderson, B.	Brandl	Eckstein	George	Kelly, R.
Anderson, D.	Braun	Ellingson	Gunter	Kelly, W.
Anderson, G.	Byrne	Enebo	Hanson	Kempe, A.
Anderson, I.	Carlson, A.	Erickson	Haugerud	Kempe, R.
Anderson, R.	Carlson, D.	Esau	Heinitz	King
Arlandson	Carlson, L.	Evans	Hokanson	Knickerbocker
Battaglia	Casserly	Ewald	Jacobs	Kostohryz
Beauchamp	Clark	Faricy	Jensen	Kroening
Berglin	Clawson	Fjoslien	Johnson	Kvam

Laidig	Murphy	Pleasant	Sieben, M.	Wenstrom
Langseth	Neisen	Prahl	Skoglund	Wenzel
Lehto	Nelsen, B.	Reding	Smogard	White
Lemke	Nelsen, M.	Rose	Stanton	Wieser
Mangan	Nelson	Samuelson	Stoa	Wigley
Mann	Niehaus	Savelkoul	Suss	Wynia
McCarron	Norton	Scheid	Swanson	Zubay
McCollar	Novak	Schulz	Tomlinson	Speaker Sabo
McDonald	Osthoff	Searle	Vanasek	
Metzen	Pehler	Searles	Waldorf	
Munger	Peterson	Sieben, H.	Welch	

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

The question recurred on the adoption of the Carlson, A., amendment and the roll was called. There were 48 yeas and 84 nays as follows:

Those who voted in the affirmative were:

Abeln	Den Ouden	Heinitz	Laidig	Savelkoul
Albrecht	Erickson	Hokanson	McDonald	Searle
Anderson, D.	Esau	Jacobs	Nelsen, B.	Searles
Anderson, R.	Evans	Jensen	Niehaus	Smogard
Berkelman	Ewald	Jude	Novak	Wenzel
Biersdorf	Fjoslien	Kaley	Osthoff	Wieser
Braun	Forsythe	Kalis	Peterson	Wigley
Carlson, A.	Friedrich	Kempe, R.	Pleasant	Zubay
Carlson, D.	Gunter	Knickerbocker	Rose	
Dean	Hanson	Kvam	Samuelson	

Those who voted in the negative were:

Adams	Clawson	Kelly, R.	Neisen	Simoneau
Anderson, B.	Cohen	Kelly, W.	Nelsen, M.	Skoglund
Anderson, G.	Corbid	Kempe, A.	Nelson	Stanton
Anderson, I.	Cummiskey	King	Norton	Stoa
Arlandson	Dahl	Kostohryz	Patton	Suss
Battaglia	Eckstein	Langseth	Pehler	Swanson
Beauchamp	Eken	Lehto	Petrafeso	Tomlinson
Begich	Ellingson	Lemke	Prahl	Vanasek
Berg	Enebo	Mangan	Reding	Voss
Berglin	Faricy	Mann	Rice	Waldorf
Birnstihl	Fudro	McCarron	St. Onge	Welch
Brandl	Fugina	McCollar	Sarna	Wenstrom
Brinkman	George	McEachern	Scheid	White
Byrne	Haugerud	Metzen	Schulz	Williamson
Carlson, L.	Jaros	Moe	Sherwood	Wynia
Casserly	Johnson	Munger	Sieben, H.	Speaker Sabo
Clark	Kahn	Murphy	Sieben, M.	

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

Carlson, A., moved to amend S. F. No. 483, as amended, as follows:

Page 7, line 15, delete "governor" and insert "commissioner of finance".

The question was taken on the adoption of the amendment and the roll was called. There were 77 yeas and 40 nays as follows:

Those who voted in the affirmative were:

Abeln	Carlson, L.	Gunter	McCollar	Searles
Albrecht	Clawson	Jude	McDonald	Sherwood
Anderson, B.	Cohen	Kaley	Murphy	Smogard
Anderson, D.	Dean	Kalis	Neisen	Swanson
Anderson, G.	Den Ouden	Kelly, R.	Nelsen, B.	Vanasek
Anderson, I.	Ellingson	Kempe, A.	Nelsen, M.	Waldorf
Anderson, R.	Enebo	Kempe, R.	Niehaus	Wenstrom
Beauchamp	Erickson	King	Novak	Wenzel
Begich	Esau	Knickerbocker	Pehler	Wieser
Berkelman	Evans	Kostohryz	Peterson	Wigley
Biersdorf	Ewald	Kroening	Reding	Williamson
Birnsthil	Faricy	Kvam	Rose	Wynia
Brinkman	Fjoslien	Laidig	St. Onge	Zubay
Byrne	Forsythe	Langseth	Savelkoul	
Carlson, A.	Friedrich	Lemke	Scheid	
Carlson, D.	Fudro	McCarron	Searle	

Those who voted in the negative were:

Battaglia	Cummiskey	Kahn	Patton	Skoglund
Berg	Dahl	Kelly, W.	Petrafeso	Stanton
Berglin	Fugina	Mangan	Rice	Stoa
Brandl	George	Mann	Samuelson	Tomlinson
Braun	Hanson	McEachern	Schulz	Voss
Casserly	Jacobs	Metzen	Sieben, H.	Welch
Clark	Jaros	Munger	Sieben, M.	White
Corbid	Johnson	Norton	Simoneau	Speaker Sabo

The motion prevailed and the amendment was adopted.

Kvam moved to amend S. F. No. 483, as amended, as follows:

Page 11, line 22, strike "such per diem" and insert "*actual vouchered*".

Page 11, line 22, after "expenses" insert "*in an amount not to exceed \$25 per day*".

Page 11, line 23, strike "in such amounts and".

Page 11, lines 26 to 31, strike the new language.

Page 13, line 4, delete "\$48" and insert "\$25".

Page 13, line 4, strike "as a per diem expense allowance".

Page 13, line 9, strike "and in the amount".

The question was taken on the adoption of the amendment and the roll was called. There were 47 yeas and 80 nays as follows:

Those who voted in the affirmative were:

Abeln	Den Ouden	Jacobs	McDonald	Searles
Albrecht	Erickson	Jude	Nelsen, B.	Stoa
Anderson, D.	Esau	Kaley	Niehaus	Tomlinson
Anderson, R.	Evans	Kalis	Osthoff	Welch
Berkelman	Ewald	Kelly, R.	Peterson	Wieser
Biersdorf	Faricy	Kempe, A.	Pleasant	Wigley
Carlson, A.	Fjoslien	Kempe, R.	Rose	Zubay
Carlson, D.	Forsythe	Knickerbocker	St. Onge	
Dahl	Friedrich	Kvam	Savelkoul	
Dean	Heinitz	McCollar	Searle	

Those who voted in the negative were:

Adams	Clark	Jaros	Munger	Sieben, H.
Anderson, B.	Clawson	Jensen	Murphy	Sieben, M.
Anderson, I.	Cohen	Johnson	Neisen	Simoneau
Arlandson	Corbid	Kahn	Nelsen, M.	Skoglund
Battaglia	Cummiskey	Kelly, W.	Nelson	Smogard
Beauchamp	Eckstein	King	Norton	Stanton
Begich	Eken	Kostohryz	Novak	Suss
Berg	Ellingson	Kroening	Pehler	Vanasek
Berglin	Enebo	Langseth	Petrafeso	Voss
Birnstihl	Fudro	Lehto	Prahl	Waldorf
Brandl	Fugina	Lemke	Rice	Wenstrom
Braun	George	Mangan	Samuelson	Wenzel
Brinkman	Gunter	Mann	Sarna	White
Byrne	Hanson	McCarron	Scheid	Williamson
Carlson, L.	Haugerud	Metzen	Schulz	Wynia
Casserly	Hokanson	Moe	Sherwood	Speaker Sabo

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

Kvam moved to amend S. F. No. 483, as amended, as follows:

Page 11, line 16, after "Each" insert "outstate".

Page 11, line 19, after "to" insert "outstate".

Page 11, line 20, after "to" insert "outstate".

Page 11, line 21, after "Each" insert "outstate".

Page 11, line 24, after "to" insert "outstate".

Page 11, line 25, after "to" insert "outstate".

Page 12, after line 29, insert:

"Subd. 4. For the purposes of this section, "outstate" shall include all Minnesota legislative districts which lie exclusively outside the counties of Hennepin and Ramsey."

Page 12, line 32, after "Each" insert "outstate".

Page 13, line 5, after "The" insert "outstate".

Page 13, line 8, after "for" insert "outstate".

Page 13, line 10, after "to" insert "outstate".

Page 13, line 12, after "to" insert "outstate".

Page 13, after line 13, insert:

"The expenses herein provided for outstate members are also provided for Hennepin and Ramsey county members for expenses incurred in official business when the legislature is not in session if the official business occurs outside of the counties of Hennepin and Ramsey.

For the purposes of this section, "outstate" shall include all Minnesota legislative districts which lie exclusively outside the counties of Hennepin and Ramsey."

The question was taken on the adoption of the amendment and the roll was called. There were 11 yeas and 108 nays as follows:

Those who voted in the affirmative were:

Albrecht	Kvam	Neisen, M.	Pleasant	Searles
Anderson, R.	Nelsen, B.	Niehaus	Rose	Wigley
Fjoslien				

Those who voted in the negative were:

Adams	Corbid	Johnson	McEachern	Simoneau
Anderson, B.	Cummiskey	Jude	Metzen	Skoglund
Anderson, D.	Dahl	Kahn	Moe	Smogard
Anderson, G.	Dean	Kaley	Munger	Stanton
Anderson, I.	Den Ouden	Kalis	Murphy	Stoa
Arlandson	Eckstein	Kelly, R.	Neisen	Suss
Battaglia	Eken	Kelly, W.	Nelson	Swanson
Beauchamp	Ellingson	Kempe, A.	Norton	Tomlinson
Begich	Enebo	Kempe, R.	Novak	Vanasek
Berg	Evans	King	Patton	Voss
Berglin	Ewald	Knickerbocker	Pehler	Waldorf
Berkelman	Faricy	Kostohryz	Petrafeso	Welch
Birnstihl	Forsythe	Kroening	Prahl	Wenstrom
Brandl	Fudro	Laidig	Reding	Wenzel
Braun	Fugina	Langseth	Rice	White
Byrne	George	Lehto	St. Onge	Wieser
Carlson, A.	Gunter	Lemke	Sarna	Williamson
Carlson, L.	Hanson	Mangan	Scheid	Wynia
Casserly	Haugerud	Mann	Schulz	Zubay
Clark	Heinitz	McCarron	Sherwood	Speaker Sabo
Clawson	Hokanson	McCollar	Sieben, H.	
Cohen	Jacobs	McDonald	Sieben, M.	

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

Kvam moved to amend S. F. No. 483, as amended, as follows:

Page 11, strike lines 16 to 31, and insert in lieu thereof:

"Each member shall receive mileage and living expenses during a regular or special session of the legislature in such amounts and categories as reported by them on signed statements of expenditures substantiated by receipted payments; these amounts shall not exceed the actual and necessary mileage and living expenses incurred while conducting official legislative business.

The house business office and the senate fiscal services department shall report a single suitable form, subject to approval of the joint rules committee, to be used as a statement of actual mileage and living expenditures."

Page 13, line 1, after "for" insert "actual and necessary mileage and lodging".

Page 13, line 3, strike everything after the period.

Page 13, strike lines 8 to 13 and insert in lieu thereof:

"Actual and necessary mileage and lodging expenses are payable in such amounts and categories as reported on signed statements of expenditures substantiated by receipted payments by the members in the manner designated in section 10 of this act."

The question was taken on the adoption of the amendment and the roll was called. There were 31 yeas and 95 nays as follows:

Those who voted in the affirmative were:

Albrecht	Esau	Kaley	Peterson	Wieser
Anderson, D.	Evans	Knickerbocker	Pleasant	Wigley
Anderson, R.	Ewald	Kvam	Savelkoul	Zubay
Carlson, A.	Fjoslien	Laidig	Searle	
Dahl	Forsythe	Nelsen, B.	Searles	
Den Ouden	Friedrich	Niehaus	Stoa	
Erickson	Jacobs	Osthoff	Tomlinson	

Those who voted in the negative were:

Abeln	Brandl	Eckstein	Hokanson	Langseth
Adams	Braun	Eken	Jaros	Lehto
Anderson, B.	Brinkman	Ellingson	Jensen	Lemke
Anderson, G.	Byrne	Enebo	Johnson	Mangan
Anderson, I.	Carlson, L.	Faricy	Jude	Mann
Arlandson	Casserly	Fudro	Kahn	McCarron
Battaglia	Clark	Fugina	Kelly, R.	McCollar
Begich	Clawson	George	Kelly, W.	McDonald
Berg	Cohen	Gunter	Kempe, A.	Metzen
Berglin	Corbid	Hanson	King	Moe
Berkelman	Cummiskey	Haugerud	Kostohryz	Munger
Birnstihl	Dean	Heinitz	Kroening	Murphy

Neisen	Reding	Schulz	Spanish	Welch
Nelsen, M.	Rice	Sherwood	Stanton	Wenstrom
Nelson	Rose	Sieben, H.	Suss	Wenzel
Norton	St. Onge	Sieben, M.	Swanson	White
Pehler	Samuelson	Simoneau	Vanasek	Williamson
Petrafaso	Sarna	Skoglund	Voss	Wynia
Prahl	Scheid	Smogard	Waldorf	Speaker Sabo

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

Dean moved to amend S. F. No. 483, as amended, as follows:

Page 12, line 26, delete "*largest political affiliation*" and insert "*majority of the members*".

Page 12, line 27, after the word "*of*" insert the word "*those*".

Page 12, line 28, strike everything after the word "*house*" and insert "*not a part of the majority*".

Page 12, strike all of line 29.

The question was taken on the adoption of the amendment and the roll was called. There were 33 yeas and 91 nays as follows:

Those who voted in the affirmative were:

Albrecht	Erickson	Haugerud	Niehaus	Skoglund
Anderson, D.	Esau	Heinitz	Peterson	Stanton
Anderson, R.	Evans	Kahn	Pleasant	Wenstrom
Carlson, A.	Faricy	Kaley	Rose	Wigley
Carlson, D.	Fjoslien	Laidig	Savelkoul	Zubay
Dean	Forsythe	McDonald	Searle	
Den Ouden	Friedrich	Nelsen, B.	Searles	

Those who voted in the negative were:

Abeln	Cummiskey	Kelly, W.	Nelsen, M.	Smogard
Adams	Dahl	Kempe, A.	Norton	Stoa
Anderson, B.	Eckstein	Kempe, R.	Novak	Suss
Anderson, G.	Eken	King	Osthoff	Swanson
Anderson, I.	Ellingson	Knickerbocker	Patton	Tomlinson
Battaglia	Enebo	Kostohryz	Pehler	Vanasek
Beauchamp	Ewald	Kroening	Petrafaso	Voss
Begich	Fudro	Langseth	Prahl	Waldorf
Berglin	Fugina	Lehto	Reding	Welch
Berkelman	George	Lemke	Rice	Wenzel
Birnstihl	Gunter	Mangan	St. Onge	White
Brandl	Hanson	Mann	Samuelson	Wieser
Braun	Hokanson	McCarron	Sarna	Williamson
Brinkman	Jacobs	McCollar	Scheid	Wynia
Byrne	Jaros	McEachern	Schulz	Speaker Sabo
Carlson, L.	Jensen	Metzen	Sherwood	
Clawson	Johnson	Moe	Sieben, H.	
Cohen	Jude	Murphy	Sieben, M.	
Corbid	Kelly, R.	Neisen	Simoneau	

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

Den Ouden moved to amend S. F. No. 483, as amended, as follows:

Page 13, line 1, after the word "shall" strike the remainder of the line and insert "*during session and interim be reimbursed only for travel and lodging expenses in the same manner and amount as state employees.*".

Page 13, strike all of lines 2 to 7.

The question was taken on the adoption of the amendment and the roll was called. There were 41 yeas and 90 nays as follows:

Those who voted in the affirmative were:

Albrecht	Erickson	Heinitz	McDonald	Welch
Anderson, D.	Esau	Jude	Nelsen, B.	Wenstrom
Anderson, R.	Evans	Kaley	Niehaus	Wieser
Biersdorf	Ewald	Kelly, R.	Peterson	Wigley
Carlson, A.	Faricy	Kempe, A.	Pleasant	Zubay
Carlson, D.	Fjoslien	Kempe, R.	Rose	
Dahl	Forsythe	Knickerbocker	Savelkoul	
Dean	Friedrich	Kvam	Searles	
Den Ouden	Gunter	Laidig	Stoa	

Those who voted in the negative were:

Abeln	Casserly	Jensen	Munger	Sieben, H.
Adams	Clark	Johnson	Murphy	Sieben, M.
Anderson, B.	Clawson	Kahn	Neisen	Simoneau
Anderson, G.	Cohen	Kalis	Nelsen, M.	Skoglund
Anderson, I.	Corbid	Kelly, W.	Nelson	Smogard
Arlandson	Cummiskey	King	Norton	Spanish
Battaglia	Eckstein	Kostohryz	Novak	Stanton
Beauchamp	Eken	Kroening	Pehler	Suss
Begich	Ellingson	Langseth	Petrafaso	Swanson
Berg	Enebo	Lehto	Prahl	Tomlinson
Berglin	Fudro	Lemke	Reding	Vanasek
Berkelman	Fugina	Mangan	Rice	Voss
Birnstihl	George	Mann	St. Onge	Waldorf
Brandl	Hanson	McCarron	Samuelson	Wenzel
Braun	Haugerud	McCollar	Sarna	White
Brinkman	Hokanson	McEachern	Scheid	Williamson
Byrne	Jacobs	Metzen	Schulz	Wynia
Carlson, L.	Jaros	Moe	Sherwood	Speaker Sabo

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

Faricy moved to amend S. F. No. 483, as amended, as follows:

Page 14, lines 2 thru 13 reinstate the stricken language.

The question was taken on the adoption of the amendment and the roll was called. There were 29 yeas and 99 nays as follows:

Those who voted in the affirmative were:

Anderson, D.	Erickson	Kempe, A.	Osthoff	Sarna
Arlandson	Ewald	Kempe, R.	Pleasant	Searle
Brandl	Faricy	King	Prahl	Searles
Carlson, A.	Forsythe	Laidig	Rice	Sieben, M.
Dahl	Hanson	Norton	Rose	Waldorf
Dean	Jude	Novak	St. Onge	

Those who voted in the negative were:

Abeln	Clark	Hokanson	Metzen	Simoneau
Adams	Clawson	Jacobs	Moe	Skoglund
Albrecht	Cohen	Jensen	Munger	Smogard
Anderson, B.	Corbid	Johnson	Murphy	Stanton
Anderson, G.	Cummiskey	Kaley	Neisen	Stoa
Anderson, I.	Den Ouden	Kalis	Nelsen, B.	Suss
Anderson, R.	Eckstein	Kelly, R.	Nelsen, M.	Swanson
Battaglia	Eken	Kelly, W.	Nelson	Tomlinson
Beauchamp	Ellingson	Knickerbocker	Niehaus	Vanasek
Begich	Enebo	Kroening	Patton	Voss
Berg	Esau	Kvam	Pehler	Welch
Berglin	Evans	Langseth	Peterson	Wenstrom
Berkelman	Fjoslien	Lehto	Petrafeso	Wenzel
Biersdorf	Friedrich	Lemke	Reding	White
Birnsthil	Fudro	Mangan	Samuelson	Wieser
Braun	Fugina	Mann	Savelkoul	Wigley
Brinkman	George	McCarron	Scheid	Williamson
Byrne	Gunter	McCollar	Schulz	Zubay
Carlson, D.	Haugerud	McDonald	Sherwood	Speaker Sabo
Carlson, L.	Heinitz	McEachern	Sieben, H.	

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

The question was taken on the motion to recommend passage of S. F. No. 483, as amended, and the roll was called. There were 66 yeas and 68 nays as follows:

Those who voted in the affirmative were:

Abeln	Corbid	Jacobs	Moe	Stanton
Anderson, I.	Cummiskey	Jaros	Munger	Suss
Arlandson	Dahl	Johnson	Nelson	Swanson
Battaglia	Dean	Kahn	Norton	Vanasek
Beauchamp	Eken	Kelly, R.	Pehler	Voss
Berg	Ellingson	Kelly, W.	Petrafeso	Waldorf
Berglin	Enebo	King	Rice	White
Brandl	Faricy	Kostohryz	St. Onge	Williamson
Carlson, A.	Fudro	Kroening	Samuelson	Wynia
Carlson, L.	Fugina	Lehto	Scheid	Speaker Sabo
Casserly	George	Mangan	Sherwood	
Clark	Gunter	Mann	Sieben, H.	
Clawson	Hanson	McCarron	Sieben, M.	
Cohen	Haugerud	Metzen	Skoglund	

Those who voted in the negative were:

Adams	Den Ouden	Kalis	Nelsen, M.	Searles
Albrecht	Eckstein	Kempe, A.	Niehaus	Simoneau
Anderson, B.	Erickson	Kempe, R.	Novak	Smogard
Anderson, D.	Esau	Knickerbocker	Osthoff	Spanish
Anderson, G.	Evans	Kvam	Patton	Stoa
Anderson, R.	Ewald	Laidig	Peterson	Tomlinson
Begich	Fjoslien	Langseth	Pleasant	Welch
Berkelman	Forsythe	Lemke	Prahl	Wenstrom
Biersdorf	Friedrich	McCollar	Reding	Wenzel
Birnstihl	Heinitz	McDonald	Rose	Wieser
Braun	Hokanson	McEachern	Sarna	Wigley
Brinkman	Jensen	Murphy	Savelkoul	Zubay
Byrne	Jude	Neisen	Schulz	
Carlson, D.	Kaley	Nelsen, B.	Searle	

The motion did not prevail.

MOTIONS AND RESOLUTIONS

Cohen moved that his name be stricken as an author on H. F. No. 602. The motion prevailed.

Fugina moved that the name of Wynia be added as an author on H. F. No. 1156. The motion prevailed.

Rice moved that the name of McEachern be stricken as an author on H. F. No. 749. The motion did not prevail.

ANNOUNCEMENT BY THE SPEAKER

The Speaker announced the appointment of the following members of the House to the Conference Committee on H. F. No. 301: Kostohryz; Nelsen, B.; and McCarron.

ADJOURNMENT

Anderson, I., moved that the House adjourn. The motion prevailed, and the Speaker declared the House stands adjourned until 2:00 p.m., Thursday, April 14, 1977.

EDWARD A. BURDICK, Chief Clerk, House of Representatives

STATE OF MINNESOTA

SEVENTIETH SESSION - 1977

THIRTY-FIFTH DAY

SAINT PAUL, MINNESOTA, THURSDAY, APRIL 14, 1977

The House of Representatives convened at 2:00 p.m. and was called to order by the Speaker.

Prayer was offered by the Chaplain.

The roll was called and the following members were present:

Abeln	Cohen	Jaros	Moe	Searles
Adams	Corbid	Jensen	Munger	Sherwood
Albrecht	Cummiskey	Johnson	Murphy	Sieben, H.
Anderson, B.	Dahl	Jude	Neisen	Sieben, M.
Anderson, D.	Dean	Kahn	Nelsen, B.	Simoneau
Anderson, G.	Den Ouden	Kaley	Nelsen, M.	Skoglund
Anderson, I.	Eckstein	Kalis	Nelson	Smogard
Anderson, R.	Eken	Kelly, R.	Niehaus	Spanish
Arlandson	Ellingson	Kelly, W.	Norton	Stanton
Battaglia	Enebo	Kempe, A.	Novak	Stoa
Beauchamp	Erickson	Kempe, R.	Osthoff	Suss
Begich	Esau	King	Patton	Swanson
Berg	Evans	Knickerbocker	Pehler	Tomlinson
Berglin	Ewald	Kostohryz	Peterson	Vanasek
Berkelman	Faricy	Kroening	Petrafeso	Voss
Biersdorf	Fjoslien	Kvam	Pleasant	Waldorf
Birnstihl	Forsythe	Laidig	Prahl	Welch
Brandl	Friedrich	Langseth	Reding	Wenstrom
Braun	Fudro	Lehto	Rice	Wenzel
Brinkman	Fugina	Lemke	Rose	White
Byrne	George	Mangan	St. Onge	Wieser
Carlson, A.	Gunter	Mann	Samuelson	Wigley
Carlson, D.	Hanson	McCarron	Sarna	Williamson
Carlson, L.	Haugerud	McCollar	Savelkoul	Wynia
Casserly	Heinitz	McDonald	Scheid	Zubay
Clark	Hokanson	McEachern	Schulz	Speaker Sabo
Clawson	Jacobs	Metzen	Searle	

A quorum was present.

The Chief Clerk proceeded to read the Journal of the preceding day. Laidig moved that further reading of the Journal be dispensed with and that the Journal be approved as corrected by the Chief Clerk. The motion prevailed.

REPORTS OF CHIEF CLERK

Pursuant to Rules of the House, printed copies of H. F. Nos. 61, 145, 320, 818, 557, 821, 968, 203 and 157 and S. F. No. 483 have been placed in the members' files.

PETITIONS AND COMMUNICATIONS

The following communication was received:

STATE OF MINNESOTA
OFFICE OF THE SECRETARY OF STATE
ST. PAUL 55155

April 12, 1977

The Honorable Martin O. Sabo
Speaker of the House of Representatives
The Honorable Edward J. Gearty
President of the Senate

I have the honor to inform you that the following enrolled Acts of the 1977 Session of the State Legislature have been received from the Office of the Governor and are deposited in the Office of the Secretary of State for preservation, pursuant to the State Constitution, Article IV, Section 23:

<i>S.F. No.</i>	<i>H.F. No.</i>	<i>Session Laws Chapter No.</i>	<i>Date Approved 1977</i>	<i>Date Filed 1977</i>
74		20	April 12	April 12
86		21	April 12	April 12

Sincerely,

JOAN ANDERSON GROWE
Secretary of State

REPORTS OF STANDING COMMITTEES

Mann from the Committee on Agriculture to which was referred:

H. F. No. 958, A bill for an act relating to agriculture; establishing a swine disease research center; appropriating money.

Reported the same back with the recommendation that the bill pass and be re-referred to the Committee on Appropriations.

The report was adopted.

Mann from the Committee on Agriculture to which was referred:

H. F. No. 1172, A bill for an act relating to agriculture; produce; inspection; fees; potato grading; labeling and inspection; prohibiting certain sales of artificially colored potatoes; amending Minnesota Statutes 1976, Sections 27.07; 30.10; 30.20; and Chapter 30, by adding sections; repealing Minnesota Statutes 1976, Sections 30.121; 30.13; 30.14; and 30.478.

Reported the same back with the recommendation that the bill pass.

The report was adopted.

Hanson from the Committee on Commerce and Economic Development to which was referred:

H. F. No. 285, A bill for an act relating to commerce; prohibiting discriminatory trade practices; providing a penalty; amending Minnesota Statutes 1976, Sections 325.8013; and 325.-8018, Subdivision 2.

Reported the same back with the following amendments:

Strike everything after the enacting clause and insert:

“Section 1. Minnesota Statutes 1976, Chapter 325, is amended by adding a section to read:

[325.80155] [DISCRIMINATORY ACTS.] *Subdivision 1. Without limiting section 325.8013, the following, when performed by a person within the jurisdiction of this state, and affecting business in this state, shall be deemed to restrain trade or commerce unreasonably and are unlawful:*

(1) *Requiring any person to be excluded from a business transaction on the basis of that person's sex, race, color, religion, ancestry or national origin or on the basis that the person conducts or has conducted business with persons of a particular race, sex, color, religion, ancestry or national origin, or on the basis that the person has done business in a particular country;*

(2) *Giving, as part of any business transaction, any statement, certification or other document to the effect that the giver of the statement, certification or other document has complied with a policy imposed by any person, nation, or international organization requiring exclusion from any business transaction, or discrimination against, any person on the basis of his race, sex, color, religion, ancestry or national origin or on the basis*

that the person conducts or has conducted business with persons of a particular race, sex, color, religion, ancestry or national origin, or on the basis that the person has done business in a particular country;

(3) Granting, accepting or processing any letter of credit or other document which evidences the transfer of funds or credit, or entering into any contract for the exchange of goods or services, where the letter of credit, contract, or other document contains any provision which requires any person to discriminate against or to certify that he has not dealt with any other person on the basis of race, sex, color, religion, ancestry or national origin, or on the basis that the person conducts or has conducted business with persons of a particular race, sex, color, religion, ancestry or national origin, or on the basis that the person has done business in a particular country;

(4) Refusing to grant, accept or process any letter of credit, or other document which evidences the transfer of funds or credit, or refusal to enter into any contract for the exchange of goods or services, on the grounds that it does not contain provisions or certifications described in clause (3) of this subdivision;

(5) As part of any business transaction, complying, or agreeing to comply, or certifying or giving other assurance that he complies or agrees to comply, with a policy imposed by another party requiring discrimination against, or refusal to deal with, any person, group of persons, or list of persons, on the basis of race, sex, color, religion, ancestry or national origin or on the basis that the person, group of persons or list of persons conducts or has conducted business with persons of a particular race, sex, color, religion, ancestry or national origin, or on the basis that the person has done business in a particular country; or

(6) Providing, agreeing to provide, or requiring another party to provide or agree to provide an assurance that the goods shipped do not have their origin in any particular foreign country.

Provided, however, that the provisions of this section shall not apply to (a) any letter of credit, contract, or other document which contains any provisions pertaining to a labor dispute or an unfair labor practice if the other provisions of such letter of credit, contract, or other document do not violate the provisions of this section; (b) the requiring of association with a particular employer or a particular group as a requisite to obtaining group rates or discount on insurance, recreational activities, or other similar benefits; (c) any act which is an unfair discriminatory practice under section 363.01, subdivision 9, and for which a remedy is provided under chapter 363; (d) persons exempted or acts excepted from the provisions of chapter 363 pursuant to section 363.02.

The exemption contained in section 325.8017, subdivision 2, shall not apply to actions made unlawful under this subdivision. Provided, however, that the provisions of this subdivision shall not apply to any action made lawful by legislation of the United States of America or executive order of the President of the United States of America which affirmatively preempts the provisions of this section.

Subd. 2. Any agreement containing a written or verbal term providing that one or more parties to the agreement will violate the previous subdivision 1 is null and void, and no party to such an agreement may recover in an action for goods or money due by reason of such an agreement or by reason of money paid or goods shipped pursuant to such an agreement.

Sec. 2. Minnesota Statutes 1976, Section 325.8018, Subdivision 2, is amended to read:

Subd. 2. Any person who is found to have willfully committed any of the acts enumerated in section 325.8015 or section 1 of this act shall be guilty of a felony and subject to a fine of not more than \$50,000 or imprisonment in the state penitentiary for not more than five years, or both.

Sec. 3. *This act is effective July 1, 1977.*

Further, amend the title as follows:

Page 1, line 4, delete "Sections 325.8013; and" and insert "Section".

Page 1, line 5, after "2" insert "; and Chapter 325, by adding a section".

With the recommendation that when so amended the bill pass.

The report was adopted.

Hanson from the Committee on Commerce and Economic Development to which was referred:

H. F. No. 875, A bill for an act relating to the state housing finance agency; setting the amount of bonds and notes that may be outstanding; clarifying eligibility; providing for fund administration and repayment requirements; appropriating money; amending Minnesota Statutes 1976, Sections 462A.03, Subdivision 7; 462A.21, Subdivisions 4b and 5; and 462A.22, Subdivision 1.

Reported the same back with the following amendments:

Strike everything after the enacting clause and insert the following:

"Section 1. Minnesota Statutes 1976, Section 462A.03, Subdivision 7, is amended to read:

Subd. 7. "Residential housing" means a specific work or improvement within this state undertaken primarily to provide residential care facilities for mentally ill, mentally deficient, physically handicapped, and drug dependent persons licensed or potentially eligible for licensure under rules promulgated by the commissioner of public welfare, or to provide dwelling accommodations for persons and families of low and moderate income and for (OTHERS) *other persons and families* when determined to be necessary *either* in furtherance of the policy of *economic integration* stated in section 462A.02, subdivision 6, (INCLUDING) *or to carry out a redevelopment project as defined in section 462.421, subdivision 13, or a development program within a development district pursuant to section 472A.03 and Laws 1971, Chapters 548 and 677, and Laws 1973, Chapters 196, 761, and 764; and includes land development and the acquisition, construction or rehabilitation of buildings and improvements thereto, for residential housing, and such other nonhousing facilities as may be incidental or appurtenant thereto.*

Sec. 2. Minnesota Statutes 1976, Section 462A.03, Subdivision 13, is amended to read:

Subd. 13. "Eligible mortgagor" means a nonprofit *or cooperative* corporation, limited profit entity or a builder as the same are defined by the agency in its rules, which sponsors or constructs residential housing as defined in subdivision 7, or a natural person of low or moderate income, except that the return to a limited dividend entity shall not exceed six percent of the capital contribution of the investors or such lesser percentage as the agency shall establish in its rules. Owners of existing residential housing occupied by renters shall be eligible for rehabilitation loans, only if, as a condition to the issuance of the loan, the owner agrees to conditions established by the agency in its rules relating to rental or other matters that will insure that the housing will be occupied by persons and families of low or moderate income. The agency shall require by rules that the owner give preference to those persons of low or moderate income who occupied the residential housing at the time of application for the loan.

Sec. 3. Minnesota Statutes 1976, Section 462A.05, Subdivision 5, is amended to read:

Subd. 5. It may make temporary loans solely to "nonprofit" or "cooperative" sponsors as defined by the agency, with or

without interest, and with such security for repayment, if any, as the agency determines reasonably necessary and practicable, solely from the housing development fund, in accordance with the provisions of section 462A.21, to defray development costs to sponsors of residential housing construction for occupancy by persons and families of low and moderate income which development costs are eligible or potentially eligible for construction loans or mortgages.

Sec. 4. Minnesota Statutes 1976, Section 462A.05, Subdivision 15, is amended to read:

Subd. 15. It may make grants to persons and families of low and moderate income to pay or to assist in paying a loan made pursuant to subdivision 14, or to rehabilitate or to assist in rehabilitating existing residential housing owned or occupied by such persons or families. For the purposes of this section, persons of low and moderate income include administrators appointed pursuant to section 566.25, clause (c). No such grant shall be made unless the agency determines that such grant will be used primarily to make the housing more desirable to live in, to increase the market value of the housing or for compliance with state, county or municipal building, housing maintenance, fire, health or similar codes and standards applicable to housing. In unincorporated areas and municipalities not having such codes and standards, the agency may, solely for the purpose of administering this provision, establish such codes and standards. No grant for rehabilitation of owner occupied residential housing shall be denied solely because the grant will not be used for placing such residential housing in full compliance with all state, county or municipal building, housing maintenance, fire, health or similar codes and standards applicable to housing(, OR TO ACCOMPLISH ENERGY CONSERVATION RELATED IMPROVEMENTS). The amount of any such grant shall not exceed the lesser of (a) \$5,000, or (b) the actual cost of the work performed, or (c) that portion of the cost of rehabilitation which the agency determines cannot otherwise be paid by such person or family without spending an unreasonable portion of the income of such person or family thereon; *provided, however, that a grant may exceed \$5,000 by such amount as is necessary to improve the accessibility of residential housing to a handicapped occupant, not to exceed, however, the amount of \$2,500.* In making such grants, the agency shall determine the circumstances under which and the terms and conditions under which all or any portion thereof will be repaid and shall determine the appropriate security should such repayment be required.

The agency may also make grants to rehabilitate or to assist in rehabilitating housing under this subdivision to persons of low and moderate income for the purpose of qualifying as foster parents.

Sec. 5. Minnesota Statutes 1976, Section 462A.07, is amended by adding a subdivision to read:

Subd. 3a. To encourage applications for multifamily housing projects which afford residents participation in the ownership or management of the project, it shall make available technical assistance to potential applicants.

Sec. 6. Minnesota Statutes 1976, Section 462A.07, is amended by adding a subdivision to read:

Subd. 5a. It may enter into agreements with housing and re-development authorities or other appropriate local governmental units to foster multifamily housing rehabilitation and shall act to develop such agreements. It may give advance reservations of mortgage financing and federal rent subsidies as part of such agreements, with the understanding that the agency will only approve the mortgage loans pursuant to normal procedures, and may adopt special procedures designed to meet problems inherent in a program of multifamily housing rehabilitation. The agreements may include the United States department of housing and urban development when desirable and appropriate.

Sec. 7. Minnesota Statutes 1976, Section 462A.07, Subdivision 12, is amended to read:

Subd. 12. It may delegate, use or employ any federal, state, regional or local public or private agency or organization, including organizations of physically handicapped persons, upon such terms as it deems necessary or desirable, to assist in the exercise of any of the powers granted in (LAWS 1974, CHAPTER 441) sections 462A.01 to 462A.24 and to carry out the objectives of (LAWS 1974, CHAPTER 441,) sections 462A.01 to 462A.24 and may pay for such services from the housing development fund.

Sec. 8. Minnesota Statutes 1976, Section 462A.21, Subdivision 4a, is amended to read:

Subd. 4a. It may make rehabilitation grants and expenditures for correction of residential housing defects as provided in section 462A.05, subdivisions 15 and 16. Grants made under terms of this subdivision shall contain a requirement that the grant be recovered by the agency in accordance with the following schedule:

(1) If the property is sold, transferred, or otherwise conveyed within the first year after the date of a grant, the recipient shall repay the full amount of the grant;

(2) If the property is sold, transferred, or otherwise conveyed within the second year after the date of a grant, the recipient shall repay 80 percent of the amount of the grant;

(3) *If the property is sold, transferred, or otherwise conveyed within the third year after the date of a grant, the recipient shall repay 60 percent of the amount of the grant;*

(4) *If the property is sold, transferred, or otherwise conveyed within the fourth year after the date of a grant, the recipient shall repay 40 percent of the amount of the grant;*

(5) *If the property is sold, transferred, or otherwise conveyed within the fifth year after the date of a grant, the recipient shall repay 20 percent of the amount of the grant; or*

(6) *If the property is sold, transferred, or otherwise conveyed within the sixth year after the date of the grant, or thereafter, there shall be no repayment requirement.*

Sec. 9. Minnesota Statutes 1976, Section 462A.21, Subdivision 4b, is amended to read:

Subd. 4b. *It may establish loan funds and may make eligible loans from them, at rates of interest and with security as the agency deems advisable, if each loan is determined by the agency to be necessary to permit the occupant of residential housing financed wholly or in part by any such loan to meet his housing costs without expending an unreasonable portion of his income on them. It may combine loan funds established pursuant to legislative appropriations with loan funds established for the same or similar purposes pursuant to the sale of its notes or bonds, and such combined funds may be deposited with a trustee. Each such combined fund, including loan and investment principal and income received therefrom, shall be administered, disbursed, and collected as provided in the appropriation act and the resolution or indenture securing the bonds or notes.*

Sec. 10. Minnesota Statutes 1976, Section 462A.21, is amended by adding a subdivision to read:

Subd. 8. *It may establish an affordable homes housing assistance fund, on terms and conditions as it deems advisable, to assist persons and families of low and moderate income in paying eligible loans for affordable residential housing and may use the subsidies to provide additional security for eligible loans. Any subsidy shall not exceed \$60 per month; shall be applied against the monthly payments of the recipient; shall decrease ratably over the term of the subsidy, which shall not exceed 12 years; and shall be repaid in full without interest not later than the date on which the eligible loan is fully paid.*

Sec. 11. Minnesota Statutes 1976, Section 462A.22, Subdivision 1, is amended to read:

462A.22 [BOND FUND.] Subdivision 1. The aggregate principal amount of bonds and notes which are outstanding at any time, excluding the principal amount of any bonds and notes refunded by the issuance of new bonds or notes, shall not exceed the sum of:

(a) (\$100,000,000) \$150,000,000 issued for the purpose of providing funds for rehabilitation loans, or refunding bonds or notes issued for this purpose, plus

(b) (\$500,000,000) \$750,000,000 issued for other purposes specified in section 462A.08.

Sec. 12. [APPROPRIATION.] Subdivision 1. *The sum of \$40,000,000 is appropriated from the general fund to the housing development fund created in Minnesota Statutes, Section 462A.-20, for the following purposes and for payment of the administrative costs related thereto:*

(a) \$25,000,000 for making rehabilitation grants to persons and families of low income;

(b) \$10,000,000 for making low interest rehabilitation loans to persons and families of low and moderate income;

(c) \$5,000,000 to establish the affordable homes housing assistance fund to be administered pursuant to section 10 of this act.

Subd. 2. *In making grants and loans pursuant to subdivision 1, clauses (a) and (b), the agency shall give priority to those applicants who shall use the loan or grant proceeds for the purpose of improving energy efficiency of existing dwellings, and to those applicants who are senior citizens or who are owners of residential housing occupied by senior citizens.*

Subd. 3. *Of the amount appropriated in subdivision 1, clause (a), of this section, not less than \$500,000 shall be used for improving accessibility of housing occupied by persons who are physically handicapped."*

Further, amend the title:

Line 7, delete "Subdivision" and insert "Subdivisions" and after "7" insert "and 13" and after the semicolon insert "462A.05, Subdivisions 5 and 15; 462A.07, Subdivision 12, and by adding subdivisions;".

Line 8, after "Subdivisions" insert "4a and" and delete "and 5" and insert ", and by adding a subdivision".

With the recommendation that when so amended the bill pass and be re-referred to the Committee on Appropriations.

The report was adopted.

Hanson from the Committee on Commerce and Economic Development to which was referred:

H. F. No. 1017, A bill for an act relating to consumer protection; regulating invention development services; prescribing contract terms and disclosures to customers; defining terms; requiring invention developers to file a bond; providing penalties.

Reported the same back with the following amendments:

Page 2, line 17, delete "or".

Page 2, line 20, delete the period and insert ", or".

Page 2, after line 20, insert "(5) any person, firm, corporation, association or other entity whose gross receipts from contracts for invention development services do not exceed ten percent of its gross receipts from all sources during the fiscal year preceding the year in which any contract for invention development services is signed."

Page 5, line 9, delete "patent" and "or a".

Page 5, line 10, delete "registered patent agent".

Page 8, line 9, delete "patent" and "or a".

Page 8, line 10, delete "registered patent agent".

With the recommendation that when so amended the bill pass.

The report was adopted.

Johnson from the Committee on Education to which was referred:

H. F. No. 888, A bill for an act relating to education; authorizing school boards to appoint a student advisory member.

Reported the same back with the recommendation that the bill pass.

The report was adopted.

Munger from the Committee on Environment and Natural Resources to which was referred:

H. F. No. 776, A bill for an act relating to soil and water conservation; adding the commissioner of natural resources as an ex-officio officer of the state soil and water conservation board; amending Minnesota Statutes 1976, Section 40.03, Subdivision 1.

Reported the same back with the following amendments:

Strike everything after the enacting clause and insert:

“Section 1. Minnesota Statutes 1976, Section 40.01, Subdivision 8, is amended to read:

Subd. 8. [AGENCY OF THIS STATE OR STATE AGENCY.] “Agency of this state” or “state agency” includes the government of this state and any subdivision, agency, or instrumentality, corporate or otherwise, of the government of this state.

Sec. 2. Minnesota Statutes 1976, Section 40.01, is amended by adding a subdivision to read:

Subd. 15. [APPROPRIATE AGENCIES.] “Appropriate agencies” include any local, state or federal agency which possesses expertise, involvement or authority concerning the use and development of land and water resources, but does not include any district or the state board.

Sec. 3. Minnesota Statutes 1976, Section 40.02, is amended to read:

40.02 [PUBLIC POLICY; PURPOSE.] (AS A GUIDE TO THE INTERPRETATION AND APPLICATION OF THIS CHAPTER, THE PUBLIC POLICY OF THE STATE IS DECLARED TO BE AS FOLLOWS:) Improper land-use practices have caused (AND CONTRIBUTED TO) serious *wind and water* erosion of (FARM AND GRAZING) *the* lands of this state (BY WIND AND WATER AND THAT THEREBY TOPSOIL IS BEING WASHED OUT OF FIELDS AND PASTURES AND HAS SPEEDED UP THE REMOVAL OF THE ABSORPTIVE TOPSOIL CAUSING EXPOSURE OF LESS ABSORPTIVE AND LESS PROTECTIVE, BUT MORE EROSION, SUBSOIL; AND THAT), *the runoff of polluting materials, increased costs to maintain agricultural productivity, increased energy costs and increased flood damage.* Land occupiers have (FAILED) *the responsibility* to (CAUSE THE DISCONTINUANCE OF SUCH PRACTICE AS CREATES THIS CONDITION, AND THE CONSEQUENCES THEREOF HAVE CAUSED THE DETERIORATION OF SOIL AND ITS FERTILITY AND THE

DETERIORATION OF CROPS GROWN THEREON, AND DECLINING YIELDS THEREFROM, AND DIMINISHING OF THE UNDERGROUND WATER RESERVE, ALL OF WHICH HAVE CAUSED WATER SHORTAGES, INTENSIFIED PERIODS OF DROUGHT, AND CROP FAILURE, AND THUS BROUGHT ABOUT SUFFERING, DISEASE, AND IMPOVERISHMENT OF FAMILIES AND THE DAMAGE OF PROPERTY FROM FLOODS AND DUST STORMS; AND THAT ALL OF THESE EFFECTS MAY BE PREVENTED BY LAND-USE PRACTICES CONTRIBUTING TO THE CONSERVATION OF TOP SOIL BY CARRYING ON OF ENGINEERING OPERATIONS SUCH AS THE CONSTRUCTION OF TERRACES, CHECK DAMS, DIKES, PONDS, DITCHES, AND THE UTILIZATION OF STRIP CROPPING, LISTER FURROWING, CONTOUR CULTIVATING, LAND IRRIGATION, SEEDING AND PLANTING OF WASTE, SLOPING, ABANDONED, OR ERODED LANDS TO WATER CONSERVING AND EROSION PREVENTING PLANTS, TREES AND GRASSES) *implement the practices which correct these conditions and to conserve the soil and water resources of the state.*

It is (HEREBY DECLARED THAT IT IS FOR THE PUBLIC WELFARE, HEALTH, AND SAFETY OF THE PEOPLE OF MINNESOTA TO PROVIDE FOR THE CONSERVATION OF) *the policy of the state to encourage land occupiers to conserve the soil and (SOIL) water resources (OF THIS STATE, AND FOR THE CONTROL AND PREVENTION OF SOIL EROSION, FOR LAND RESOURCE PLANNING AND DEVELOPMENT, FOR) through the implementation of (LAND RESOURCE USE) practices that effectively reduce or prevent erosion, sedimentation, siltation (AND LOSS OF THE LAND BASE THROUGH ACTIVITIES ASSOCIATED WITH FARMING, MINING, CONSTRUCTION, FORESTRY, AND OTHER ACTIVITIES OF MAN, AND FOR FLOOD PREVENTION OR THE CONSERVATION DEVELOPMENT, UTILIZATION, AND DISPOSAL OF WATER, INCLUDING BUT NOT LIMITED TO, MEASURES FOR FISH AND WILDLIFE AND RECREATIONAL DEVELOPMENT, AND THEREBY) and agriculturally related pollution in order to preserve natural resources, insure continued soil productivity, control floods, prevent impairment of dams and reservoirs, assist in maintaining the navigability of rivers and harbors, preserve wildlife, protect the tax base, and protect public lands (BY LAND-USE PRACTICES, AS HEREIN PROVIDED FOR).*

Sec. 4. Minnesota Statutes 1976, Section 40.03, Subdivision 1, is amended to read:

40.03 [STATE SOIL AND WATER CONSERVATION BOARD.] Subdivision 1. [MEMBERS.] There is hereby established, to serve as an agency within the department of natural resources and to perform the functions conferred upon it in this chapter, the state soil and water conservation board to be composed of (11) 12 members, seven of whom shall be

elected supervisors (OF SOIL AND WATER CONSERVATION DISTRICTS SELECTED AS HEREIN PROVIDED. FOUR MEMBERS THEREOF SHALL BE) *and the following five ex-officio members (COMPOSED OF THE FOLLOWING):* The director of the agricultural extension service of the University of Minnesota; the dean of the Institute of Agriculture of the University of Minnesota; the director of the pollution control agency; the commissioner of agriculture; *and the commissioner of natural resources.* Each ex-officio member may designate a person within his organization to act in his stead as a member of the state board, with all his rights and privileges. The designation shall be filed with the secretary of state. The state board shall invite the state conservationist of the United States soil conservation service to serve as an advisory member. The state board may also invite a representative of the state association of soil and water conservation districts, the association of Minnesota counties, the league of (MUNICIPALITIES) *Minnesota cities* and (SUCH) *any other organizations and (GOVERNMENTAL) appropriate agencies (AS MAY BE) deemed necessary to serve as advisory members.* The (OTHER) seven members of (SAID) *the state board who are elected supervisors* shall be appointed by the governor with the advice and consent of the senate (FROM NOMINEES WHO ARE ELECTED REPRESENTATIVES OF THE STATE SOIL AND WATER CONSERVATION DISTRICTS). In making these appointments the governor may consider persons recommended by the state association of soil and water conservation (DISTRICT SUPERVISORS) *districts.* One member shall be appointed from each department of natural resources region except that two members shall be appointed from region number one. (THE STATE BOARD SHALL KEEP A RECORD OF ITS OFFICIAL ACTIONS, AND MAY PERFORM SUCH ACTS, HOLD SUCH PUBLIC HEARINGS, AND PROMULGATE SUCH RULES AND REGULATIONS AS MAY BE NECESSARY FOR THE EXECUTION OF ITS FUNCTIONS UNDER THIS CHAPTER. THE STATE BOARD SHALL EXERCISE ALL POWERS AND DUTIES AS CONFERRED UPON IT BY LAW.)

Sec. 5. Minnesota Statutes 1976, Section 40.03, Subdivision 2, is amended to read:

Subd. 2. [EMPLOYEES.] The department of natural resources shall provide administrative functions of this section. The commissioner of natural resources shall make available by separate budget to the state soil and water conservation board (SUCH) *the staff services, funds for operation, and office space (AS ARE) necessary for the administration and coordination of its functions.* The state board shall be responsible to the commissioner for reporting purposes in regard to staff functions and (THOSE) operations (AS THEY) *which* relate to department activities.

The commissioner of natural resources shall, subject to approval of the state (SOIL AND WATER CONSERVATION) board, provide an administrative officer and (SUCH TECHNICAL EXPERTS AND SUCH) other *necessary permanent and temporary technical experts*, agents and employees, (PERMANENT AND TEMPORARY, AS IT MAY REQUIRE IN CARRYING OUT THIS SECTION, AND). *The state board shall determine (THEIR) the personnel's qualifications and duties, and recommend compensation to the commissioner of personnel. The state board may call upon the attorney general for (SUCH) necessary legal services (AS IT MAY REQUIRE). It shall have authority to (PRESCRIBE THE POWERS AND DUTIES OF ITS OFFICERS AND EMPLOYEES, AND TO) delegate to its chairman or to one or more of its other officers or members or administrative officer (SUCH) any of its own powers and duties (AS) it may deem proper. The administrative officer is responsible to the state board and may be dismissed by the commissioner of natural resources only upon the advice and recommendation of the state board. All permanent personnel of the state board are employees of the department of natural resources and are in the classified service of the state except as otherwise required by statute. All rights, duties and responsibilities of the existing staff of the state board on November 12, 1971 shall remain unchanged except as may be agreed upon by the state board and the commissioner. (UPON REQUEST OF) In order to perform its duties, the state board, (FOR THE PURPOSE OF CARRYING OUT ANY OF ITS FUNCTIONS,) may request information from the supervising officer of any state agency, (,) or (OF ANY) state institution of (LEARNING) higher education, including the state universities, the community colleges, and the post-secondary vocational technical schools. The supervising officer shall, (INSOFAR AS MAY BE) comply with the state board's request to the extent possible (UNDER) considering available appropriations, (,) and (HAVING DUE REGARD TO THE NEEDS OF THE AGENCY TO WHICH THE REQUEST IS DIRECTED, ASSIGN OR DETAIL TO THE STATE BOARD MEMBERS OF THE STAFF OR PERSONNEL OF THE AGENCY OR INSTITUTION OF LEARNING, AND MAKE SUCH) may assign agency or institution employees to compile existing information and to complete special reports, surveys, or studies (AS THE STATE BOARD MAY REQUEST) concerning the problems specified in section 40.02.*

Sec. 6. Minnesota Statutes 1976, Section 40.03, Subdivision 3, is amended to read:

Subd. 3. [OFFICERS; QUORUM.] The state board shall designate its chairman, and may annually, (FROM TIME TO TIME,) change (SUCH) its designation. A member of the state board shall hold office so long as he shall retain the office by virtue of which he shall be serving on the state board. A majority of the state board shall constitute a quorum, and the concurrence

of a majority in any matter within their duties shall be required for its determination. The state board shall (PROVIDE FOR THE KEEPING OF) *keep* a full and accurate record of (ALL PROCEEDINGS AND OF ALL RESOLUTIONS, REGULATIONS, AND ORDERS ISSUED OR ADOPTED) *its official actions. The state board may hold any public hearings and promulgate rules necessary to execute its duties specified in this chapter.* The legislative auditor shall annually audit the books of the state board.

Sec. 7. Minnesota Statutes 1976, Section 40.03, Subdivision 4, is amended to read:

Subd. 4. [POWERS AND DUTIES.] In addition to the powers and duties hereinafter conferred upon the state soil and water conservation board, it shall have the following powers and duties:

(1) Prepare and present to the commissioner of (THE DEPARTMENT OF) natural resources a budget to finance the activities of the state board and the districts and to administer any law appropriating funds to districts;

(2) (TO) Offer (SUCH) *any appropriate* assistance (AS MAY BE APPROPRIATE) to the supervisors of (SOIL AND WATER CONSERVATION) *the* districts(, ORGANIZED AS PROVIDED HEREINAFTER,) in (CARRYING OUT) *implementing* any of their powers and programs. Any funds made available to a (SOIL AND WATER CONSERVATION) district for expenditures necessary (TO) *for* the operations of the district shall be a grant to the district to be used only for purposes authorized by the state board pursuant to law. The soil and water conservation district may designate the board of county commissioners to act as the agent of the district to receive and expend these funds at the direction and with the approval of the board of supervisors of the district. At least annually the state board shall audit, in a manner it prescribes, the expenditure of funds so granted;

(3) (TO) Keep the supervisors of each (OF THE SEVERAL DISTRICTS ORGANIZED UNDER THE PROVISIONS OF THIS CHAPTER) *district* informed of the activities and experience of all other districts (ORGANIZED HEREUNDER,) and (TO) facilitate *cooperation and* an interchange of advice and experience (BETWEEN SUCH) *among the* districts (AND COOPERATION BETWEEN THEM);

(4) (TO) Coordinate the programs *and activities* of the (SEVERAL SOIL AND WATER CONSERVATION) districts (ORGANIZED HEREUNDER, SO FAR AS THIS MAY BE DONE) *with appropriate agencies* by advice and consultation;

(5) Approve or disapprove the plans or programs of districts (AS THEY RELATE) relating to the use of state funds (AS) administered by the state board;

(6) (TO) Secure the cooperation and assistance of the (UNITED STATES AND ANY OF ITS AGENCIES, AND OF) appropriate agencies (OF THIS STATE,) in the work of (SUCH) the districts and develop a program to advise and assist appropriate agencies in obtaining state and federal funds for erosion, sedimentation, flooding and agriculturally related pollution control programs;

(7) (TO DISSEMINATE) Develop and implement a comprehensive public information (THROUGHOUT THE STATE) program concerning the districts' activities and programs (OF THE SOIL AND WATER CONSERVATION DISTRICTS ORGANIZED HEREUNDER), the problems and preventive practices of erosion, sedimentation, agriculturally related pollution, flood prevention, and (TO ENCOURAGE) the advantages of formation of (SUCH) districts in areas where their organization is desirable; (AND)

(8) (TO) Subdivide and consolidate districts without a hearing or a referendum so as to confine districts within county limits, provided (, FURTHER,) that no district, when feasible and practicable, shall contain less than four full or fractional congressional townships ;

(9) Assist in the implementation of a statewide program for inventorying and classification of the types of soils throughout the state as determined by the Minnesota cooperative soil survey;

(10) Conduct research concerning the nature and extent of erosion, sedimentation, flooding and agriculturally related pollution, the amounts and sources of sediment and pollutants delivered to the waters of the state;

(11) Develop programs to reduce or prevent soil erosion, sedimentation, flooding and agriculturally related pollution, including but not limited to structural and land-use management practices;

(12) Develop a system of priorities within the state to identify the erosion, flooding, sediment and agriculturally related pollution problem areas that are most severely in need of control systems; and

(13) Ensure compliance with statewide programs established by the state board pursuant to this section by advice, consultation, and approval of cost-sharing contracts with the districts.

Sec. 8. Minnesota Statutes 1976, Chapter 40, is amended by adding a section to read:

[40.035] [PROGRAM PLAN.] *Subdivision 1. The state board shall prepare, in consultation with the districts and appropriate agencies, a program plan for the accomplishment of its duties specified in section 40.03, subdivision 4. The state board shall use this program plan in decisions to allocate funds to the districts. The state board shall give immediate emphasis to the determination of priority areas within the state where erosion, sedimentation and related water quality problems appear most in need of control methods and to the development of the comprehensive public information program.*

Subd. 2. For the purpose of developing the program plan, the state board may request any existing pertinent information from any state agency pursuant to section 40.03, subdivision 2, and may conduct any hearing it deems necessary.

Subd. 3. The plan shall be coordinated as closely as possible with other statewide resource plans, such as the statewide framework water resources plan and the statewide water quality management plan.

Subd. 4. The state board shall review and revise the plan at intervals it deems appropriate.

Sec. 9. Minnesota Statutes 1976, Chapter 40, is amended by adding a section to read:

[40.036] [COST SHARING CONTRACTS FOR EROSION CONTROL AND WATER MANAGEMENT.] *Subdivision 1. Within the limits of available funds, the state board may allocate funds to districts to be used to share the cost of implementing any system or practices for erosion control and water quality improvement which are designed to protect and improve the state's soil and water resources. Any district board requesting funds of the state board shall submit a comprehensive plan completed pursuant to section 40.07, subdivision 9, and an application on the form prescribed by the state board. After review of the district's comprehensive plan, the state board shall approve it with any necessary amendments or reject it. If the state board approves the district's comprehensive plan, it shall also determine the specific amount of funds to allocate to the district for the purpose of cost-sharing contracts. Neither the state board nor the district board shall furnish any financial aid for practices designed only for an increase in land productivity.*

Subd. 2. Within the limits of funds available, a district board may contract on a cost share basis to furnish financial aid to a land occupier or to a state agency for the implementation of permanent systems for erosion control and water quality improve-

ment which are consistent with the district's comprehensive plan developed pursuant to section 40.07, subdivision 9. The duration of the contract may be the time required to complete the planned systems. A contract may provide for cooperation or funding with United States agencies. Every contract shall specify that the land occupier is liable for monetary damages, not to exceed the amount of financial assistance he received from the district, if he fails to timely complete or maintain the systems or practices as specified in the contract. A land occupier or any state agency may provide the cost-sharing portion of the contract through in-kind services.

Subd. 3. The state board shall promulgate rules specifying the procedures and criteria for allocating funds to districts for cost-sharing contracts. The rules shall also include standards and guidelines which the districts shall include in all cost-sharing contracts. The state board may for the purpose of implementing this section exercise emergency power and adopt emergency rules pursuant to section 15.0412, subdivision 5. No emergency rules may be adopted by the state board pursuant to this subdivision after July 1, 1978.

Subd. 4. Before November 15, 1978, the state board shall submit a report to the legislature, as provided in section 3.195, concerning the status of cost-sharing contract programs authorized by this section.

Sec. 10. Minnesota Statutes 1976, Section 40.07, Subdivision 1, is amended to read:

40.07 [POWERS OF DISTRICT BOARDS.] Subdivision 1. A soil and water conservation district (ORGANIZED UNDER THE PROVISIONS OF THIS CHAPTER) shall constitute a governmental and political subdivision of this state, and a public body, corporate and politic, (EXERCISING PUBLIC POWERS, AND THE DISTRICT, AND THE SUPERVISORS THERE-OF,) shall have the *following* powers (PRESCRIBED IN THIS SECTION,) in addition to those otherwise prescribed by law.

Sec. 11. Minnesota Statutes 1976, Section 40.07, Subdivision 2, is amended to read:

Subd. 2. A district may conduct surveys, investigations, and research (RELATING TO THE CHARACTER OF SOIL EROSION AND THE PREVENTIVE AND CONTROL MEASURES NEEDED, PUBLISH THE RESULTS OF SUCH SURVEYS, INVESTIGATIONS, OR RESEARCH, AND DISSEMINATE INFORMATION CONCERNING SUCH PREVENTIVE AND CONTROL MEASURES, PROVIDED, HOWEVER, THAT) *to identify the problems and preventive practices specified in section 40.02.* In order to avoid duplication of research activities, no district shall initiate any research program except in coop-

eration with (THE GOVERNMENT OF THE) a state (OR ANY OF ITS AGENCIES,) *agency* or (WITH) *an agency* of the United States (OR ANY OF ITS AGENCIES). A *district may publish its comprehensive plan and the results of its surveys, investigations, and research and may disseminate information to the public concerning any of its activities.*

Sec. 12. Minnesota Statutes 1976, Section 40.07, Subdivision 3, is amended to read:

Subd. 3. A district may conduct demonstration projects within the district on lands owned or (CONTROLLED) *administered* by (THIS) a state (OR ANY OF ITS AGENCIES) *agency*, with the cooperation of the *administering* agency (IN CONTROL THEREOF), and on any other lands (WITHIN THE DISTRICT) with the consent of the (OWNER OR) *land* occupier (IN CONTROL THEREOF), in order to demonstrate by example the (MEANS, METHODS, AND MEASURES FOR CONSERVATION OF SOIL AND WATER RESOURCES, FOR PROPER DRAINAGE, FOR THE PREVENTION AND CONTROL OF FLOODS AND POLLUTION AND FOR THE PREVENTION AND CONTROL OF SOIL EROSION) *practices which implement the state policy specified in section 40.02.*

Sec. 13. Minnesota Statutes 1976, Section 40.07, Subdivision 4, is amended to read:

Subd. 4. A district may (CARRY OUT CONSTRUCTIVE, PREVENTIVE, AND CONTROL MEASURES) *implement any necessary practices* within the district, including but not limited to (ENGINEERING OPERATIONS,) *structural measures and* works of improvement for any purpose specified (IN THIS SECTION OR) in section 40.02, methods of cultivation, the (GROWING) *use of vegetation, and changes in use of land, (AND THE MEASURES REFERRED TO IN SECTION 40.02,) on lands* acquired by the district, and on other lands owned or (CONTROLLED) *administered* by (THIS) a state (OR ANY OF ITS AGENCIES) *agency*, with the cooperation of the *administering* agency (IN CONTROL THEREOF), and on any other lands (WITHIN THE DISTRICT), with the consent of the (OWNER OR) *land* occupier (IN CONTROL THEREOF).

Sec. 14. Minnesota Statutes 1976, Section 40.07, Subdivision 5, is amended to read:

Subd. 5. A district may cooperate or enter into agreements with and, within the limits of available appropriations furnish financial or other aid to any *land occupier or appropriate* agency, (GOVERNMENTAL OR OTHERWISE, OR ANY OCCUPIER OF LANDS IN THE CARRYING ON OF EROSION CONTROL AND PREVENTION OPERATIONS AND OTHER MEASURES FOR THE PURPOSES) *to implement the policy specified*

(OR REFERRED TO IN THIS SECTION OR) section 40.02 within the district, subject to (SUCH) conditions (AS) the supervisors (MAY) deem necessary (TO ADVANCE THE PURPOSES OF THIS CHAPTER).

Sec. 15. Minnesota Statutes 1976, Section 40.07, Subdivision 6, is amended to read:

Subd. 6. A district may (OBTAIN OPTIONS UPON AND) acquire *any rights or interests in real or personal property* by *option*, purchase, exchange, lease, gift, grant, bequest, devise, or otherwise (ANY PROPERTY, REAL OR PERSONAL, OR RIGHTS OR INTEREST THEREIN,). *It* may maintain, operate, administer, and improve any properties acquired, may receive income from (SUCH) *the* properties and (TO) expend (SUCH) *the* income in (CARRYING OUT THE PURPOSES AND) *implementing the* provisions of this chapter, and may sell, lease, or otherwise dispose of any of its property or interests (THEREIN IN FURTHERANCE OF THE PURPOSES AND PROVISIONS OF THIS CHAPTER).

Sec. 16. Minnesota Statutes 1976, Section 40.07, Subdivision 7, is amended to read:

Subd. 7. A district may make available, on (SUCH) terms (AS) it shall prescribe, to land occupiers within the district, *any* agricultural and engineering machinery and equipment, fertilizer, seeds, and seedlings, and (SUCH) other material or equipment (AS) *which* will assist (SUCH) land occupiers to (CARRY ON OPERATIONS) *implement* upon their lands (FOR THE CONSERVATION OF SOIL AND WATER RESOURCES, FOR THE PREVENTION AND CONTROL OF SOIL EROSION OR FOR ANY OTHER PURPOSE SPECIFIED IN THIS CHAPTER, AND ACTS AMENDATORY THEREOF) *the practices specified in section 40.02.*

Sec. 17. Minnesota Statutes 1976, Section 40.07, Subdivision 8, is amended to read:

Subd. 8. A district may construct, install, improve, maintain, and operate (SUCH) *any* structures and works (AS MAY BE) necessary or convenient for the performance of any of the operations authorized in this chapter.

Sec. 18. Minnesota Statutes 1976, Section 40.07, Subdivision 9, is amended to read:

Subd. 9. A district may develop *and revise a* comprehensive (PLANS FOR THE CONSERVATION OF SOIL AND WATER RESOURCES AND FOR THE CONTROL AND PREVENTION OF SOIL EROSION WITHIN THE DISTRICT) *plan,*

specifying the (MEASURES AND) practices (DEEMED NECESSARY OR DESIRABLE FOR THE EFFECTUATION THEREOF) *to implement the state policy specified in section 40.02, including, without limitation, (ENGINEERING OPERATIONS,) the construction, maintenance, and operation of (WORKS) structural measures, methods of cultivation, the (GROWING) use of vegetation, cropping programs, (TILLAGE) mechanical practices, and changes in use of land (, AND MAY PUBLISH SUCH PLANS AND INFORMATION AND BRING THEM TO THE ATTENTION OF OCCUPIERS OF LANDS WITHIN THE DISTRICT, AND OTHERS CONCERNED. SUCH PLANS SHALL BE CONSISTENT WITH THE STATE PLAN FOR WATER AND RELATED LAND RESOURCES) and technical standards and specifications related thereto. The plan shall include a classification of the soil types within the district as determined by the Minnesota cooperative soil survey and the areas within the district where erosion, sedimentation and related water quality problems appear most in need of control methods. The plan shall be consistent with the statewide framework water resources plan, the statewide water quality management plan, and the state board's cost-sharing program plan.*

Sec. 19. Minnesota Statutes 1976, Section 40.07, Subdivision 10, is amended to read:

Subd. 10. A district may take over by purchase, lease, or otherwise, and may improve, maintain, operate and administer any soil or water conservation, erosion-control, erosion-prevention, watershed protection, flood prevention or flood control project located within its boundaries undertaken by the United States or by (THIS) a state (OR ANY OF THEIR AGENCIES, FOR OR IN CONNECTION WITH THE ACQUISITION, CONSTRUCTION, OPERATION, MANAGEMENT OR ADMINISTRATION OF ANY SUCH PROJECT) *agency, may accept donations, gifts, grants, or contributions in money, services, materials, or otherwise from the United States (OR FROM THIS), any state (OR ANY OF THEIR AGENCIES) agency or (FROM) any other source, in order to accomplish the authorization in this section. A board may enter into any contract or agreement (WHICH MAY BE) necessary or appropriate (FOR THE PURPOSES THEREOF, MAY COMPLY WITH ANY APPLICABLE PROVISIONS OF FEDERAL OR STATE LAW) to accomplish the transfer, and may use or expend (SUCH) any moneys, services, materials, or other things (IN ACCORDANCE WITH THE APPLICABLE TERMS AND CONDITIONS FOR) to accomplish any authorized purpose (OF THE DISTRICT).*

Sec. 20. Minnesota Statutes 1976, Section 40.07, Subdivision 11, is amended to read:

Subd. 11. A district may sue and be sued in the name of the district, have perpetual succession unless terminated as herein-

after provided, make and execute contracts and other instruments necessary or convenient to the exercise of its powers, and make, amend, or repeal rules and regulations not inconsistent with this chapter (TO CARRY INTO EFFECT ITS PURPOSES AND POWERS).

Sec. 21. Minnesota Statutes 1976, Section 40.07, Subdivision 12, is amended to read:

Subd. 12. As a condition to the extending of any benefits (UNDER THIS CHAPTER TO OR) *for* the performance of work upon any lands not owned or (CONTROLLED) *administered* by (THIS) *a* state (OR ANY OF ITS AGENCIES) *agency* or (BY) the district, the supervisors may require compensation or contributions in money, services, materials, or otherwise commensurate with the cost or reasonable value of the operations or work conferring (SUCH) *the* benefits.

Sec. 22. Minnesota Statutes 1976, Section 40.07, Subdivision 14, is amended to read:

Subd. 14. A district may *submit any application and* enter into any agreement or contract with the secretary of agriculture or other designated authority (WHICH MAY BE NECESSARY OR APPROPRIATE) for the purpose of obtaining or using federal assistance under the provisions of (SAID) Public Law 566(,) or (ANY ACT AMENDATORY THEREOF OR SUPPLEMENTARY THERETO, OR UNDER) any other law providing for federal assistance for any authorized purpose of the district(, OR FOR THE CONSTRUCTION, MAINTENANCE, AND OPERATION OF WORKS OF IMPROVEMENT AS DEFINED IN SAID ACT OR AMENDATORY ACT OR OTHER APPLICABLE FEDERAL LAW);. A *district* may acquire without cost to the federal government (SUCH) *any* land, easements, or rights-of-way (AS WILL BE) needed in connection with works of improvement installed with federal assistance; may assume (SUCH) *the* proportionate share of the cost of installing any works of improvement involving federal assistance (AS MAY BE) determined by the secretary or other designated authority to be equitable in consideration of anticipated benefits from (SUCH) *the* improvements; may make arrangements satisfactory to the secretary or other authority for defraying costs of operating and maintaining (SUCH) *the* works of improvement in accordance with *prescribed* regulations (PRESCRIBED BY SECRETARY OF AGRICULTURE, OR OTHER DESIGNATED AUTHORITY); may acquire or provide assurance that land (OWNERS) *occupiers* have acquired (SUCH) *the* water rights and other rights, pursuant to state law, (AS MAY BE) needed in the installation, maintenance, and operation of (SUCH) *the* works of (IMPROVEMENTS) *improvement*; may obtain agreements to carry out recommended soil and water conservation measures and (PROPER) *prepare* farm plans (FROM) *for* owners of not less than 50 percent or other required

percentage of the lands situated in any drainage area above any retention reservoir which may be installed with federal assistance, all as prescribed in said Public Law 566 or (AMENDATORY ACT OR OTHER) applicable federal law, and may do any (AND ALL) other acts necessary to secure and use federal aid (THEREUNDER).

Sec. 23. *The governor shall appoint to the soil and water conservation board one member from region six to serve as 13th member of the board until a member is appointed from region six pursuant to section 40.03, subdivision 1, at which time the appointment authorized by this section shall expire.*

Sec. 24. [APPROPRIATION.] *The sum of \$12,000,000 is appropriated from the general fund to the state soil and water conservation board to be available until June 30, 1979 for the purpose of initiating a cost-sharing program for erosion control and water quality improvement. Not more than ten percent of the total amount appropriated shall be utilized for administrative expenses of the state board and the district boards. In addition, not more than ten percent of the total amount appropriated may be used for technical services to plan erosion control and water quality systems. Notwithstanding any other provision to the contrary, the state board can allocate funds not to exceed one-half of the appropriation in this section to districts prior to the completion of a program plan pursuant to section 8 and a comprehensive plan pursuant to section 9.*

Sec. 25. Minnesota Statutes 1976, Section 106.673, is amended to read:

106.673 [DITCHES, PLANTING WITH PERMANENT GRASS.] In any proceeding for the establishment or construction of a public drainage system or ditch or for the improvement, extension, or other work affecting such system or ditch under chapters 106, 111, 112, or any other law now in force or hereafter enacted, where viewers are appointed to assess benefits and damages, the authority having jurisdiction of the proceeding, shall order the spreading of spoil banks consistent with the plan and function of the ditch and (MAY) *shall* order the planting of a permanent grass, other than a noxious weed, on the banks and on a strip one rod in width or to the crown of the leveled spoil bank which ever is the greater on each side of the top edge of the channel of the ditch. The acreage which will be required is that needed for the foregoing and the authority having jurisdiction shall acquire the additional interests in land needed for this purpose. No agricultural practices, other than those required for the maintenance of a permanent growth of grass, shall be permitted on any portion of the land acquired for this purpose and it shall be the duty of the authority having jurisdiction over the repair and maintenance of the ditch system to supervise all necessary reseeding and funds (MAY) *shall* be expended for the perpetration of the growth of grass in the same

manner as for the other ditch repairs. Harvest of grass from the grass strip in any manner not harmful to the grass or ditch shall be the privilege of the fee owner or his assigns, subject to such regulations as the county ditch inspector shall establish for the harvesting of grass.

Sec. 26. Minnesota Statutes 1976, Sections 40.005 and 40.07, Subdivision 13, are repealed.

Sec. 27. This act shall be effective the day following final enactment."

Further amend the title as follows:

Page 1, delete lines 5 and 6 and insert "conservation board; authorizing a cost-sharing program; clarifying the powers and duties of the state board and local districts; amending ambiguous or redundant provisions; adding a member to the soil and water conservation board temporarily; appropriating funds; amending Minnesota Statutes 1976, Chapter 40, by adding sections; and Sections 40.01, Subdivision 8, and by adding a subdivision; 40.02; 40.03, Subdivisions 1, 2, 3 and 4; 40.07, Subdivisions 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12 and 14; and 106.673; repealing Minnesota Statutes 1976, Sections 40.005; and 40.07, Subdivision 13."

With the recommendation that when so amended the bill pass and be re-referred to the Committee on Appropriations.

The report was adopted.

Sieben, H., from the Committee on Governmental Operations to which was referred:

H. F. No. 313, A bill for an act relating to unemployment compensation; providing eligibility for benefits for certain retired workers; amending Minnesota Statutes 1976, Section 268.09, Subdivision 1.

Reported the same back with the following amendments:

Strike everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 1976, Section 268.09, Subdivision 1, as amended by Laws 1977, Chapter 4, is amended to read:

268.09 [UNEMPLOYMENT COMPENSATION; DISQUALIFIED FROM BENEFITS.] Subdivision 1. [DISQUALIFY-

ING CONDITIONS.] An individual shall be disqualified for waiting week credit and benefits for the duration of his unemployment and until he has earned four times his weekly benefit amount in insured work:

(1) [VOLUNTARY LEAVING.] If such individual voluntarily and without good cause attributable to the employer discontinued his employment with such employer.

(2) [DISCHARGE FOR MISCONDUCT.] If such individual was discharged for misconduct, not amounting to gross misconduct connected with his work or for misconduct which interferes with and adversely affects his employment.

An individual shall not be disqualified under clauses (1) and (2) of this subdivision under any of the following conditions:

(a) If such individual voluntarily discontinued his employment to accept work offering substantially better conditions of work or substantially higher wages or both (.);

(b) If such individual is separated from employment due to his own serious illness provided that such individual has made reasonable efforts to retain his employment (.);

(c) If such individual accepts work from a base period employer which involves a change in his location of work so that said work would not have been deemed to be suitable work under the provisions of subdivision 2 of this section and within a period of 13 weeks from the commencement of said work voluntarily discontinues his employment due to reasons which would have caused the work to be unsuitable under the provision of said subdivision 2; or

(d) If such individual left employment because he had reached mandatory retirement age and was 65 years of age or older provided, the weekly benefit payable to such individuals shall be reduced by the weekly amount of all retirement benefits, including social security, for which the individual would be eligible if the individual made application for such benefits, and to which the employer has made at least 50 percent of the contributions toward the benefit.

(3) [DISCHARGE FOR GROSS MISCONDUCT.] If such individual was discharged for gross misconduct connected with his work or gross misconduct which interferes with and adversely affects his employment and provided further that the commissioner is empowered to impose a total disqualification for the benefit year and to cancel part or all of the wage credits from the last employer from whom he was discharged for gross misconduct connected with his work.

For the purpose of this clause "gross misconduct" shall be defined as misconduct involving assault and battery or the malicious destruction of property or the theft of money or property of a value of \$100 or more or arson or sabotage or embezzlement. However, no person shall be deemed to have been discharged for gross misconduct for purposes of chapter 268 unless (1) the person makes an admission to the conduct in writing or under oath, or (2) the person is found to have engaged in such conduct by an appeals tribunal established pursuant to section 268.10, or (3) the person has been convicted by a court of competent jurisdiction of acts constituting gross misconduct.

(4) [LIMITED OR NO CHARGE OF BENEFITS.] Benefits paid subsequent to an individual's separation under any of the foregoing clauses, excepting clause (2) (c), or because of his failure, without good cause, to accept an offer of suitable re-employment, shall not be used as a factor in determining the future contribution rate of the employer from whose employment such individual separated or whose offer of re-employment he refused; provided that this clause shall not apply to an individual involuntarily separated from employment because of pregnancy."

Further amend the title as follows:

Page 1, line 5, after "1" insert ", as amended by Laws 1977, Chapter 4".

With the recommendation that when so amended the bill pass.

The report was adopted.

Sieben, H., from the Committee on Governmental Operations to which was referred:

H. F. No. 756, A bill for an act relating to public lands; authorizing sale of certain state owned and tax forfeited lands for use in a taconite tailings disposal facility.

Reported the same back with the recommendation that the bill pass.

The report was adopted.

Sieben, H., from the Committee on Governmental Operations to which was referred:

H. F. No. 965, A bill for an act relating to public land surveys; creating a state land surveys board and providing for the employment of a state land surveyor; prescribing the powers and duties of the board and the state land surveyor; authorizing the board to contract with the several counties for the preserva-

tion and remonumentation of the United States public land survey; providing for the financing thereof; authorizing the several counties to levy an ad valorem tax to pay their share of the cost; prescribing penalties; and appropriating money; amending Minnesota Statutes 1976, Section 287.21.

Reported the same back with the following amendments:

Strike everything after the enacting clause and insert:

“Section 1. [LEGISLATIVE FINDINGS.] The legislature finds that it is in the public interest that the public records and the monuments established by the United States public land survey be perpetuated and preserved, and that in those instances where the monuments have been destroyed, obliterated, or obscured to an extent that they are difficult to locate, that they be reestablished with permanent monuments and their positions perpetuated. The legislature further finds that the preservation of the records and monuments and remonumentation when necessary is of statewide significance.

Sec. 2. [DEFINITIONS.] Subdivision 1. Unless the language or context clearly indicates that a different meaning is intended, as used in sections 1 to 7, the terms defined in this section have the meanings given them.

Subd. 2. “Land surveyor” means any person licensed to practice the art and science of land surveying pursuant to the provisions of Minnesota Statutes, Sections 326.02 to 326.15.

Sec. 3. [RESPONSIBILITIES AND DUTIES OF THE COUNTY BOARD.] Subdivision 1. [DUTIES GENERALLY.] The county board of each county shall coordinate, administer and supervise the preservation and perpetuation of the monuments and records of the United States public land survey within the county, and where necessary, reestablish the public land survey corners by remonumentation.

Subd. 2. [CONTRACTS.] The county board may enter into all necessary contracts for the purpose of carrying out the provisions of sections 1 to 7.

Sec. 4. [DUTIES OF COUNTY SURVEYOR IN REMONUMENTATION PROGRAM.] Under the direction of the county board, the county surveyor, or a land surveyor designated by the county board, shall coordinate, supervise, and administer the following functions, duties, and responsibilities:

(1) Resurrect, monument and perpetuate the land survey monuments, section corners, quarter section corners, meander corners, and witness corners, or other corners established by the

United States public land survey within Minnesota, and preserve all pertinent field notes, plats and documents;

(2) Cause a standard monument, as determined by the Minnesota state board of architecture, engineering, land surveying and landscape architecture, to be placed at established public land survey corner sites where practical permanently indicating Minnesota public land survey corners. If such monuments cannot be placed at the exact corner point, then witness corners of similar design shall be placed as close as possible to the true corner;

(3) Establish and maintain a safe storage for a comprehensive system of recordation of information, respecting all monuments established by the United States public land survey within this county, and such records as may be pertinent to the establishment or maintenance of land corners, Minnesota coordinate system stations and accessories and monuments in general;

(4) Establish and record a state plane coordinate position for each monument of the public land survey when the extended geodetic network base data is available;

(5) Provide for township maps where sufficient monuments have been established and tied into the state plane coordinate system and record the coordinate data on the township map along with bearings and distances, and assist in the proper recording of the same by duly constituted public officials;

(6) Provide for section mapping for the county showing the monuments established and the bearings and distances, and the state plane coordinate position determined and recorded. These maps shall become a part of the public record and shall be duly recorded by the proper county officials. Property lines of record may be shown on these maps. Geodetic control and monument positions may be shown when available;

(7) Collect and preserve information obtained from surveys to establish land monuments or land boundaries. This information shall become a part of the public record and shall be duly recorded by the proper county officials;

(8) Furnish upon reasonable request and tender of the required fees therefor, certified copies of records created or maintained by the county. Fees to be charged for certified copies shall be fixed by the county, but shall not exceed the fee authorized in Minnesota Statutes, Section 357.18, for comparable records. All fees collected shall be paid into the county treasury; and

(9) Prescribe regulations designed to establish uniform professional surveying and mapping methods and standards, in the county, for the purposes of sections 1 to 5.

Sec. 5. [ENTER UPON PRIVATE PROPERTY DAMAGES.] *Any county surveyor and any land surveyor designated by a county pursuant to a contract with the county board, may lawfully enter upon private property for the purpose of making surveys, or for searching for or relocating or re-monumenting land monuments, stations or section corners, provided the owner or occupant of the property is notified in advance of the intended entry. Reasonable care shall be taken to prevent unnecessary damage to the property should any of these persons necessarily damage the property of the owner in making surveys, searches, or re-monumentations. The county board may make reasonable payment for the damage. Members of the board and its employees and contractors of the board are personally liable for any damage caused by their wantonness, willfulness, or negligence.*

Sec. 6. [CERTAIN RECORDS TO BE FURNISHED UPON WRITTEN REQUEST OF THE COUNTY SURVEYOR.] *All state departments and agencies, county recorders and other officials of county and city governments, including district court judges, shall furnish the county surveyor certified copies of deeds, mortgages and other documents and instruments pertaining to land descriptions which are in their custody. Whenever practicable, the copy shall be furnished without cost; but, in no event shall the cost exceed the actual cost of reproduction. On the same basis of cost, the county surveyor upon request therefor, shall furnish certified copies of records in his custody to state departments and agencies and county and city officers.*

Sec. 7. [CONTRACTS.] *The county board may enter into contracts for the performance of any of the functions, responsibilities and duties enumerated in section 4, provided the land surveyor in responsible control of the monumentation program is licensed as a land surveyor by the state board of architecture, engineering, land surveying and landscape architecture.*

Sec. 8. [COUNTY LAND SURVEY ACCOUNT; CREATION; EXPENDITURES.] *Subdivision 1. A separate account is created in each county treasury to be known as the county land survey account. The account shall consist of all of the taxes imposed, collected and paid into the county treasury under the provisions of Minnesota Statutes, Sections 287.21 to 287.36.*

Subd. 2. Except as provided in subdivision 3, all of the money in the county land survey account shall be expended by the county solely for the purposes of sections 1 to 7 and for refunds of taxes erroneously or unjustly paid as provided in Minnesota Statutes, Section 287.28. Any county may make expenditures from its general fund, or from federal revenue sharing funds designated for that purpose, in carrying out the purposes of sections 1 to 7.

Subd. 3. Upon certification to the county board by the county surveyor or the land surveyor in responsible control of the monumentation program that the program has been completed within the county in accordance with the provisions of sections 1 to 7, the county board, if it so finds, may by resolution transfer any money remaining in the county land survey account to the general fund of the county. Upon the transfer, the county land survey account shall cease to exist. Any money so transferred, together with money thereafter paid into the county treasury pursuant to Minnesota Statutes, Sections 287.21 to 287.36, may be used for any county purpose.

Sec. 9. Minnesota Statutes 1976, Section 287.21, Subdivision 2, is amended to read:

Subd. 2. The proceeds of the taxes levied and collected under sections 287.21 to 287.36 shall be (**CREDITED TO THE GENERAL FUND**) *deposited in the county treasury of the county where the taxes are collected.*

Sec. 10. Minnesota Statutes 1976, Section 287.25, is amended to read:

287.25 [PAYMENT OF TAX; STAMPS.] The tax imposed by section 287.21 shall be paid by the affixing of a documentary stamp or stamps in the amount of the tax to the document or instrument with respect to which the tax is paid, provided that the commissioner of revenue may, in exceptional cases, permit the payment of the tax without the affixing of the documentary stamps and in such cases shall, upon receipt of the tax, endorse his receipt for such tax upon the face of the document or instrument. In such case the commissioner of revenue shall (**DEPOSIT THE AMOUNT RECEIVED IN PAYMENT OF THE TAX WITH THE STATE TREASURER TO THE CREDIT OF THE GENERAL FUND**) *transfer the tax received to the county treasury where the land is located. A sum sufficient for transfers pursuant to this section is annually appropriated from the general fund to the commissioner of revenue.*

Sec. 11. Minnesota Statutes 1976, Section 287.28, is amended to read:

287.28 [REFUNDMENTS OR REDEMPTION.] The commissioner of revenue may order the refundment in whole or in part of any tax which has been erroneously or unjustly paid and may allow for or redeem such of the stamps, issued under the authority of sections 287.21 to 287.36 as may have been spoiled, destroyed, or rendered useless or unfit for the purpose intended or for which the owner may have no use or which through mistake may have been improperly or unnecessarily used. Such order shall be made only upon written application of the taxpayer and shall, if the refundment exceeds \$500, be valid only if approved

by the attorney general. Refunds therefor shall be paid out of the (GENERAL FUND OF THE STATE AND MONEYS THEREFOR ARE HEREBY ANNUALLY APPROPRIATED FROM THE GENERAL FUND FOR SUCH PURPOSE) *county treasury where the land is located.*

Sec. 12. Minnesota Statutes 1976, Section 287.32, is amended to read:

287.32 [COMMISSIONER OF REVENUE; DUTIES.] When any deed, instrument, or writing has been recorded or registered without the payment of the tax due thereon the tax, together with any penalty imposed under section 287.31, shall be assessed by the commissioner of revenue and collected in the manner provided for the collection of taxes due under the provisions of chapter 290. *The commissioner shall transfer the tax collected to the county treasury where the land is located. A sum sufficient for transfers pursuant to this section is annually appropriated from the general fund to the commissioner of revenue.* The commissioner of revenue shall enforce the provisions of sections 287.21 to 287.34 and shall have all of the powers prescribed in chapters 270 and 290. He may prescribe rules and regulations not inconsistent with sections 287.21 to 287.34 for their detailed and efficient administration and may call upon any county attorney or the attorney general for assistance and may employ such additional employees as may be required in the administration of sections 287.21 to 287.34.

Sec. 13. [EFFECTIVE DATE.] *This act is effective January 1, 1978."*

Further amend the title by deleting it in its entirety and inserting:

"A bill for an act relating to the public land surveys; authorizing the counties to contract for the preservation and remonumentation of the United States public land survey; providing for the financing thereof; amending Minnesota Statutes 1976, Sections 287.21, Subdivision 2; 287.25; 287.28; and 287.32."

With the recommendation that when so amended the bill pass and be re-referred to the Committee on Taxes.

The report was adopted.

Sieben, H., from the Committee on Governmental Operations to which was referred:

H. F. No. 979, A bill for an act relating to state lands; authorizing the conveyance by the state of certain lands in St. Louis county.

Reported the same back with the recommendation that the bill pass and be placed on the Consent Calendar.

The report was adopted.

Sieben, H., from the Committee on Governmental Operations to which was referred:

H. F. No. 1107, A bill for an act relating to natural resources; authorizing the commissioner of natural resources to sell certain lands in Itasca county; appropriating money.

Reported the same back with the recommendation that the bill pass and be placed on the Consent Calendar.

The report was adopted.

Fugina from the Committee on Higher Education to which was referred:

H. F. No. 956, A bill for an act relating to education; providing for scholarships for Spanish-surnamed American students; appropriating money.

Reported the same back with the following amendments:

Page 1, line 8, delete "shall" and insert "may".

Page 1, line 17, after "board" insert "on the basis of financial need".

Page 2, line 13, after the period insert "In no event shall the amount of a scholarship pursuant to this section exceed an amount which if combined with the amount of a federal basic educational opportunity grant for which the applicant is eligible equal 75 percent of the applicant's financial need."

Page 2, after line 13, insert:

"Sec. 2. This act shall be effective the day following final enactment. The higher education coordinating board may adopt emergency rules pursuant to section 15.0412, subdivision 5, for the purpose of governing scholarship awards pursuant to this act for the 1977-1978 school year."

Page 2, line 14, delete "2" and insert "3".

With the recommendation that when so amended the bill pass and be re-referred to the Committee on Appropriations.

The report was adopted.

Berg from the Committee on Local and Urban Affairs to which was referred:

H. F. No. 424, A bill for an act allowing money in the state treasury not currently needed to be invested in the local government pooled investment fund; establishing and setting forth procedures for a state investment pool for local government funds; amending Minnesota Statutes 1976, Section 11.10, Subdivision 1; and Chapter 11, by adding sections.

Reported the same back with the following amendments:

Page 3, after line 31, insert:

“Subd. 8. “Treasurer” means the state treasurer.”.

Page 4, line 11, delete *“commissioner”* and insert *“treasurer”*.

Page 4, line 24, delete *“commissioner’s”* and insert *“treasurer’s”*.

Page 5, delete lines 18 to 21.

Renumber following subdivisions accordingly.

With the recommendation that when so amended the bill pass.

The report was adopted.

Berg from the Committee on Local and Urban Affairs to which was referred:

H. F. No. 542, A bill for an act relating to the city of Saint Paul; establishing a public housing agency; transferring functions from housing and redevelopment authority.

Reported the same back with the following amendments:

Page 1, delete lines 7 to 15.

Renumber the following sections.

Page 2, line 20, delete *“4”* and insert *“3”*.

Page 2, line 28, after *“powers”* insert a colon and delete *“in”*.

Page 2, delete lines 29 and 30.

Page 3, line 2, after *“temporary,”* delete *“and”*.

Page 3, line 3, after "compensation" insert ", and to accept transfer of housing employees from the housing and redevelopment authority of the city of Saint Paul".

Page 3, delete lines 4 to 11.

Renumber the following clause.

Page 3, line 22, after "obligations" insert ", existing collective bargaining agreements and fringe benefit plan affecting employees transferred from the housing and redevelopment authority of the city of Saint Paul,".

Page 3, line 27, delete "4" and insert "3".

With the recommendation that when so amended the bill pass and be placed on the Consent Calendar.

The report was adopted.

Berg from the Committee on Local and Urban Affairs to which was referred:

H. F. No. 544, A bill for an act relating to highways; removing the construction moratorium on a certain interstate route, and extending it through the city of St. Paul; removing a certain route from the trunk highway system; amending Minnesota Statutes 1976, Sections 161.117; 161.12; and 161.123.

Reported the same back with the following amendments:

Page 2, line 25, strike "general northerly".

Page 2, line 26, strike "direction".

Page 2, line 28, delete "through" and strike the remainder of the line.

With the recommendation that when so amended the bill pass.

The report was adopted.

Berg from the Committee on Local and Urban Affairs to which was referred:

H. F. No. 652, A bill for an act relating to Hennepin county; personnel system; filling of vacancies; amending Laws 1965, Chapter 855, Section 4, Subdivision 2.

Reported the same back with the following amendments:

Strike everything after the enacting clause and insert:

“Section 1. Laws 1965, Chapter 855, Section 4, Subdivision 2, is amended to read:

Subd. 2. [DUTIES AND POWERS OF BOARD.] It shall be the duty of the personnel board as a body:

(a) to frame, with the assistance of the personnel director, rules for the classified service. Such rules shall be framed only after posted notice in each department and after written notice to all department heads and labor organizations whose employees are covered under the provisions of this act providing for a public hearing on the proposed rules or changes or amendments thereto. Such rules shall be submitted to the county board who may approve or reject such rules. When approved, which shall be by majority vote and in the form of a written resolution, the rules shall have the force and effect of law. Such rules may be amended and repealed with the consent of the county board in the same manner as provided for original adoption. Notwithstanding any other provisions of this act all personnel rules affecting employees of departments and agencies paid in whole or in part by federal funds, shall conform to any valid federal or state regulation affecting any such department. Such rules shall provide among other things:

(1) for the rejection of otherwise eligible candidates who fail to comply with the reasonable requirements of the board with regard to age, citizenship, qualifications, residence, sex, or physical or medical condition, or who have been guilty of crime involving moral turpitude, or who have attempted any deception or fraud in connection with an application or examination, or who have been dismissed from the public service for delinquency or misconduct, or who have directly or indirectly given or promised to give any money, service, or other valuable thing to any person for or on account of his examination, appointment, or proposed appointment.

(2) for examinations which shall be competitive and standardized and which may consist of any one or a combination of the following: written or oral tests of the subjective or objective type, physical tests, practical or demonstration tests, or evaluation of past training and experience. Oral tests may be of the question and answer type used to test candidates' knowledge of the duties of the position, or may be of the interview type used to test the candidates' personal fitness for the job.

(3) for the creation of eligible lists upon which shall be entered the names of successful candidates in the order of their rating in the examination.

(4) for the appointment to fill a vacancy of one of those who have qualified through the examination process, if the vacancy

is not filled by reduction, transfer, or reinstatement. (THREE PERSONS WHEN AVAILABLE SHALL BE REFERRED TO DEPARTMENT HEADS WHEN A VACANCY OCCURS, WITH WAIVER IN EXTREME OR UNIQUE CONDITIONS SUBJECT TO UNANIMOUS APPROVAL OF THE PERSONNEL BOARD.) *When a vacancy occurs the director shall certify from the list of eligibles appropriate for the grade and class in which the position is classified, the first three names on such list together with any additional names of persons having an examination rating within three points of the person on the list with the highest examination rating. In the case of an eligible list for initial entry into the county services, the director shall certify the first ten names on such list. The personnel board may waive the above provisions where extreme or unique conditions exist by unanimous approval.*

(5) for a period of probation during which period such probationer may be discharged or reduced, and he shall have no right of appeal. Such period of probation shall not exceed six months unless waived by unanimous approval of the personnel board due to extreme or unique conditions.

(6) for provisional employment without examination with the consent of the director, in cases of emergency and pending appointment from an eligible list, providing no provisional employment shall continue longer than 90 days.

(7) for transfers including transfers from other merit systems provided that a transfer shall not result in a promotion or reduction; and for reinstatement of persons who without fault or delinquency on their part are separated from the service or reduced.

(8) for promotion based upon competitive examinations and upon the record of efficiency. Whenever practicable vacancies shall be filled by promotion.

(9) for suspensions without pay for no longer than 30 days for disciplinary purposes; for leaves of absence with or without pay; for layoffs; for hours of employment; for vacations and sick leave; severance pay, and such other benefits and emoluments as may improve the public service.

(10) for discharge or reduction in rank of a permanent employee only when the person to be discharged or reduced has been presented with charges specifically stated in writing and has been allowed a hearing thereon before the personnel board. Records of such charges and the hearing shall be filed in the office of the personnel director.

(b) to provide a salary and wage schedule for county employees to be presented to the county board for approval and to

establish periods and manner in which salaries and wages shall be paid.

(c) to make investigations either on petition of a citizen or of its own motion concerning the enforcement and effect of this act, to require observance of its provisions and the rules made thereunder.

(d) to hear and determine appeals on complaints respecting the administrative work of the personnel director and such other matters as may be appealed to the board.

(e) to make such investigations as may be requested by the county board or the personnel director and to report thereon.

(f) to make an annual report to the county board on the activities of the personnel department.”.

With the recommendation that when so amended the bill pass.

The report was adopted.

Fudro from the Committee on Transportation to which was referred:

H. F. No. 331, A bill for an act relating to motor vehicles; application for registration or certificate of title; specifying information to be supplied; appropriating money; amending Minnesota Statutes 1976, Sections 168.10, Subdivision 1; 168A.04, Subdivision 1; and 168A.05, Subdivision 3.

Reported the same back with the following amendments:

Page 1, line 15, delete “*or owners*”.

Page 1, line 17, strike “*he*” delete “*or they*” strike “*shall become the owner*” delete “*or owners*” strike “*thereof*” and insert “*ownership of a motor vehicle is acquired*”.

Page 1, line 23, strike “*name*” and insert “*names*”.

Page 1, line 23, delete “*date*” and insert “*dates*”.

Page 1, line 23, strike “*address*” and insert “*addresses*”.

Page 1, line 23, strike “*the owner*”.

Page 1, line 23, delete “*or*” and insert “*all*”.

Page 2, line 1, after “*owners*” insert “*thereof who use natural persons, the full names and addresses of all other owners*”.

Page 2, line 22, strike "such" and insert "to the".

Page 2, line 30, strike "such" and insert "the".

Page 3, line 8, delete "name" and insert "names".

Page 3, line 8, delete "date" and insert "dates".

Page 3, line 8, delete "address" and insert "addresses".

Page 3, line 8, delete the second "the".

Page 3, line 9, delete "owner or" and insert "all".

Page 3, line 29, delete "name" and insert "names".

Page 3, line 29, delete "date" and insert "dates".

Page 3, line 29, delete "address" and insert "addresses".

Page 3, line 29, delete "the owner".

Page 3, line 30, delete "or" and insert "all".

Further amend the title as follows:

Line 2, delete "application" and insert "requiring information as to all owners in applications".

Line 3, delete "specifying".

Line 4, delete "information to be supplied;"

With the recommendation that when so amended the bill pass and be re-referred to the Committee on Appropriations.

The report was adopted.

Fudro from the Committee on Transportation to which was referred:

H. F. No. 946, A bill for an act relating to the trunk highway system; adding a new route in substitution of an existing route.

Reported the same back with the recommendation that the bill pass and be placed on the Consent Calendar.

The report was adopted.

Fudro from the Committee on Transportation to which was referred:

H. F. No. 947, A bill for an act relating to railroads; allowing reduced rates for transportation of waste material for re-processing; amending Minnesota Statutes 1976, Section 218.021, Subdivision 2.

Reported the same back with the recommendation that the bill pass and be placed on the Consent Calendar.

The report was adopted.

SECOND READING OF HOUSE BILLS

H. F. Nos. 1172, 285, 1017, 888, 313, 756, 979, 1107, 424, 542, 544, 652, 946 and 947 were read for the second time.

INTRODUCTION AND FIRST READING OF HOUSE BILLS

The following House Files were introduced:

Nelsen, M.; Samuelson; Jensen; Birnstihl and Fudro introduced:

H. F. No. 1421, A bill for an act relating to natural resources; designating wild rice as the official state grain; amending Minnesota Statutes 1976, Chapter 1, by adding a section.

The bill was read for the first time and referred to the Committee on Agriculture.

Braun, Birnstihl, Lemke, Biersdorf and Mann introduced:

H. F. No. 1422, A bill for an act relating to agriculture; soil conditioners and pesticides; prescribing the powers and duties of the commissioner of agriculture in relation thereto; eliminating regulatory powers of the Minnesota pollution control agency under certain circumstances; amending Minnesota Statutes 1976, Sections 17.712; 17.725, Subdivision 1; 18A.32, by adding a subdivision; and 116.07, Subdivision 1.

The bill was read for the first time and referred to the Committee on Agriculture.

Wenstrom introduced:

H. F. No. 1423, A bill for an act relating to state government buildings; establishing the building renovation revolving fund; appropriating money.

The bill was read for the first time and referred to the Committee on Appropriations.

Jaros, Fudro, Hanson, Evans and Lehto introduced:

H. F. No. 1424, A bill for an act relating to intoxicating liquor; permitting licensing and sale on certain tour boats; amending Minnesota Statutes 1976, Section 340.11, by adding a subdivision.

The bill was read for the first time and referred to the Committee on Commerce and Economic Development.

Nelson, Clark, Arlandson, McCarron and Kaley introduced:

H. F. No. 1425, A bill for an act relating to obscenity; prohibiting the promotion or employment of minors as models alone or with others in sexual performances for purposes of preparing an obscene work; prescribing penalties; amending Minnesota Statutes 1976, Chapter 617, by adding a section.

The bill was read for the first time and referred to the Committee on Criminal Justice.

Jaros, McCarron, Clark, Nelson and Laidig introduced:

H. F. No. 1426, A bill for an act relating to crimes; specifying the crime of receiving or buying stolen property; prescribing penalties; amending Minnesota Statutes 1976, Section 609.53, Subdivision 1; repealing Minnesota Statutes 1976, Section 609.53, Subdivisions 2 and 3.

The bill was read for the first time and referred to the Committee on Criminal Justice.

Byrne introduced:

H. F. No. 1427, A bill for an act relating to the administration of criminal justice; creating an advisory committee to study the reorganization of the criminal justice system; appropriating money.

The bill was read for the first time and referred to the Committee on Criminal Justice.

Nelsen, M.; Johnson; Brandl; Langseth and Mangan introduced:

H. F. No. 1428, A bill for an an act relating to education; authorizing the state board of education to create additional advisory task forces; amending Minnesota Statutes 1976, Section 15.014, by adding subdivisions.

The bill was read for the first time and referred to the Committee on Education.

Munger, Erickson, Mann and Eken introduced:

H. F. No. 1429, A bill for an act relating to water resources; creating a water planning board; prescribing its duties; regulating the appropriation and use of water; establishing emergency restrictions on the use of state waters for irrigation and other purposes; establishing procedures for the processing of irrigation permits; requiring municipal water supply authorities to conserve water during shortages; appropriating money; amending Minnesota Statutes 1976, Sections 105.41, Subdivision 1a; 105.415; 105.44, Subdivisions 1, 2, 3, 6, 9 and 10; 105.462; 105.482, Subdivisions 3 and 5; and Chapter 105, by adding a section; repealing Minnesota Statutes 1976, Section 105.41, Subdivision 1b.

The bill was read for the first time and referred to the Committee on Environment and Natural Resources.

Clawson introduced:

H. F. No. 1430, A bill for an act relating to high voltage transmission lines; terms and conditions of easements; recording of survey points.

The bill was read for the first time and referred to the Committee on Environment and Natural Resources.

Abeln, Wynia, Schulz, Fjoslien and Brinkman introduced:

H. F. No. 1431, A bill for an act relating to insurance; establishing a product liability placement facility; authorizing the establishment of a joint underwriting association; requiring the reporting of certain insurance claims.

The bill was read for the first time and referred to the Committee on Financial Institutions and Insurance.

Osthoff introduced:

H. F. No. 1432, A bill for an act relating to elections; providing that the secretary of state prescribe voting equipment; prohibiting certain equipment; amending Minnesota Statutes 1976, Section 206.08, by adding subdivisions.

The bill was read for the first time and referred to the Committee on General Legislation and Veterans Affairs.

Lehto, Kostohryz, Stoa, Savelkoul and Cummiskey introduced:

H. F. No. 1433, A bill for an act relating to elections; providing for publication of dates for filing for municipal office; amending Minnesota Statutes 1976, Section 205.13.

The bill was read for the first time and referred to the Committee on General Legislation and Veterans Affairs.

Evans introduced:

H. F. No. 1434, 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 Ottertail county for the purpose of correcting boundary description errors.

The bill was read for the first time and referred to the Committee on Governmental Operations.

Faricy; Brandl; Carlson, A.; Searle and Patton introduced:

H. F. No. 1435, A bill for an act relating to the organization and operation of state government; creating the institute for analyses of public choices; requiring the identification and analysis of trends affecting the state; appropriating money.

The bill was read for the first time and referred to the Committee on Governmental Operations.

Moe, Patton, Casserly, Lehto and Dean introduced:

H. F. No. 1436, A bill for an act relating to the cities of St. Paul, Minneapolis, and Duluth; firemen's survivor benefits; amending Laws 1955, Chapter 375, Section 25, as amended; Laws 1965, Chapter 519, Section 1, as amended; and Laws 1975, Chapter 127, Section 2, as amended.

The bill was read for the first time and referred to the Committee on Governmental Operations.

Fugina introduced:

H. F. No. 1437, A bill for an act relating to the city of Gilbert; authorizing proportionate service pensions for firemen.

The bill was read for the first time and referred to the Committee on Governmental Operations.

Samuelson, Mangan, Clawson, Anderson, I., and Corbid introduced:

H. F. No. 1438, A bill for an act relating to public welfare; providing quarantees of loans for construction and capital improvements in daytime activity centers; providing appropriations.

The bill was read for the first time and referred to the Committee on Health and Welfare.

Pehler, Jacobs, Brinkman, Rice and Kostohryz introduced:

H. F. No. 1439, A bill for an act relating to taxation; permitting deduction of amount of prizes paid to be deducted from gross receipts of bingo occasions on which the sales tax is imposed; amending Minnesota Statutes 1976, Chapter 297A, by adding a section.

The bill was read for the first time and referred to the Committee on Taxes.

Clawson, Jacobs, Savelkoul, Suss and Wieser introduced:

H. F. No. 1440, A bill for an act relating to tax delinquent real estate; eliminating obsolete provisions relating to sale and redemption of tax delinquent real estate; amending Minnesota Statutes 1976, Sections 280.001; 280.07; 281.02; 281.36; and 281.37; repealing Minnesota Statutes 1976, Sections 279.32; 280.01; 280.02; 280.03; 280.04; 280.05; 280.06; 280.10; 280.11; 280.12; 280.13; 280.25; 280.26; 280.28; 280.29; 280.36; 281.15; 281.20; 281.24; 281.26; 281.27; 281.31; and 281.32.

The bill was read for the first time and referred to the Committee on Taxes.

Beauchamp and Langseth introduced:

H. F. No. 1441, A bill for an act relating to aeronautics; providing for joint interstate airports; amending Minnesota Statutes 1976, Section 360.042, by adding a subdivision.

The bill was read for the first time and referred to the Committee on Transportation.

HOUSE ADVISORIES

Pursuant to rule 5.3, the following House Advisory was introduced:

Lehto, Prael, Enebo and Dean introduced:

H. A. No. 25, A proposal to study employee and bargaining agent rights to medical records.

The advisory was referred to the Committee on Labor-Management Relations.

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Mr. Speaker:

I hereby announce the passage by the Senate of the following House File, herewith returned:

H. F. No. 291, A bill for an act relating to education; school districts; joint powers; authorizing joint boards to acquire certain property for data processing; amending Minnesota Statutes 1976, Section 123.73.

PATRICK E. FLAHAVER, Secretary of the Senate

Mr. Speaker:

I hereby announce the passage by the Senate of the following House File, herewith returned:

H. F. No. 558, A bill for an act relating to snowmobiles; providing for operation on certain highways; amending Minnesota Statutes 1976, Section 84.87, Subdivision 3.

PATRICK E. FLAHAVER, Secretary of the Senate

Mr. Speaker:

I hereby announce the passage by the Senate of the following House File, herewith returned, as amended by the Senate, in which amendment the concurrence of the House is respectfully requested:

H. F. No. 235, A bill for an act relating to agriculture; soybean research and promotion council; powers of the commissioner of agriculture and the council; providing for an increase in

fees and specifying the uses thereof; amending Minnesota Statutes 1976, Sections 21A.01; 21A.05; 21A.06; 21A.09; 21A.12; 21A.16, Subdivision 2; 21A.19, Subdivision 1; and Chapter 21A, by adding a section; repealing Minnesota Statutes 1976, Section 21A.18.

PATRICK E. FLAHAVEN, Secretary of the Senate

CONCURRENCE AND REPASSAGE

Kalis moved that the House concur in the Senate amendments to H. F. No. 235 and that the bill be repassed as amended by the Senate. The motion prevailed.

H. F. No. 235, A bill for an act relating to agriculture; soy-bean research and promotion council; powers of the commissioner of agriculture and the council; providing for an increase in fees and specifying the uses thereof; amending Minnesota Statutes 1976, Sections 21A.01; 21A.04; 21A.05; 21A.06; 21A.09; 21A.12; 21A.14; 21A.15; 21A.16, Subdivisions 1 and 2; 21A.17; 21A.19, Subdivision 1; and Chapter 21A, by adding a section; repealing Minnesota Statutes 1976, Section 21A.18.

The bill was read for the third time, as amended by the Senate, and placed upon its repassage.

The question was taken on the repassage of the bill and the roll was called. There were 127 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Abeln	Dahl	Johnson	Munger	Sieben, H.
Adams	Dean	Jude	Murphy	Sieben, M.
Albrecht	Den Ouden	Kahn	Neisen	Simoneau
Anderson, B.	Eckstein	Kaley	Nelsen, B.	Skoglund
Anderson, D.	Eken	Kalis	Nelsen, M.	Smogard
Anderson, G.	Ellingson	Kelly, R.	Nelson	Spanish
Anderson, I.	Enebo	Kelly, W.	Niehaus	Stanton
Anderson, R.	Erickson	Kempe, A.	Novak	Stoa
Arlandson	Esau	Kempe, R.	Osthoff	Suss
Battaglia	Evans	King	Patton	Swanson
Begich	Ewald	Knickerbocker	Pehler	Tomlinson
Berglin	Faricy	Kostohryz	Peterson	Vanasek
Berkelman	Fjoslien	Kroening	Petrafeso	Voss
Biersdorf	Forsythe	Kvam	Pleasant	Waldorf
Birnstihl	Friedrich	Laidig	Prahl	Welch
Braun	Fudro	Langseth	Reding	Wenstrom
Brinkman	Fugina	Lehto	Rice	Wenzel
Byrne	George	Lemke	Rose	White
Carlson, A.	Gunter	Mangan	St. Onge	Wieser
Carlson, L.	Hanson	Mann	Samuelson	Wigley
Casserly	Haugerud	McCarron	Sarna	Williamson
Clark	Heinitz	McCollar	Savelkoul	Zubay
Clawson	Hokanson	McDonald	Scheid	Speaker Sabo
Cohen	Jacobs	McEachern	Schulz	
Corbid	Jaros	Metzen	Searles	
Cummiskey	Jensen	Moe	Sherwood	

The bill was repassed, as amended by the Senate, and its title agreed to.

Mr. Speaker :

I hereby announce the passage by the Senate of the following House File, herewith returned, as amended by the Senate, in which amendment the concurrence of the House is respectfully requested:

H. F. No. 57, A bill for an act relating to health and safety; licensing and certification of ambulance services; amending Minnesota Statutes 1976, Chapter 144, by adding a section; Sections 144.801; 144.802; 144.803; 144.804; and 144.805.

PATRICK E. FLAHAVEN, Secretary of the Senate

CONCURRENCE AND REPASSAGE

Heinitz moved that the House concur in the Senate amendments to H. F. No. 57 and that the bill be repassed as amended by the Senate. The motion prevailed.

H. F. No. 57, A bill for an act relating to health and safety; licensing and certification of ambulance services; amending Minnesota Statutes 1976, Chapter 144, by adding a section; Sections 144.801; 144.802; 144.803; 144.804; and 144.805.

The bill was read for the third time, as amended by the Senate, and placed upon its repassage.

The question was taken on the repassage of the bill and the roll was called. There were 127 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Abeln	Brinkman	Ewald	Kahn	McDonald
Adams	Byrne	Faricy	Kaley	McEachern
Albrecht	Carlson, A.	Fjoslien	Kalis	Metzen
Anderson, B.	Carlson, D.	Forsythe	Kelly, W.	Moe
Anderson, D.	Carlson, L.	Friedrich	Kempe, A.	Munger
Anderson, G.	Casserly	Fudro	Kempe, R.	Murphy
Anderson, I.	Clark	Fugina	Knickerbocker	Neisen
Anderson, R.	Clawson	George	Kostohryz	Nelsen, B.
Arlandson	Cohen	Gunter	Kroening	Nelsen, M.
Battaglia	Cummiskey	Hanson	Kvam	Nelson
Beauchamp	Dean	Haugerud	Laidig	Niehaus
Begich	Den Ouden	Heinitz	Langseth	Norton
Berglin	Eckstein	Hokanson	Lehto	Novak
Berkelman	Ellingson	Jacobs	Lemke	Osthoff
Biersdorf	Enebo	Jaros	Mangan	Patton
Birnstihl	Erickson	Jensen	Mann	Pehler
Brandl	Esau	Johnson	McCarron	Peterson
Braun	Evans	Jude	McCollar	Petraseso

Pleasant	Scheid	Skoglund	Vanasek	Wigley
Reding	Schulz	Smogard	Voss	Williamson
Rice	Searle	Spanish	Waldorf	Wynia
Rose	Searles	Stanton	Welch	Zubay
St. Onge	Sherwood	Stoa	Wenstrom	Speaker Sabo
Samuelson	Sieben, H.	Suss	Wenzel	
Sarna	Sieben, M.	Swanson	White	
Savelkoul	Simoneau	Tomlinson	Wieser	

The bill was repassed, as amended by the Senate, and its title agreed to.

Mr. Speaker:

I hereby announce the passage by the Senate of the following House File, herewith returned, as amended by the Senate, in which amendment the concurrence of the House is respectfully requested:

H. F. No. 82, A bill for an act relating to crimes; raising the amount of pecuniary gain which must be received by a person incident to a violation of law before the violation is categorized as a felony; increasing the penal fine of misdemeanors; directing a court to require as a condition of a stay of imposition or execution of sentence restitution for property damage or loss or compensation for personal injuries; amending Minnesota Statutes 1976, Sections 412.231; 609.02, Subdivision 3; 609.03; 609.031; 609.032; 609.135, Subdivision 1; 609.27, Subdivision 2; 609.551, Subdivision 1; 609.563, Subdivision 1; 609.576, Subdivision 1; 609.595, Subdivision 1; 609.615; and 609.785.

PATRICK E. FLAHAVEN, Secretary of the Senate

Stanton moved that the House refuse to concur in the Senate amendments to H. F. No. 82, that the Speaker appoint a Conference Committee of 3 members of the House, and that the House requests that a like committee be appointed by the Senate to confer on the disagreeing votes of the two Houses. The motion prevailed.

Mr. Speaker:

I hereby announce the passage by the Senate of the following Senate File, herewith transmitted:

S. F. No. 1072.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

I hereby announce the passage by the Senate of the following Senate Files, herewith transmitted:

S. F. Nos. 13, 345, 827, 828 and 872.

PATRICK E. FLAHAVEN, Secretary of the Senate

FIRST READING OF SENATE BILLS

S. F. No. 1072, A bill for an act relating to appropriations; appropriating money for the fiscal year ending June 30, 1977.

The bill was read for the first time and referred to the Committee on Appropriations.

S. F. No. 13, A bill for an act relating to jurisdiction over federal lands; permitting acceptance by the state of retrocession of jurisdiction over federal lands by federal agencies; amending Minnesota Statutes 1976, Section 1.043; and Chapter 1, by adding a section.

The bill was read for the first time and referred to the Committee on Governmental Operations.

S. F. No. 345, A bill for an act relating to the Minnesota municipal board; providing for per diem compensation and reimbursement of expenses for board members; amending Minnesota Statutes 1976, Section 414.01, Subdivision 6a.

The bill was read for the first time.

Petrafeso moved that S. F. No. 345 and H. F. No. 53, now on General Orders, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 827, A bill for an act relating to the city of Duluth; authorizing the establishment and administration of a city housing finance program and expenditures for the purpose; providing for the issuance of revenue bonds.

The bill was read for the first time and referred to the Committee on Local and Urban Affairs.

S. F. No. 828, A bill for an act relating to the city of Duluth; authorizing the city to acquire, construct, and maintain parking facilities and to finance same.

The bill was read for the first time and referred to the Committee on Local and Urban Affairs.

S. F. No. 872, A bill for an act relating to state government; closing Hastings state hospital.

The bill was read for the first time and referred to the Committee on Health and Welfare.

CONSENT CALENDAR

H. F. No. 749 was reported to the House.

There being no objection, H. F. No. 749 was continued on the Consent Calendar for one day.

CALENDAR

H. F. No. 203 was reported to the House and given its third reading.

Abeln moved that H. F. No. 203 be re-referred to the Committee on Local and Urban Affairs.

A roll call was requested and properly seconded.

The question was taken on the motion by Abeln and the roll was called. There were 22 yeas and 101 nays as follows:

Those who voted in the affirmative were:

Abeln	Eckstein	Kahn	Sieben, M.	Welch
Arlandson	Ellingson	Kempe, R.	Simoneau	White
Byrne	Enebo	Kvam	Skoglund	
Carlson, L.	Faricy	McEachern	Stoa	
Dahl	Hanson	Scheid	Swanson	

Those who voted in the negative were:

Adams	Corbid	Kalis	Nelsen, M.	Sherwood
Albrecht	Dean	Kelly, R.	Nelson	Sieben, H.
Anderson, B.	Den Ouden	Kelly, W.	Niehaus	Smogard
Anderson, D.	Erickson	Kempe, A.	Norton	Spanish
Anderson, G.	Esau	King	Novak	Stanton
Anderson, I.	Evans	Knickerbocker	Osthoff	Suss
Battaglia	Ewald	Kostohryz	Patton	Tomlinson
Beauchamp	Fjoslien	Laidig	Pehler	Vanasek
Begich	Forsythe	Langseth	Peterson	Waldorf
Berglin	Friedrich	Lehto	Petrafeso	Wenstrom
Berkelman	Fudro	Lemke	Pleasant	Wenzel
Biersdorf	Fugina	Mangan	Prahl	Wieser
Birnstihl	George	Mann	Reding	Wigley
Brandl	Heinitz	McCarron	Rose	Williamson
Braun	Hokanson	McCollar	St. Onge	Wynia
Brinkman	Jacobs	Metzen	Samuelson	Zubay
Carlson, D.	Jaros	Moe	Sarna	Speaker Sabo
Casserly	Jensen	Munger	Savelkoul	
Clark	Johnson	Murphy	Schulz	
Clawson	Jude	Neisen	Searle	
Cohen	Kaley	Nelsen, B.	Searles	

The motion did not prevail.

H. F. No. 203, A bill for an act relating to public health; providing for a municipal referendum on the fluoridation of mu-

nicipal water supplies; amending Minnesota Statutes 1976, Section 144.145.

The bill was placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 74 yeas and 52 nays as follows:

Those who voted in the affirmative were:

Albrecht	Clawson	Kelly, R.	Niehaus	Sherwood
Anderson, B.	Cohen	Kelly, W.	Norton	Sieben, H.
Anderson, G.	Corbid	Lehto	Novak	Smogard
Anderson, I.	Cummiskey	Lemke	Osthoff	Spanish
Anderson, R.	Den Ouden	Mangan	Pehler	Stanton
Pattaglia	Eken	Mann	Petrafero	Suss
Beauchamp	Erickson	McCarron	Prahl	Wenstrom
Begich	Esau	McCollar	Reding	Wenzel
Berglin	Fjoslien	McDonald	Rose	Wieser
Biersdorf	Fugina	Metzen	St. Onge	Wigley
Brandl	Gunter	Moe	Samuelson	Williamson
Braun	Heinitz	Munger	Savelkoul	Wynia
Brinkman	Jaros	Nelsen, B.	Schulz	Zubay
Carlson, D.	Johnson	Nelsen, M.	Searle	Speaker Sabo
Clark	Jude	Nelson	Searles	

Those who voted in the negative were:

Abeln	Dean	Hanson	Kvam	Skoglund
Adams	Eckstein	Haugerud	Laidig	Stoa
Anderson, D.	Ellingson	Jensen	McEachern	Swanson
Arlandson	Enebo	Kahn	Murphy	Tomlinson
Berg	Evans	Kaley	Neisen	Vanasek
Berkelman	Ewald	Kalis	Patton	Waldorf
Birnstihl	Faricy	Kempe, A.	Peterson	Welch
Byrne	Forsythe	Kempe, R.	Plesant	White
Carlson, L.	Friedrich	King	Scheid	
Casserly	Fudro	Knickerbocker	Sieben, M.	
Dahl	George	Kostohryz	Simoneau	

The bill was passed and its title agreed to.

H. F. No. 218, A bill for an act relating to the city of Minneapolis and Hennepin county; providing for representation for the board of county commissioners of Hennepin county and the Minneapolis city council on the municipal building commission; amending Laws 1903, Chapter 247, Section 1.

The bill was read for the third time and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 129 yeas and 1 nay as follows:

Those who voted in the affirmative were:

Abeln	Corbid	Jaros	Munger	Searles
Adams	Cummiskey	Jensen	Murphy	Sherwood
Albrecht	Dahl	Johnson	Neisen	Sieben, H.
Anderson, B.	Dean	Jude	Nelsen, B.	Sieben, M.
Anderson, D.	Den Ouden	Kahn	Nelsen, M.	Simoneau
Anderson, G.	Eckstein	Kaley	Nelson	Skoglund
Anderson, I.	Eken	Kalis	Niehaus	Smogard
Anderson, R.	Ellingson	Kelly, W.	Norton	Spanish
Arlandson	Enebo	Kempe, A.	Novak	Stanton
Battaglia	Erickson	Kempe, R.	Osthoff	Stoa
Beauchamp	Esau	King	Patton	Suss
Begich	Evans	Knickerbocker	Pehler	Swanson
Berg	Ewald	Kostohryz	Peterson	Tomlinson
Berkelman	Faricy	Kroening	Petrafeso	Vanasek
Biersdorf	Fjoslien	Kvam	Pleasant	Voss
Birnstihl	Forsythe	Laidig	Prahl	Waldorf
Brandl	Friedrich	Lehto	Reding	Welch
Braun	Fudro	Lemke	Rice	Wenstrom
Brinkman	Fugina	Mangan	Rose	Wenzel
Byrne	George	Mann	St. Onge	White
Carlson, D.	Gunter	McCarron	Samuelson	Wieser
Carlson, L.	Hanson	McCollar	Sarna	Wigley
Casserly	Haugerud	McDonald	Savelkoul	Williamson
Clark	Heinitz	McEachern	Scheid	Zubay
Clawson	Hokanson	Metzen	Schulz	Speaker Sabo
Cohen	Jacobs	Moe	Searle	

Those who voted in the negative were:

Berglin

The bill was passed and its title agreed to.

Simoneau was excused from 4:00 to 4:15 p.m.

GENERAL ORDERS

Pursuant to rules of the House, the House resolved itself into the Committee of the Whole, with Sabo in the Chair, for the consideration of bills pending on General Orders of the Day. After some time spent therein the Committee arose.

REPORT OF COMMITTEE OF THE WHOLE

The Speaker resumed the Chair, whereupon the following proceedings of the Committee as kept by the Chief Clerk were reported to the House:

H. F. No. 324 which it recommended to pass.

S. F. No. 483 which it recommended to pass as amended by the Committee of the Whole on Wednesday, April 13, 1977.

H. F. No. 7 which it recommended progress retaining its place on General Orders.

H. F. Nos. 585, 1005, 800, 676, 707, 993 and 79 which it recommended progress.

S. F. No. 170 which it recommended progress.

On the motion of Anderson, I., the report of the Committee of the Whole was adopted.

ROLL CALLS IN COMMITTEE OF THE WHOLE

Pursuant to rule 1.6, the following roll calls were taken in the Committee of the Whole:

Carlson, A., moved to amend S. F. No. 483, the unofficial engrossment, as follows:

Page 7, at the end of line 17, add "*Furthermore, notwithstanding any other law or ordinance to the contrary, no increase in compensation for an elected official of a political subdivision shall take effect until at least one half of the positions on the governing body which approved the increase have been filled by election held after the increase was approved.*".

Amend the title as follows:

Page 1, line 11, after "governor" insert "and delaying certain salary increases".

The question was taken on the adoption of the amendment and the roll was called. There were 44 yeas and 80 nays as follows:

Those who voted in the affirmative were:

Albrecht	Den Ouden	Kempe, A.	Niehaus	Smogard
Anderson, D.	Erickson	Kempe, R.	Novak	Stanton
Anderson, R.	Esau	Knickerbocker	Peterson	Swanson
Biersdorf	Evans	Kostohryz	Pleasant	Wenstrom
Byrne	Ewald	Kvam	Reding	Wenzel
Carlson, A.	Fjoslien	Laidig	Rose	Wieser
Carlson, D.	Friedrich	McDonald	Savelkoul	Wigley
Carlson, L.	Heinitz	McEachern	Searle	Zubay
Dean	Kaley	Nelsen, B.	Searles	

Those who voted in the negative were:

Abeln	Berkelman	Cummiskey	Haugerud	King
Adams	Birnstihl	Dahl	Hokanson	Kroening
Anderson, B.	Brandl	Eckstein	Jacobs	Langseth
Anderson, G.	Braun	Eken	Jaros	Lehto
Anderson, I.	Brinkman	Ellingson	Jensen	Lemke
Battaglia	Casserly	Enebo	Jude	Mangan
Beauchamp	Clark	Fudro	Kahn	Mann
Begich	Clawson	Fugina	Kalis	McCarron
Berg	Cohen	George	Kelly, R.	McCollar
Berglin	Corbid	Gunter	Kelly, W.	Metzen

Moe	Pehler	Scheid	Skoglund	Waldorf
Munger	Petrafeso	Schulz	Stoa	Welch
Murphy	Prahl	Sherwood	Suss	White
Neisen	Rice	Sieben, H.	Tomlinson	Williamson
Norton	St. Onge	Sieben, M.	Vanasek	Wynia
Patton	Samuelson	Simoneau	Voss	Speaker Sabo

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

Dean moved to amend S. F. No. 483, the unofficial engrossment, as follows:

Page 13, line 9, strike "\$48" and insert "\$27".

Page 22, line 20, after "enactment." insert "Sec. 11 is effective January 1, 1979."

The question was taken on the adoption of the amendment and the roll was called. There were 53 yeas and 71 nays as follows:

Those who voted in the affirmative were:

Abeln	Erickson	Kelly, R.	Nelsen, B.	Smogard
Albrecht	Esau	Kempe, A.	Niehaus	Spanish
Anderson, D.	Evans	Kempe, R.	Osthoff	Stoa
Anderson, G.	Ewald	Knickerbocker	Peterson	Waldorf
Anderson, R.	Fjoslien	Kvam	Pleasant	Wenstrom
Biersdorf	Forsythe	Laidig	Reding	Wenzel
Carlson, A.	Friedrich	Langseth	Rose	Wieser
Carlson, D.	Heinitz	Lehto	Savelkoul	Wigley
Dahl	Hokanson	McDonald	Searle	Zubay
Dean	Jude	McEachern	Searles	
Den Ouden	Kaley	Murphy	Skoglund	

Those who voted in the negative were:

Adams	Casserly	Jensen	Norton	Stanton
Anderson, I.	Clark	Kahn	Novak	Suss
Arlandson	Cohen	Kelly, W.	Patton	Swanson
Battaglia	Corbid	King	Pehler	Tomlinson
Beauchamp	Cummiskey	Kostohryz	Petrafeso	Vanasek
Begich	Eckstein	Kroening	Rice	Voss
Berg	Eken	Lemke	St. Onge	Welch
Berglin	Ellingson	Mangan	Samuelson	White
Berkelman	Enebo	Mann	Sarna	Williamson
Birnstihl	Fudro	McCarron	Scheid	Wynia
Brandl	Fugina	McCollar	Schulz	Speaker Sabo
Braun	George	Metzen	Sherwood	
Brinkman	Gunter	Moe	Sieben, H.	
Byrne	Haugerud	Neisen	Sieben, M.	
Carlson, L.	Jaros	Nelson	Simoneau	

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

Dean moved to amend S. F. No. 483, the unofficial engrossment, as follows:

Page 12, strike lines 25 through 28.

Page 12, line 30, after "of" insert "*a majority of the*".

Page 12, line 30, strike "*which constitutes the*".

Page 12, line 31, strike "*largest political affiliation within that body*".

Page 13, line 1, after "*house*" strike the remainder of the line and insert "*not voting in the election of the majority leader.*".

Page 13, strike all of line 2.

The question was taken on the adoption of the amendment and the roll was called. There were 44 yeas and 79 nays as follows:

Those who voted in the affirmative were:

Albrecht	Dean	Heinitz	McEachern	Searles
Anderson, D.	Den Ouden	Kahn	Nelsen, B.	Skoglund
Anderson, R.	Erickson	Kaley	Nelson	Smogard
Biersdorf	Esau	Kempe, R.	Niehaus	Spanish
Carlson, A.	Evans	Knickerbocker	Peterson	Stanton
Carlson, D.	Fjoslien	Kvam	Pleasant	Wenstrom
Casserly	Forsythe	Laidig	Rose	Wigley
Clark	Friedrich	Langseth	Savelkoul	Zubay
Corbid	Haugerud	McDonald	Searle	

Those who voted in the negative were:

Abeln	Carlson, L.	Johnson	Neisen	Sieben, M.
Adams	Clawson	Jude	Norton	Simoneau
Anderson, B.	Cohen	Kelly, R.	Novak	Stoa
Anderson, G.	Cummiskey	Kelly, W.	Osthoff	Suss
Anderson, I.	Dahl	Kempe, A.	Patton	Swanson
Arlandson	Eckstein	King	Pehler	Tomlinson
Battaglia	Eken	Kostohryz	Petrafeso	Vanasek
Beauchamp	Ellingson	Kroening	Reding	Voss
Begich	Enebo	Lemke	Rice	Waldorf
Berglin	Ewald	Mann	St. Onge	Wenzel
Berkelman	Fudro	McCarron	Samuelson	White
Birnstihl	Fugina	McCollar	Sarna	Wieser
Brandl	George	Metzen	Scheid	Williamson
Braun	Gunter	Moe	Schulz	Wynia
Brinkman	Hokanson	Munger	Sherwood	Speaker Sabo
Byrne	Jacobs	Murphy	Sieben, H.	

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

Kelly, R.; Waldorf; Scheid; Stoa; Tomlinson; Murphy; Kempe, A.; Byrne; McCollar; Kostohryz; Lehto and Ellingson moved to amend S. F. No. 483, the unofficial engrossment, as follows:

Page 12, line 1, delete "not to".

Page 12, strike lines 2 and 3 and insert "each member who has not moved from his usual place of lodging during a substantial part of the session shall be reimbursed for actual and necessary expenses incurred in the exercise of his official duties in an amount and manner provided for other state employees."

A roll call was requested and properly seconded.

Patton moved to amend the Kelly, R., amendment to S. F. No. 483, the unofficial engrossment, as follows:

After "employees." insert "No member other than self-employed member of the Minnesota Legislature shall receive compensation from an employer while the Legislature is in session."

The question was taken on the adoption of the amendment to the amendment and the roll was called. There were 70 yeas and 58 nays as follows:

Those who voted in the affirmative were:

Abeln	Brinkman	Haugerud	McEachern	Rice
Adams	Byrne	Hokanson	Metzen	St. Onge
Albrecht	Carlson, L.	Jaros	Moe	Samuelson
Anderson, B.	Casserly	Jensen	Munger	Sarna
Anderson, G.	Corbid	Johnson	Murphy	Sherwood
Anderson, I.	Cummiskey	Kahn	Neisen	Stanton
Arlandson	Eckstein	Kelly, W.	Nelson	Suss
Battaglia	Eken	King	Niehaus	Swanson
Beauchamp	Enebo	Knickerbocker	Novak	Vanasek
Begich	Ericsson	Kroening	Osthoff	Voss
Berglin	Esau	Laidig	Patton	Wenzel
Berkelman	Fudro	Lemke	Pehler	White
Birnstihl	George	Mangan	Peterson	Williamson
Braun	Hanson	Mann	Petrafeso	Speaker Sabo

Those who voted in the negative were:

Anderson, D.	Ewald	Kelly, R.	Pleasant	Smogard
Anderson, R.	Farcy	Kempe, A.	Prahl	Stoa
Biersdorf	Fjoslien	Kempe, R.	Reding	Tomlinson
Brandl	Forsythe	Kostohryz	Rose	Waldorf
Carlson, A.	Friedrich	Kvam	Savelkoul	Welch
Carlson, D.	Fugina	Langseth	Scheid	Wenstrom
Clawson	Gunter	Lehto	Searle	Wieser
Cohen	Heinitz	McCarron	Searles	Wigley
Dean	Jacobs	McCollar	Sieben, H.	Wynia
Den Ouden	Jude	McDonald	Sieben, M.	Zubay
Ellingson	Kaley	Nelsen, B.	Simoneau	
Evans	Kalis	Norton	Skoglund	

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

Kahn moved to amend the Kelly, R., amendment, as amended, to S. F. No. 483, the unofficial engrossment, as follows:

Delete *"who has not moved from his usual place of lodging during a substantial part of the session"*.

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

The question recurred on the Kelly, R., amendment, as amended, and the roll was called. There were 53 yeas and 77 nays as follows:

Those who voted in the affirmative were:

Anderson, D.	Esau	Kaley	McEachern	Simoneau
Berkelman	Evans	Kelly, R.	Munger	Stoa
Byrne	Ewald	Kempe, A.	Murphy	Tomlinson
Carlson, A.	Faricy	Kempe, R.	Nelsen, B.	Waldorf
Carlson, D.	Fjoslien	Knickerbocker	Niehaus	Welch
Carlson, L.	Forsythe	Kostohryz	Osthoff	Wieser
Dahl	Friedrich	Laidig	Peterson	Williamson
Den Ouden	Haugerud	Lehto	Reding	Wynia
Eckstein	Heinitz	Mann	Savelkoul	Zubay
Ellingson	Jacobs	McCollar	Scheid	
Erickson	Jude	McDonald	Searle	

Those who voted in the negative were:

Abeln	Braun	Jaros	Nelson	Sieben, M.
Adams	Brinkman	Jensen	Norton	Skoglund
Albrecht	Cassery	Johnson	Novak	Smogard
Anderson, B.	Clark	Kahn	Patton	Stanton
Anderson, G.	Clawson	Kalis	Pehler	Suss
Anderson, I.	Cohen	Kelly, W.	Petrafeso	Swanson
Anderson, R.	Corbid	King	Pleasant	Vanasek
Arlandson	Cummiskey	Kroening	Rice	Voss
Battaglia	Dean	Kvam	Rose	Wenstrom
Beauchamp	Eken	Langseth	St. Onge	Wenzel
Begich	Enebo	Lemke	Samuelson	White
Berg	Fudro	Mangan	Sarna	Wigley
Berglin	Fugina	McCarron	Schulz	Speaker Sabo
Biersdorf	George	Metzen	Searles	
Birnstihl	Gunter	Moe	Sherwood	
Brandl	Hokanson	Neisen	Sieben, H.	

The motion did not prevail and the amendment, as amended, was not adopted.

Carlson, D., moved to amend S. F. No. 483, the unofficial engrossment, as follows:

Page 10, line 32, strike all of Sec. 10.

Page 13, line 3, strike all of Sec. 11.

Page 13, line 22, strike all of Sec. 12.

Renumber the sections accordingly.

Further, amend the title accordingly.

The question was taken on the adoption of the amendment and the roll was called. There were 29 yeas and 90 nays as follows:

Those who voted in the affirmative were:

Albrecht	Den Ouden	Friedrich	McDonald	Rose
Anderson, D.	Erickson	Jude	Murphy	Savelkoul
Anderson, R.	Esau	Kempe, A.	Nelsen, B.	Searles
Biersdorf	Evans	Kempe, R.	Niehaus	Spanish
Carlson, D.	Fjoslien	Kvam	Peterson	Wigley
Dean	Forsythe	Laidig	Pleasant	

Those who voted in the negative were:

Abeln	Casserly	Jacobs	Moe	Skoglund
Adams	Clark	Jaros	Munger	Smogard
Anderson, B.	Clawson	Jensen	Neisen	Stanton
Anderson, G.	Cohen	Kahn	Nelson	Stoa
Anderson, I.	Corbid	Kelly, R.	Norton	Suss
Arlandson	Cummiskey	Kelly, W.	Novak	Swanson
Battaglia	Eckstein	King	Pehler	Tomlinson
Beauchamp	Eken	Knickerbocker	Petrafaso	Vanasek
Begich	Ellingson	Kostohryz	Prahl	Voss
Berg	Enebo	Kroening	Rice	Waldorf
Berglin	Ewald	Langseth	St. Onge	Welch
Berkelman	Farcy	Lehto	Samuelson	Wenstrom
Birnstihl	Fudro	Lemke	Sarna	Wenzel
Brandl	Fugina	Mangan	Scheid	White
Braun	George	McCarron	Schulz	Wieser
Brinkman	Gunter	McCollar	Sherwood	Williamson
Byrne	Haugerud	McEachern	Sieben, H.	Wynia
Carlson, L.	Hokanson	Metzen	Sieben, M.	Speaker Sabo

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

The question was taken on the motion to recommend passage of S. F. No. 483 and the roll was called. There were 70 yeas and 61 nays as follows:

Those who voted in the affirmative were:

Abeln	Cohen	Jacobs	Metzen	Sieben, H.
Anderson, I.	Corbid	Jaros	Moe	Sieben, M.
Arlandson	Cummiskey	Johnson	Munger	Skoglund
Battaglia	Dahl	Kahn	Murphy	Stanton
Beauchamp	Eken	Kelly, R.	Nelson	Suss
Berg	Ellingson	Kelly, W.	Norton	Swanson
Berglin	Enebo	King	Pehler	Vanasek
Brandl	Farcy	Kostohryz	Petrafaso	Voss
Braun	Fudro	Kroening	Reding	Waldorf
Carlson, A.	Fugina	Langseth	Rice	Wenzel
Carlson, L.	George	Lehto	St. Onge	White
Casserly	Gunter	Mangan	Samuelson	Williamson
Clark	Hanson	Mann	Scheid	Wynia
Clawson	Haugerud	McCarron	Sherwood	Speaker Sabo

Those who voted in the negative were:

Adams	Den Ouden	Kaley	Niehaus	Smogard
Albrecht	Eckstein	Kalis	Novak	Spanish
Anderson, B.	Erickson	Kempe, A.	Osthoff	Stoa
Anderson, D.	Esau	Kempe, R.	Patton	Tomlinson
Anderson, G.	Evans	Knickerbocker	Peterson	Welch
Anderson, R.	Ewald	Kvam	Pleasant	Wenstrom
Berkelman	Fjoslien	Laidig	Prahl	Wieser
Biersdorf	Forsythe	Lemke	Rose	Wigley
Birnstihl	Friedrich	McCollar	Savelkoul	Zubay
Brinkman	Heinitz	McDonald	Schulz	
Byrne	Hokanson	McEachern	Searle	
Carlson, D.	Jensen	Neisen	Searles	
Dean	Jude	Nelsen, B.	Simoneau	

The motion prevailed.

MOTIONS AND RESOLUTIONS

Wenstrom moved that H. F. No. 85, now on General Orders, be re-referred to the Committee on Appropriations. The motion prevailed.

Erickson, Johnson, Den Ouden and Eken introduced:

House Resolution No. 13, A house resolution congratulating the Minnesota Association of the Future Farmers of America.

The resolution was referred to the Committee on Rules and Legislative Administration.

ANNOUNCEMENT BY THE SPEAKER

The Speaker announced the appointment of the following members of the House to the Conference Committee on H. F. No. 82: Stanton, Kempe, A., and Carlson, A.

ADJOURNMENT

Anderson, I., moved that when the House adjourns today it adjourn until 2:00 p.m., Monday, April 18, 1977. The motion prevailed.

Anderson, I., moved that the House adjourn. The motion prevailed, and the Speaker declared the House stands adjourned until 2:00 p.m., Monday, April 18, 1977.

EDWARD A. BURDICK, Chief Clerk, House of Representatives

STATE OF MINNESOTA
SEVENTIETH SESSION - 1977

THIRTY-SIXTH DAY

SAINT PAUL, MINNESOTA, MONDAY, APRIL 18, 1977

The House of Representatives convened at 2:00 p.m. and was called to order by the Speaker.

Prayer was offered by the Chaplain.

The roll was called and the following members were present:

Abeln	Cohen	Jaros	Moe	Searles
Adams	Corbid	Jensen	Munger	Sherwood
Albrecht	Cummiskey	Johnson	Murphy	Sieben, H.
Anderson, B.	Dahl	Jude	Neisen	Sieben, M.
Anderson, D.	Dean	Kahn	Nelsen, B.	Simoneau
Anderson, G.	Den Ouden	Kaley	Nelsen, M.	Skoglund
Anderson, I.	Eckstein	Kalis	Nelson	Smogard
Anderson, R.	Eken	Kelly, R.	Niehaus	Spanish
Arlandson	Ellingson	Kelly, W.	Norton	Stanton
Battaglia	Enebo	Kempe, A.	Novak	Stoa
Beauchamp	Erickson	Kempe, R.	Osthoff	Suss
Begich	Esau	King	Patton	Swanson
Berg	Evans	Knickerbocker	Pehler	Tomlinson
Berglin	Ewald	Kostohryz	Peterson	Vanasek
Berkelman	Fariy	Kroening	Petrafeso	Voss
Biersdorf	Fjoslien	Kvam	Pleasant	Waldorf
Birnstihl	Forsythe	Laidig	Prahl	Welch
Brandl	Friedrich	Langseth	Reding	Wenstrom
Braun	Fudro	Lehto	Rice	Wenzel
Brinkman	Fugina	Lemke	Rose	White
Byrne	George	Mangan	St. Onge	Wieser
Carlson, A.	Gunter	Mann	Samuelson	Wigley
Carlson, D.	Hanson	McCarron	Sarna	Williamson
Carlson, L.	Haugerud	McCollar	Savelkoul	Wynia
Casserly	Heinitz	McDonald	Scheid	Zubay
Clark	Hokanson	McEachern	Schulz	Speaker Sabo
Clawson	Jacobs	Metzen	Searle	

A quorum was present.

The Chief Clerk proceeded to read the Journal of the preceding day. Vanasek moved that further reading of the Journal be dispensed with and that the Journal be approved as corrected by the Chief Clerk. The motion prevailed.

REPORTS OF CHIEF CLERK

Pursuant to Rules of the House, printed copies of H. F. Nos. 1172, 888, 756, 979, 1107, 946, 947, 285, 1017, 313, 424, 542, 544 and 652 and S. F. Nos. 13, 345, 827, 828, 872 and 1072 have been placed in the members' files.

S. F. No. 345 and H. F. No. 53, which had been referred to the Chief Clerk for comparison, were examined and found to be identical with certain exceptions.

SUSPENSION OF RULES

Petrafeso moved that the rules be so far suspended that S. F. No. 345 be substituted for H. F. No. 53 and that the House File be indefinitely postponed. The motion prevailed.

PETITIONS AND COMMUNICATIONS

The following communications were received:

STATE OF MINNESOTA
OFFICE OF THE GOVERNOR
SAINT PAUL

April 14, 1977

The Honorable Martin Sabo
Speaker of the House
State of Minnesota

Dear Speaker Sabo:

I have the honor to inform you that I received, approved, signed and deposited in the Office of the Secretary of State the following House Files:

H. F. No. 168, An act relating to Yellow Medicine County; authorizing participation in a mental health services program outside its region.

H. F. No. 418, An act relating to public welfare; exempting licensed hospitals from licensing requirements.

Sincerely,

RUDY PERPICH
Governor

STATE OF MINNESOTA
OFFICE OF THE SECRETARY OF STATE
ST. PAUL 55155

April 15, 1977

The Honorable Martin O. Sabo
Speaker of the House of Representatives
The Honorable Edward J. Gearty
President of the Senate

I have the honor to inform you that the following enrolled Acts of the 1977 Session of the State Legislature have been received from the Office of the Governor and are deposited in the Office of the Secretary of State for preservation, pursuant to the State Constitution, Article IV, Section 23:

<i>S.F. No.</i>	<i>H.F. No.</i>	<i>Session Laws Chapter No.</i>	<i>Date Approved 1977</i>	<i>Date Filed 1977</i>
43		22	April 14	April 15
104		23	April 14	April 15
	168	24	April 14	April 15
	418	25	April 14	April 15

Sincerely,

JOAN ANDERSON GROWE
Secretary of State

REPORTS OF STANDING COMMITTEES

Hanson from the Committee on Commerce and Economic Development to which was referred:

H. F. No. 41, A bill for an act relating to public safety; requiring fire detection devices in certain residential housing; directing the commissioner of administration to amend the state building code; amending Minnesota Statutes 1976, Section 16.85, by adding a subdivision.

Reported the same back with the following amendments:

Strike everything after the enacting clause and insert the following:

"Section 1. Minnesota Statutes 1976, Section 16.85, Subdivision 1, is amended to read:

16.85 [GENERAL POWERS OF COMMISSIONER, STATE BUILDING CODE.] Subdivision 1. Subject to the provisions of sections 16.83 to 16.867, the commissioner shall by rule establish a code of standards for the construction, reconstruction, alteration, and repair of state-owned buildings, governing matters of structural materials, design and construction, fire protection, health, sanitation, and safety. The commissioner may amend the code from time to time as provided in sections 16.83 to 16.867. The code and any amendment thereof shall conform insofar as practicable to model building codes generally accepted and in use throughout the United States. In the preparation of the code consideration shall be given to the existing state-wide specialty codes presently in use in the state of Minnesota. Such model codes with modifications as may be deemed necessary and state-wide specialty codes may be adopted by reference. The code so promulgated and any amendments thereof shall be based on the application of scientific principles, approved tests, and professional judgment; and to the extent that it is practical so to do the code shall be promulgated in terms of desired results instead of the means of achieving such results, avoiding wherever possible the incorporation of specifications of particular methods or materials. To that end the code shall encourage the use of new methods and new materials.

The code shall require that any parking ramp or other parking facility constructed in accordance with the code include an appropriate number of spaces suitable for the parking of motor vehicles having a capacity of seven to 16 persons and which are principally used to provide prearranged commuter transportation of employees to or from their place of employment or to or from a transit stop authorized by a local transit authority.

The code shall require that all dwellings, lodging houses, apartment houses, and hotels as defined in section 2 comply with the provisions of section 2.

Sec. 2. Minnesota Statutes 1976, Chapter 299F, is amended by adding a section to read:

[299F.362] [INSTALLATION OF SMOKE DETECTORS IN DWELLINGS, LODGING HOUSES, APARTMENT HOUSES, AND HOTELS.] Subdivision 1. [DEFINITIONS.] *For the purposes of this section, the following definitions shall apply:*

(a) "Apartment house" is any building, or portion thereof, which is designed, built, rented, leased, let, or hired out to be occupied, or which is occupied as the home or residence of three or more families living independently of each other and doing their own cooking in the said building, and shall include flats and apartments.

(b) "Dwelling" is any building constructed, remodeled, rented, or offered for rent after January 1, 1978, or any portion

thereof which is not an "apartment house", "lodging house" or a "hotel" as defined in this section, which contains one or two "dwelling units" which are, or are intended or designed to be, occupied for living purposes.

(c) "Dwelling unit" is a single unit providing complete, independent living facilities for one or more persons including permanent provisions for living, sleeping, eating, cooking and sanitation.

(d) "Hotel" is any building containing six or more guest rooms intended or designed to be used, or which are used, rented or hired out to be occupied, or which are occupied for sleeping purposes by guests.

(e) "Lodging house" is any building or portion thereof, containing not more than five guest rooms which are used by no more than five guests where rent is paid in money, goods, labor or otherwise. A lodging house shall comply with all the requirements of this code for dwellings.

Subd. 2. [FIRE WARNING SYSTEMS; DWELLINGS.] Every dwelling unit within a dwelling shall be provided with a smoke detector meeting the requirements of Underwriters Laboratories, Inc., or approved by the International Conference of Building Officials. The detector shall be mounted on the ceiling or wall at a point centrally located in the corridor or area giving access to rooms used for sleeping purposes. Where sleeping rooms are on an upper level, the detector shall be placed at the center of the ceiling directly above the stairway. A smoke detector located on the ceiling shall be at least six inches from the wall and a smoke detector on a wall shall be between six and 12 inches from the ceiling. Care shall be exercised to insure that the installation will not interfere with the operating characteristics of the detector. When actuated, the detector shall provide an alarm in the dwelling unit.

Subd. 3. [FIRE WARNING SYSTEMS; APARTMENT HOUSES, LODGING HOUSES, AND HOTELS.] Every dwelling unit within an apartment house and every guest room in a lodging house or hotel used for sleeping purposes shall be provided with a smoke detector conforming to the requirements of Underwriters Laboratories, Inc., or approved by the International Conference of Building Officials. In dwelling units, detectors shall be mounted on the ceiling or wall at a point centrally located in the corridor area giving access to rooms used for sleeping purposes. In an efficiency dwelling unit, hotel or lodging house sleeping room and in hotel suites, the detector shall be centrally located on the ceiling of the main room or hotel sleeping room. Where sleeping rooms are on an upper level, the detector shall be placed at the center of the ceiling directly above the stairway. A smoke detector located on the ceiling shall be at least six inches from the wall and a smoke detector on a wall shall be

between six and 12 inches from the ceiling. Care shall be exercised to insure that the installation will not interfere with the operating characteristics of the detector. When actuated, the detector shall provide an alarm in the dwelling unit or guest room.

Subd. 4. [MAINTENANCE RESPONSIBILITIES.] For all occupancies covered by this section where the occupant is not the owner of the dwelling unit or the guest room, responsibilities for maintenance of the smoke detectors shall be as follows:

(a) It shall be the responsibility of the owner to provide the occupant with a written explanation of the location and operation of the detector or detectors and with instructions on what to do when the alarm sounds, how to test the detector, and how to contact the owner when a low battery tone sounds or a power light on fails. Furthermore, when an owner has been notified by an occupant that the detector is defective or nonoperative, or that a special tone has been given off or a power light on has failed, the owner shall remedy the condition within 72 hours.

In hotel guest rooms a written notice posted on the inside of the entry door outlining such instructions shall satisfy the requirements of this subdivision.

(b) It shall be the responsibility of the occupant to notify the owner when any tone sounds or power light on fails.

Subd. 5. [PENALTY.] Any person who violates any provision of this section shall be subject to the same penalty incurred for violation of the fire safety code, as specified in section 299F.39, subdivision 4.

Subd. 6. Nothing in this section shall prohibit a local unit of government from adopting more stringent standards than those provided in this section.

Sec. 3. [EFFECTIVE DATE.] This act is effective January 1, 1979."

Further amend the title as follows:

Page 1, line 6, delete "by adding a".

Page 1, line 7, delete "subdivision" and insert "Subdivision 1; and Chapter 299F, by adding a section".

With the recommendation that when so amended the bill pass. The report was adopted.

Hanson from the Committee on Commerce and Economic Development to which was referred:

H. F. No. 240, A bill for an act relating to intoxicating liquors; removing prohibition against sale of liquor on election days; amending Minnesota Statutes 1976, Sections 340.034, Subdivision 1; and 340.14, Subdivision 1.

Reported the same back with the recommendation that the bill pass.

The report was adopted.

Hanson from the Committee on Commerce and Economic Development to which was referred:

H. F. No. 829, A bill for an act relating to landlord and tenant; establishing period for which interest is payable on security deposit; providing a measure of damages for the improper withholding of security deposits; amending Minnesota Statutes 1976, Section 504.20, Subdivisions 2, 3, 4 and 7.

Reported the same back with the following amendments:

Page 2, line 5, strike "two" and insert "three".

Page 2, line 11, after the period insert "*It shall be sufficient compliance with the time requirement of this subdivision if such deposit or written statement as required by this subdivision is placed in the United States mail as first class mail, postage pre-paid, in an envelope with a proper return address, correctly addressed according to the mailing address or delivery instructions furnished by the tenant, within the time required by this subdivision.*".

Page 2, lines 14 and 15, restore the stricken language.

Page 2, line 27, strike "two" and insert "three".

Page 2, line 31, delete "*the amount of twice the*".

Page 2, line 32, delete the entire line.

Page 3, line 1, delete "*in subdivision 2*" and insert "*an amount equal to the sum of such deposit and interest thereon as provided in subdivision 2, as a penalty, in addition to the amount of such deposit and interest thereon withheld by the landlord*".

Page 3, line 8, strike "Failure by" and insert "If".

Page 3, line 9, strike "to provide the written statement required by" and insert "*has failed to comply with the provisions of*".

Page 3, line 10, strike "and to return" and insert "*, his retention of such deposit shall be presumed to be in bad faith unless he returns*".

Page 3, line 12, after "deposit" strike the remainder of the line.

Page 3, line 13, strike the entire line except the period.

Page 3, after line 13, add a new section to read:

"Sec. 5. Minnesota Statutes 1976, Section 504.20, Subdivision 7a, is amended to read:

Subd. 7a. No tenant may withhold payment of all or any portion of rent for the last payment period of a residential rental agreement, except an oral or written month to month residential rental agreement concerning which neither the tenant nor landlord has served a notice to quit, on the grounds that such deposit should serve as payment for the rent. Withholding all or any portion of rent for the last payment period of the residential rental agreement creates a rebuttable presumption that the tenant withheld the last payment on the grounds that such deposit should serve as payment for the rent. (VIOLATION OF THIS SUBDIVISION AFTER WRITTEN DEMAND AND NOTICE OF THIS SUBDIVISION SHALL SUBJECT THE TENANT TO DAMAGES OF TWICE THE DEPOSIT AND FORFEITURE OF ANY INTEREST DUE ON THE DEPOSIT IN ADDITION TO ANY ACTUAL DAMAGES.) *Any tenant who violates this subdivision after written demand and notice of this subdivision shall be liable to the landlord for damages in an amount equal to the deposit plus interest on the deposit as provided in subdivision 2, as a penalty, in addition to the amount of rent withheld by the tenant in violation of this subdivision.*"

Further amend the title:

Line 7, delete "and" and insert a comma and after "7" insert "and 7a".

With the recommendation that when so amended the bill pass.

The report was adopted.

Brinkman from the Committee on Financial Institutions and Insurance to which was referred:

H. F. No. 338, A bill for an act relating to commerce; concerning products liability; providing a statute of limitations; allowing installment payments of judgments; providing certain defenses.

Reported the same back with the following amendments:

Strike everything after the enacting clause and insert:

“Sec. 1. [DEFINITIONS.] Subdivision 1. As used in this act the words defined in this section have the meanings given them.

Subd. 2. “Product liability action” means any action brought against a designer, manufacturer, distributor or seller of a product for the recovery of damages for personal injury, death or property damage arising out of the manufacture of or consumption of the product, including actions based on negligence, breach of implied warranty or strict liability in tort. A products liability action shall not include an action based on express warranty, fraudulent or intentional misrepresentation, concealment, or nondisclosure or other intentional misconduct.

Subd. 3. “Distributor” means any person or entity to which products are delivered or sold for purposes of distribution to sellers, not including a manufacturer or a seller.

Subd. 4. “Manufacturer” means any person or entity which assembles, fabricates, produces, constructs or otherwise prepares a product or any part of the complete product for ultimate sale through commercial channels to a consumer.

Subd. 5. “Seller” means any person or entity which as a regular part of its business holds products for dissemination directly to consumers through commercial channels, or to which products are delivered or sold for purposes of sale to consumers.

Subd. 6. “Unauthorized” means made without actual, implied or apparent authority.

Subd. 7. “Unforseeable” means not foreseeable by a reasonable person in the position of the defendant.

Sec. 2. [INDIVIDUAL APPLICATION.] This act shall apply to product liability actions brought by individuals on their own behalf, guardians, trustees on behalf of individuals, trustees on behalf of the survivors and next of kin of individuals, representatives, or any other person in any capacity on behalf of an individual for damages.

Sec. 3. [LIMITATIONS ON PRODUCT LIABILITY ACTIONS.] Subdivision 1. For purposes of this section the term “product liability action” means any product liability action

brought (a) to recover for damages to property or (b) by an employee for injury arising out of and in the course of employment within the meaning of Minnesota Statutes, Section 176.021, Subdivision 1.

Subd. 2. A product liability action shall be commenced within the time limits prescribed by chapter 541 for such actions, but in no case later than 15 years after the date when the product is sold or distributed to its initial user or consumer.

Subd. 3. Notwithstanding subdivision 2, any products liability action predicated on a duty, which arises, extends or is assumed by the defendant after the date the product is sold or distributed to its initial user or consumer, shall be commenced not later than 15 years after the product has left the control of the defendant or after the defendant ceases to be under a legal duty to inspect, repair, maintain, modify or improve the product.

Sec. 4. [DEFENSES TO PRODUCT LIABILITY ACTIONS.] Subdivision 1. [COMPARATIVE NEGLIGENCE.] The defenses provided for in this section shall be treated as contributory negligence for the purposes of section 604.01, regardless of whether recovery is sought on the basis of negligence, breach of warranty or strict liability in tort.

Subd. 2. The following shall constitute defenses to a products liability action:

(a) Any unauthorized alteration or modification of a product after it has left the control of the defendant which is a material and proximate cause of the injury, death or damage for which recovery is sought;

(b) Any unforeseeable misuse or abnormal use of a product by a person other than the defendant, or a person under his direction or control, which is a material and proximate cause of the injury, death or damage for which recovery is sought; and

(c) The failure of an owner or user of a product to properly maintain, service or repair the product which is a material and proximate cause of the injury, death or damage for which recovery is sought, unless the defendant failed to provide adequate instructions and warnings as to the safety of the product if it is not properly maintained, serviced or repaired.

Subd. 3. The defenses listed under this section are not intended as exclusive, and a defendant in a products liability action may plead any defense available to him at law or in equity.

Sec. 5. [DUTY TO WARN.] The duty of a manufacturer, distributor or seller to give adequate warning of unreasonable dangers or risks which may arise in the foreseeable use or mis-

use of a product shall not extend to dangers or risks which are open and obvious to the user or a reasonable person in the position of the user.

Sec. 6. [DAMAGES.] In any product liability action no punitive damages shall be awarded except upon proof by clear and convincing evidence that the defendant acted in flagrant and gross disregard of public health or safety.

Sec. 7. [APPLICATION.] This act applies to any products liability action whenever accrued except as to a products liability action commenced prior to the effective date of this act.

Sec. 8. [ELIMINATION OF SUBROGATION RIGHTS.] Subdivision 1. In a products liability action for personal injury or death which is based on an incident subject to the Minnesota workers' compensation law, Minnesota Statutes, Chapter 176, the defendant shall not have an action for indemnity or contribution against any person protected by the exclusive remedy provisions of the workers' compensation law.

Subd. 2. Any damage award made against a defendant in a products liability act shall be reduced by an amount equal to the benefits paid or payable pursuant to the workers' compensation law.

Subd. 3. No employer shall have any lien against or right to share in the proceeds of any judgment or settlement which an injured employee or his representative recovers from a defendant in a products liability action. Nor shall such employer maintain any subrogation action, direct or indirect, against such third party defendant.

Sec. 9. No dollar amount shall be specified in the prayer or request for relief in a complaint when filed or amended in a product liability action. The complaint shall merely state that recovery of reasonable damages is sought.

Sec. 10. [DEFINITIONS.] Subdivision 1. For purposes of sections 10 to 13 the terms defined in this section shall have the meanings given.

Subd. 2. "Commissioner" means the commissioner of insurance.

Subd. 3. "Insurer" means any person authorized to transact casualty and liability insurance as defined in section 60A.06, subdivision 1, clause (13).

Sec. 11. [REPORTING OF CLAIMS.] Subdivision 1. For the purpose of providing the legislature of the state of Minnesota with information on claims, settlements and other dispositions

of product liability actions and payments made by insurers on behalf of manufacturers, distributors or sellers in this state, each insurer licensed to do business in Minnesota shall within 30 days of payment, provide a written report to the commissioner. Each report shall contain:

- (1) The name and address of the manufacturer, distributor or seller;
- (2) A brief description of the acts of omission or commission which gave rise or allegedly gave rise to the claim and the date thereof;
- (3) The name of the plaintiff and the injury which resulted or allegedly resulted therefrom;
- (4) The amount paid in settlement or discharge of the claim whether paid by compromise, by payment of judgment, by payment of arbitration award, or otherwise; and
- (5) Where any judicial opinion has been rendered with regard to a claim, a copy of all such opinions shall be attached to the report, provided that no report shall be required for compromise settlements of claims where the amount paid is \$1,000 or less, except where such payments were made in satisfaction or compromise of any judgment of a court or of an award of arbitrators.

Sec. 12. [COMMISSIONER, DUTIES.] Subdivision 1. The commissioner shall compile all reports that are filed with its office pursuant to the provisions of this law and shall summarize and otherwise make this information available to the legislature as requested.

Sec. 13. [LIABILITY EXEMPTION.] There shall be no liability on the part of any insurer or person acting for said insurer, for any statements made in good faith in the reports required by this section.”.

Further amend the title by striking in its entirety and inserting:

“A bill for an act relating to commerce; providing an exclusive remedy for products liability actions; providing a statute of limitations; providing certain defenses; providing for the reporting of claims to the commissioner of insurance.”.

With the recommendation that when so amended the bill pass.

The report was adopted.

Brinkman from the Committee on Financial Institutions and Insurance to which was referred:

H. F. No. 635, A bill for an act relating to insurance; increasing solicitors license fees; establishing a duty of reasonable supervision for those employing agents; authorizing issuance of cease and desist orders and injunctions; prescribing and clarifying penalties; amending Minnesota Statutes 1976, Sections 60A.17, Subdivision 4, and by adding subdivisions; and 72A.07.

Reported the same back with the following amendments:

Page 2, delete lines 8 to 26.

Renumber the remaining sections.

Page 2, line 29, delete "5b" and insert "5a".

Page 4, line 9, after "Revoke" insert "or suspend".

Amend the title as follows:

Page 1, line 3, delete "establishing a duty of reasonable".

Delete line 4.

With the recommendation that when so amended the bill pass.

The report was adopted.

Brinkman from the Committee on Financial Institutions and Insurance to which was referred:

H. F. No. 972, A bill for an act relating to fire and casualty loss insurance companies; termination of agency contracts; requiring certain notice before termination; prescribing civil penalties.

Reported the same back with the following amendments:

Page 1, line 11, delete "five" and insert "three".

Page 1, line 14, delete "six" and insert "three".

Page 1, line 16, after the word "for" insert "not more than one year for".

Page 1, line 18, delete "six" and insert "nine".

Page 3, delete line 1.

Page 3, line 2, delete "it shall be subject to a civil".

With the recommendation that when so amended the bill pass.

The report was adopted.

Brinkman from the Committee on Financial Institutions and Insurance to which was referred:

H. F. No. 1094, A bill for an act relating to insurance; providing for competitive bids on group contracts for certain public bodies; amending Minnesota Statutes 1976, Section 471.616, Subdivision 1.

Reported the same back with the recommendation that the bill pass.

The report was adopted.

Rice from the Committee on General Legislation and Veterans Affairs to which was referred:

H. F. No. 405, A bill for an act relating to gambling; authorizing certain activities by nonprofit organizations; amending Minnesota Statutes 1976, Sections 325.54, Subdivision 1; and 609.75, Subdivision 3, and by adding a subdivision.

Reported the same back with the following amendments:

Strike everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 1976, Section 325.54, Subdivision 1, is amended to read:

325.54 [GAMBLING DEVICE; POSSESSION OF.] Subdivision 1. [INTENTIONAL POSSESSION; WILFUL KEEPING.] The intentional possession or wilful keeping of a gambling device upon any licensed premises is cause for the revocation of any license under which the licensed business is carried on upon the premises where the gambling device is found, *provided that gambling devices commonly known as "paddlewheels" or "tipboards" or apparatus used in conducting raffles shall not be cause for revocation when the gambling devices are operated by organizations licensed for such operation pursuant to section 349.26.*

Sec. 2. Minnesota Statutes 1976, Section 340.14, Subdivision 2, is amended to read:

Subd. 2. [RESTRICTIONS.] Every licensee shall be responsible for the conduct of his place of business and for condi-

tions of sobriety and order therein. No licensee shall keep, possess, or operate, or permit the keeping, possession, or operation of, on the licensed premises, or in any room adjoining the licensed premises, any slot machine, dice, or any gambling device or apparatus, nor permit any gambling therein, nor permit the licensed premises or any room in the same, or in any adjoining building, directly or indirectly under its control to be used as a resort for prostitutes or other disorderly persons, *except that gambling devices may be operated and raffles conducted on licensed premises and adjoining rooms when such activities are licensed by the local unit of government pursuant to section 349.26*. No person under 18 years of age shall be employed in any rooms constituting the place in which intoxicating liquors are sold at retail "on-sale", except that persons under 18 years of age may be employed as musicians or to perform the duties of a busboy or dishwashing services in places defined as a restaurant or hotel or motel serving food in rooms in which intoxicating liquors are sold at retail "on-sale".

Sec. 3. Minnesota Statutes 1976, Chapter 349, is amended by adding a section to read:

[349.26] [GAMBLING DEVICES.] *Subdivision 1. For purposes of this section "gambling devices" shall mean those gambling devices known as "paddlewheels" and "tipboards" and apparatus used in conducting raffles.*

Subd. 1a. For purposes of this section a "paddlewheel" is a wheel marked off into sections containing one or more numbers, and which, after being turned or spun, uses a pointer or marker to indicate winning chances.

For purposes of this section a "tipboard" is a board, placard or other device measuring at least 12 inches square, marked off in a grid or similar pattern, in which each section contains a hidden number or numbers, or other symbol, which determines the winning chances.

For purposes of this section a "raffle" is a lottery in which participant buys a ticket for a chance at a prize with the winner determined by a random drawing.

Nothing in this section shall be construed to authorize any use or operation of:

(a) any gambling device which is activated by the insertion of a coin or token, or

(b) any gambling game or device in which the winning numbers, tickets or chances are in any way determined by the outcome of any athletic contest or sporting event.

Subd. 2. For purposes of this section "profit" shall mean the gross receipts from the operation of gambling devices and the conduct of raffles, less reasonable sums expended for prizes, local licensing fees and taxes and maintenance costs for the devices.

Subd. 3. Any county or city may establish a system for the licensing of organizations to operate gambling devices and to conduct raffles and such system may include a fee for each license in an amount to be determined by the local governing body. Licenses issued pursuant to this section shall be valid for one year, and may be suspended or revoked for any violation of this section. A local governing body shall act on a license application within 180 days from the date of application, but shall not issue a license until at least 30 days after the date of the application. Nothing in this section shall be construed to prohibit a county or city from adopting regulations for the operation of gambling devices or the conduct of raffles that are more restrictive than state regulations, including regulations prohibiting the operation of such devices.

Subd. 4. License shall be issued only to a fraternal, religious, veterans or other nonprofit organization which has been in existence for at least three years and has at least 30 active members, as defined in section 349.12, subdivision 2.

Subd. 5. Profits from the operation of gambling devices or the conduct of raffles shall be used solely for those purposes defined as "lawful purposes" in section 349.12, subdivision 6, as authorized at a regular meeting of the organization.

Subd. 6. All operation of gambling devices and conduct of raffles shall be under the supervision of a single gambling manager designated by the organization, who shall be responsible for gross receipts and profits from gambling devices and raffles and for their operation. The gambling manager shall give a fidelity bond in the sum of \$10,000 in favor of the organization conditioned on the faithful performance of his duties, and the bond and the waiver thereof shall be subject to the same provision as those applying to the bond required of a bingo manager pursuant to section 349.17, subdivision 7. A person may act as both gambling manager and bingo manager for a single organization, but a gambling manager for a single organization shall not act as either a gambling manager or bingo manager for any other organization. A gambling manager for an organization shall be an active member of the organization, as defined in section 349.12, subdivision 2.

Subd. 7. No compensation shall be paid to any person in connection with the operation of a gambling device or the conduct of a raffle by a licensed organization. No person who is not an active member of an organization, or its auxiliary, or the spouse or surviving spouse of an active member may participate in the

organization's operation of a gambling device or conduct of a raffle.

Subd. 8. Each organization licensed to operate gambling devices shall keep records of its gross receipts and profits for each single gathering or occasion at which gambling devices are operated or a raffle is conducted. All deductions from gross receipts for each single gathering or occasion shall be documented with receipts or other records. The distribution of profits shall be itemized as to payee, amount and date of payment.

Gross receipts from the operation of gambling devices and the conduct of raffles shall be segregated from other revenues of the organization, including bingo gross receipts, and placed in a separate account. Each organization shall have separate records of its gambling operations. The person who accounts for gross receipts and profits from the operation of gambling devices or the conduct of raffles shall not be the same person who accounts for other revenues of the organization, except that such person may be the same person who accounts for bingo gross receipts and profits.

Each organization licensed to operate gambling devices or to conduct raffles shall report monthly to its membership, and to the licensing local unit of government, its gross receipts and profits from gambling devices or raffles, and the distribution of profits itemized as required in this subdivision.

Records required by this act shall be preserved for three years, and organizations shall make available their records relating to operation of gambling devices and the conduct of raffles for public inspection at reasonable times and places.

Subd. 9. Gambling devices shall be operated and raffles conducted by a licensed organization only unless authorized in another location by the local unit of government.

Subd. 10. Total prizes from the operation of paddlewheels and tipboards awarded in any single day in which they are operated shall not exceed \$500. Total prizes resulting from any single spin of a paddlewheel, or from any single tipboard, shall not exceed \$100. Total prizes awarded in any calendar year by any organization from the operation of paddlewheels and tipboards and the conduct of raffles shall not exceed \$15,000. Merchandise prizes shall be valued at fair market retail value.

Subd. 11. Violation of any provision of this section is a misdemeanor. This subdivision shall not preclude civil or criminal action under other applicable law or preclude any agency of government from investigating or prosecuting violations of the provisions of this section.

Sec. 4. Minnesota Statutes 1976, Section 609.75, Subdivision 3, is amended to read:

Subd. 3. [WHAT ARE NOT BETS.] The following are not bets:

(1) A contract to insure, indemnify, guarantee or otherwise compensate another for a harm or loss sustained, even though the loss depends upon chance.

(2) A contract for the purchase or sale at a future date of securities or other commodities.

(3) Offers of purses, prizes or premiums to the actual contestants in any bona fide contest for the determination of skill, speed, strength, endurance, or quality or to the bona fide owners of animals or other property entered in such a contest.

(4) The game of bingo when conducted in compliance with sections 349.11 to 349.23.

(5) A private social bet not part of or incidental to organized, commercialized, or systematic gambling.

(6) *The operation of a gambling device or the conduct of a raffle as defined in section 349.26, subdivision 1, by an organization licensed for such operation by a local unit of government.*

Sec. 5. Minnesota Statutes 1976, Section 609.76, is amended to read:

609.76 [OTHER ACTS RELATING TO GAMBLING.] Whoever does any of the following may be sentenced to imprisonment for not more than one year or to payment of a fine of not more than \$1,000, or both:

(1) Maintains or operates a gambling place or operates a bucket shop; or

(2) Intentionally participates in the income of a gambling place or bucket shop; or

(3) Conducts a lottery, or, with intent to conduct a lottery, possesses facilities for doing so; or

(4) Sets up for use for the purpose of gambling, or collects the proceeds of, any gambling device or bucket shop; or

(5) With intent that it shall be so used, manufactures, sells or offers for sale, in whole or any part thereof, any gambling device including those defined in section 325.53, subdivision 2, and any facility for conducting a lottery, *except that any person*

may manufacturer, sell or offer for sale a gambling device, as defined in section 349.26, subdivision 1, to an organization licensed to operate the device; or

(6) Receives, records, or forwards bets or offers to bet or, with intent to receive, record, or forward bets or offers to bet, possesses facilities to do so.”.

Further amend the title by deleting lines 2 to 6 and inserting: “relating to gambling; authorizing the operation of certain gambling devices by licensed organizations; providing a penalty; amending Minnesota Statutes 1976, Sections 325.54, Subdivision 1; 340.14, Subdivision 2; 609.75, Subdivision 3; 609.76; and Chapter 349, by adding a section”.

With the recommendation that when so amended the bill pass.

The report was adopted.

Rice from the Committee on General Legislation and Veterans Affairs to which was referred:

H. F. No. 898, A bill for an act relating to veterans affairs; providing for a study of the need for a veterans facility; appropriating money.

Reported the same back with the recommendation that the bill pass and be re-referred to the Committee on Appropriations.

The report was adopted.

Sieben, H., from the Committee on Governmental Operations to which was referred:

H. F. No. 3, A bill for an act relating to state government; creating a department of economic security; transferring powers; abolishing the departments of employment services and vocational rehabilitation; appropriating money; amending Minnesota Statutes 1976, Sections 15.01; 15A.081, Subdivision 1; 15.0411, Subdivision 2; 43.09, Subdivision 2a; 62E.52, Subdivision 7; 129A.01; 144.656; 144A.611, Subdivision 3; 144A.10, Subdivision 8; 145.895; 245.75; 245.76; 245.765, Subdivision 1; 245.77; 256.01, Subdivision 2; 256.011; 256.045; 256.462, Subdivision 3; 256.482, Subdivision 1; 256.73, Subdivision 2; 256.736, Subdivisions 2, 3, 4, 5 and 7; 256.75; 256.863; 256.871, Subdivision 7; 256.88; 256.89; 256.90; 256.91; 256.92; 256.965; 256.978; 256B.02, Subdivision 5; 256B.041, Subdivision 6; 256B.064, Subdivision 2; 256B.26; 256B.27; 256B.30; 256B.35, Subdivision 2; 256D.01, Subdivisions 1 and 2; 256D.02, Subdivisions 2, 3, 4 and 11; 256D.11, Subdivisions 1, 2, 6, 7 and 9; 256D.22; 256D.35,

Subdivisions 1, 5 and 6; 256D.39; 256D.41; 261.003; 261.232; 261.25; 268.04, Subdivision 8; and Laws 1976, Chapter 332, Section 9, Subdivisions 1, 7 and 8; repealing Minnesota Statutes 1976, Sections 129A.02, Subdivision 1; 256.01, Subdivisions 3 and 4; 256.12, Subdivisions 10, 14 and 15; and 256.73, Subdivision 5.

Reported the same back with the following amendments:

Page 2, line 8, delete “, for a four year”.

Page 2, delete all of line 9.

Page 2, line 10, delete “until his successor is appointed and qualified”.

Page 5, delete subdivisions 5 and 6 and insert:

“Subd. 5. Except as otherwise provided in this act, all classified employees and their positions assigned by a department or agency to perform any of the functions, powers or duties which are transferred by this act to the department of economic security, are transferred to the department of economic security. The positions of all employees who are employed in the unclassified civil service by a department or agency to perform any of the functions, powers or duties which are transferred by this act to the department of economic security, with the exception of the unclassified positions established pursuant to the provisions of sections 43.05, subdivision 2, clause (11), and 43.09, subdivision 2, clause (9), are abolished. Any employee in the unclassified civil service whose position is abolished by this act and who is not appointed to an unclassified position authorized by this act may be otherwise continued in the unclassified civil service in the department of economic security, but for a period not to exceed 12 months from the date on which the department commences operation. Such positions shall be authorized pursuant to the provisions of section 43.05, subdivision 2, clause (11). Nothing herein shall be construed as abrogating or modifying any rights now enjoyed by affected employees under terms of an agreement between an exclusive bargaining representative and the state or one of its appointing authorities.

Subd. 6. If the programs of the Federal Comprehensive Employment and Training Act, the Federal Economic Opportunity Act, and the Federal Community Services Act are transferred to the department of economic security, state employees involved in administration and implementation of these programs in the unclassified civil service of the state shall be transferred, except for the positions of executive director and deputy director of the programs, to the classified civil service of the state without competitive examination and shall be placed in the proper classification by the commissioner of personnel with such compen-

sation as such classifications carry. Incumbents of positions placed in the classified civil service shall receive such status and length of service credit as would have accrued to them had they originally been appointed to the classified civil service; however, such length of service credit shall not include seniority under the provisions of a collective bargaining agreement negotiated pursuant to sections 179.61 to 179.77, until effective date of classified civil service. Annual leave and sick leave shall be transferred and accrued in accordance with the provisions of section 43.222.”.

Page 23, line 14, delete “shall”.

Page 23, line 15, after “(1)” insert “Shall”.

Page 23, line 25, after “(3)” insert “Shall”.

Page 23, line 28, after “(4)” insert “Shall”.

Page 23, line 32, after “(5)” insert “Shall”.

Page 24, line 15, after “(7)” insert “Shall”.

Page 24, line 18, after “(8)” insert “Shall”.

Page 25, line 1, after “5.” insert “The commissioner shall”.

Page 57, line 1, delete “356D.40” and insert “256D.40”.

Page 59, line 23, after the period insert “In no instance shall such notification be later than three months from the date of appointment of the commissioner of economic security.”.

Page 59, delete lines 24 to 32.

Page 60, delete lines 1 and 2, and insert:

“Subd. 3. Within six months after commencement of the departmental operations the commissioner of economic security shall submit a plan to the governor and the legislature. The plan shall be the guide for the organization and management of the department. The plan shall provide for but not be limited to:

(a) Development of a single departmental process for addressing policy issues and budgets;

(b) Integrating administrative activities, procedures and reporting requirements of department programs;

(c) Reducing administrative costs and administrative staff by five percent within two years;

(d) *Development of a process for consumer input into the department;*

(e) *Establishment of a unified local delivery system for state administered department programs;*

(f) *Integrating programs for job training, development, and placement services;*

(g) *Integrating and simplifying client intake and eligibility processes; and*

(h) *Standardization of administrative boundaries.*

Each element of the plan shall include a target date for implementation. During the first three years of departmental operation the commissioner of economic security shall, on a semi-annual basis, report on the progress made in implementing the plan to the governor and the legislature. The report shall also compare current and historical productivity measurements."

With the recommendation that when so amended the bill pass and be re-referred to the Committee on Appropriations.

The report was adopted.

Sieben, H., from the Committee on Governmental Operations to which was referred:

H. F. No. 978, A bill for an act relating to administrative procedures; providing for water resource and conservation hearings to be held in accordance with the administrative procedure act; amending Minnesota Statutes 1976, Sections 105.44, Subdivisions 3, 5, 6, 7 and 8; 105.45; 105.461; and 105.78; repealing Minnesota Statutes 1976, Section 105.47.

Reported the same back with the following amendments:

Page 2, line 29, reinstate the stricken language.

Page 2, line 30, reinstate the stricken "and shall be conducted by" and insert "a hearing examiner from the office of hearing examiners."

Page 2, line 31, reinstate the stricken "All affected persons shall have an".

Page 2, line 32, reinstate the stricken language.

Page 3, line 1, reinstate the stricken language.

Page 3, line 6, reinstate the stricken "Except where a".

Page 3, lines 7 and 8, reinstate the stricken language, and before the reinstated colon insert "*if after the hearing the commissioner's action, taken pursuant to subdivision 2, is affirmed without modification*".

Page 3, lines 9 to 11, reinstate the stricken language, and after the reinstated "commissioner" insert "*; however, in no event shall the applicant pay more than \$750*".

Page 3, lines 14 to 24, reinstate the stricken language and delete the new language.

Page 3, line 25, reinstate the stricken language.

With the recommendation that when so amended the bill pass.

The report was adopted.

Swanson from the Committee on Health and Welfare to which was referred:

H. F. No. 267, A bill for an act relating to negligence; proscribing certain liability of good samaritans; amending Minnesota Statutes 1976, Section 604.05.

Reported the same back with the following amendments:

Page 1, line 9, strike "No" and insert "A".

Page 1, line 13, after "is" insert "not".

Page 1, line 14, strike "such" and insert "that".

With the recommendation that when so amended the bill pass.

The report was adopted.

Swanson from the Committee on Health and Welfare to which was referred:

H. F. No. 420, A bill for an act relating to education; Montessori schools; excluding Montessori schools from day care regulation; amending Minnesota Statutes 1976, Section 245.791.

Reported the same back with the following amendments:

Page 3, line 7, delete "*Facilities which have been certified as Montessori*".

Page 3, delete lines 8 and 9.

Page 3, line 10, delete "functions" and insert "*Montessori schools which conduct educational programs for children for less than five hours a day and do not receive federal funds for day care services. The board of education shall promulgate rules establishing standards, including health and safety standards, for such programs*".

Page 3, after line 10, insert a new section to read:

"Sec. 2. The commissioner of education shall charge a reasonable fee for the issuance or renewal of a license or a provisional license to a Montessori school. This fee shall be determined by the commissioner according to a fee schedule established by rule by the state board of education. This fee schedule shall provide for a waiver of all or a portion of the fee in cases where a school can demonstrate financial hardship."

Renumber the subsequent section.

With the recommendation that when so amended the bill pass and be re-referred to the Committee on Appropriations.

The report was adopted.

Swanson from the Committee on Health and Welfare to which was referred:

H. F. No. 462, A bill for an act relating to public health; providing for ownership and control of medical records by their individual subjects; amending Minnesota Statutes 1976, Chapter 144, by adding a section.

Reported the same back with the following amendments:

Page 1, line 10, delete "INDIVIDUAL OWNERSHIP OF MEDICAL RECORDS" and insert "PROVISION OF HEALTH RECORD INFORMATION TO PERSONS".

Page 1, delete lines 11 to 18 and insert "*Upon written request, a provider shall supply to a person, or a person's representative as designated in writing complete and current information concerning any diagnosis, treatment and prognosis of that person in terms and language the person can reasonably be expected to understand. When that information is determined by a provider to be reasonably detrimental to the physical or mental health of the person or would be likely to cause the person to harm another, the information shall be supplied only to another provider, designated by the person. That designated provider may supply information concerning the health record in question to the person.*

The person's health record, or pertinent portion thereof relating to a specific condition, or its summary, including laboratory reports, x-rays, prescriptions, and other technical information used by a provider in assessing the person's health condition, shall be loaned or transferred to another provider upon the written request of the person. Nothing in this section shall preclude the customary exchange of health record information between providers. This written request shall specify the other provider to whom the health record is to be loaned or transferred. The provider from whom the health record is loaned or transferred may maintain a copy of that person's health record. All costs of loaning or transferring health records shall be the responsibility of the person who is the subject of the record.

For purpose of this section, "provider" means any person who furnishes health care services and is licensed to render these services, pursuant to chapters 147, 148, 150A, 151 and 153, or is a licensed health care facility, pursuant to chapters 144 or 144A."

Further amend the title:

Page 1, line 2, delete "providing for ownership".

Page 1, delete line 3.

Page 1, line 4, delete "subjects" and insert "requiring the provision of health record information to certain persons; requiring the transfer of health records under certain conditions".

With the recommendation that when so amended the bill pass.

The report was adopted.

SECOND READING OF HOUSE BILLS

H. F. Nos. 41, 240, 829, 338, 635, 972, 1094, 405, 978, 267 and 462 were read for the second time.

SECOND READING OF SENATE BILLS

S. F. No. 345 was read for the second time.

INTRODUCTION AND FIRST READING OF HOUSE BILLS

The following House Files were introduced:

Adams, Arlandson, Casserly and King introduced:

H. F. No. 1442, A bill for an act relating to professional corporations; including architects, professional engineers and land surveyors within the definition of professional service for the purposes of formation of professional corporations; amending Minnesota Statutes 1976, Section 319A.02, Subdivision 2.

The bill was read for the first time and referred to the Committee on Commerce and Economic Development.

Suss introduced:

H. F. No. 1443, A bill for an act relating to agriculture; food licensing; defining a custom processor and providing for a custom processing permit; amending Minnesota Statutes 1976, Sections 28A.03; 28A.04; and 28A.13.

The bill was read for the first time and referred to the Committee on Agriculture.

Suss, Kalis, Lemke, Eckstein and Mann introduced:

H. F. No. 1444, A bill for an act relating to agriculture; amending public notice requirements for elections and referenda; clarifying the uses of checkoff fees; establishing an account within the department of agriculture for administration of several commodity checkoff orders; providing for the department of agriculture to audit promotion fund accounts; amending Minnesota Statutes 1976, Sections 17.54, Subdivision 3; 17.56, Subdivision 3; 17.57, Subdivision 6; 17.59, Subdivision 4, and by adding a subdivision; 21A.09; 21A.12; 29.15, Subdivision 4; 29.17; 30.467; 30.469; 32B.04, Subdivision 5; and 32B.07.

The bill was read for the first time and referred to the Committee on Agriculture.

McCarron, Pehler, Kahn, Voss and Dean introduced:

H. F. No. 1445, A bill for an act relating to public welfare; establishing a revolving fund for data processing services; providing an appropriation; amending Minnesota Statutes 1976, Section 256.01, by adding a subdivision.

The bill was read for the first time and referred to the Committee on Appropriations.

White, Wenstrom, Samuelson, Anderson, R., and Evans introduced:

H. F. No. 1446, A bill for an act relating to tourism; establishing a department of tourism; providing for its powers and duties; transferring certain functions from the department of economic development; appropriating money; amending Minnesota Statutes 1976, Sections 301A.01, Subdivision 1; 301A.05; 301A.07, Subdivision 1; 362.09, Subdivision 2; 362.10; 362.12, Subdivision 1a; 362.125; 362.13; and 362.23.

The bill was read for the first time and referred to the Committee on Commerce and Economic Development.

Waldorf, Mangan, Scheid, Berkelman and Knickerbocker introduced:

H. F. No. 1447, A bill for an act relating to education; teachers; providing continuing contract and tenure rights for certain athletic coaches; amending Minnesota Statutes 1976, Section 125.12, by adding a subdivision; and 125.17, Subdivision 1.

The bill was read for the first time and referred to the Committee on Education.

Suss, Stanton, Tomlinson and Eken introduced:

H. F. No. 1448, A bill for an act relating to education; teachers; abolishing life licenses; amending Minnesota Statutes 1976, Section 125.185, Subdivision 4.

The bill was read for the first time and referred to the Committee on Education.

Pehler, Hanson, Osthoff, Den Ouden and Wieser introduced:

H. F. No. 1449, A bill for an act relating to education; permitting six school districts to implement and experiment with an educational grant system; permitting both public and nonpublic schools to participate; permitting participating school districts to contract for other funds; establishing guidelines for school participation; providing demonstration boards to administer, regulate, test and report the operation of the program; appropriating money.

The bill was read for the first time and referred to the Committee on Education.

Brinkman, George, St. Onge and Eckstein introduced:

H. F. No. 1450, A bill for an act relating to game and fish; free fishing licenses to certain disabled persons; amending Minnesota Statutes 1976, Section 98.47, Subdivision 8.

The bill was read for the first time and referred to the Committee on Environment and Natural Resources.

Abeln, McCollar, Kroening, Voss and Kelly, W., introduced:

H. F. No. 1451, A bill for an act relating to water conservation; prescribing water consumption standards for certain flush type toilets; amending Minnesota Statutes 1976, Chapter 16, by adding a section.

The bill was read for the first time and referred to the Committee on Environment and Natural Resources.

Suss, Erickson, Braun, Peterson and Fjoslien introduced:

H. F. No. 1452, A bill for an act relating to pesticides; actions for injury resulting from application; limitation of time; amending Minnesota Statutes 1976, Chapter 18A by adding a section; and Section 541.07.

The bill was read for the first time and referred to the Committee on Environment and Natural Resources.

Den Ouden; Wenstrom; Anderson, G.; Albrecht and Anderson, D., introduced:

H. F. No. 1453, A bill for an act relating to pipelines; minimum depth in certain areas; limiting grants of easements, restricting landowners liability; amending Minnesota Statutes 1976, Chapter 299F, by adding a section.

The bill was read for the first time and referred to the Committee on Environment and Natural Resources.

Zubay, Kaley, Reding, Friedrich and Sherwood introduced:

H. F. No. 1454, A bill for an act proposing an amendment to the Minnesota Constitution, Article IV, Section 6; limiting legislative service from the same territory to ten years.

The bill was read for the first time and referred to the Committee on General Legislation and Veterans Affairs.

Sieben, H., introduced:

H. F. No. 1455, A bill for an act relating to taxation; changing income tax credit for political contributions to include federal and local candidates; increasing maximum credit; amending Minnesota Statutes 1976, Section 290.06, Subdivision 11.

The bill was read for the first time and referred to the Committee on General Legislation and Veterans Affairs.

Hokanson and Berglin introduced:

H. F. No. 1456, A bill for an act relating to collection and dissemination of data; prescribing penalties; amending Minnesota Statutes 1976, Chapter 15, by adding sections.

The bill was read for the first time and referred to the Committee on Governmental Operations.

Nelsen, M., introduced:

H. F. No. 1457, A bill for an act relating to state lands; authorizing the conveyance of certain lands in Aitkin county.

The bill was read for the first time and referred to the Committee on Governmental Operations.

Welch, Reding, Murphy, Evans and Gunter introduced:

H. F. No. 1458, A bill for an act relating to worker's compensation; providing that persons assisting law enforcement officials may be eligible for benefits; amending Minnesota Statutes 1976, Section 176.011, Subdivision 9.

The bill was read for the first time and referred to the Committee on Governmental Operations.

Eckstein, Suss, Lemke, Carlson, D., and Stanton introduced:

H. F. No. 1459, A bill for an act relating to veterinarians; repealing requirement to file license with clerk of district court; repealing Minnesota Statutes 1976, Section 156.09.

The bill was read for the first time and referred to the Committee on Governmental Operations.

Carlson, L.; Kaley; Dahl; Berglin and Heinitz introduced:

H. F. No. 1460, A bill for an act relating to nursing assistant training; providing for a report to the legislature by the state board of health; delaying implementation of certain training requirements; amending Minnesota Statutes 1976, Section 144A.61, Subdivision 6.

The bill was read for the first time and referred to the Committee on Health and Welfare.

Clark, Rice, Berglin, McCollar and Lehto introduced:

H. F. No. 1461, A bill for an act relating to public health; regulating the use of psychosurgery and electro convulsive treatment; providing patient rights; providing board of health review; providing a penalty.

The bill was read for the first time and referred to the Committee on Health and Welfare.

Berkelman, Jaros, Lehto and Munger introduced:

H. F. No. 1462, A bill for an act relating to the city of Duluth; authorizing the city to acquire, construct, and maintain parking facilities and to finance same.

The bill was read for the first time and referred to the Committee on Local and Urban Affairs.

Vanasek, Birnstihl, Kalis, Johnson and McDonald introduced:

H. F. No. 1463, A bill for an act relating to taxation; property; allowing certain land near lakeshores to qualify for assessment with reference to agricultural classification; amending Minnesota Statutes 1976, Section 273.111, Subdivision 4.

The bill was read for the first time and referred to the Committee on Taxes.

Carlson, A.; Abeln; Kempe, A.; Evans and Jacobs introduced:

H. F. No. 1464, A bill for an act relating to taxation; providing a deduction from income for a lessee's share of real property taxes paid on his rented residence less the amount of any rent credit; disallowing deductions in certain sham rental situations; amending Minnesota Statutes 1976, Section 290.09, Subdivision 4.

The bill was read for the first time and referred to the Committee on Taxes.

Peterson introduced:

H. F. No. 1465, A bill for an act relating to taxation; limiting property taxes levied on residential property to amounts required to finance property-related functions of local governments; providing for a local income tax on individuals; amending Minnesota Statutes 1976, Sections 275.03; 276.04; and 290.08, by adding a subdivision.

The bill was read for the first time and referred to the Committee on Taxes.

Pehler, White, Vanasek and Kelly, W., introduced:

H. F. No. 1466, A bill for an act relating to taxation; updating the reference to the Internal Revenue Code for income tax purposes; permitting an optional means of computing individual income tax; amending Minnesota Statutes 1976, Section 290.01, Subdivision 20; and Chapter 290, by adding a section.

The bill was read for the first time and referred to the Committee on Taxes.

Fugina introduced:

H. F. No. 1467, A bill for an act relating to the city of Mountain Iron; validating certain aid overpayments.

The bill was read for the first time and referred to the Committee on Taxes.

Kelly, R., and Laidig introduced:

H. F. No. 1468, A bill for an act relating to motor vehicles; denying registration, reregistration and the issuance of title documents to the owner of a vehicle who fails to respond to a summons or citation for a parking violation; specifying information to be supplied on an application for registration or certificate of title to a motor vehicle; appropriating money; amending Minnesota Statutes 1976, Chapter 168, by adding a section; Sections 168.10, Subdivision 1; 168A.04, Subdivision 1; and 168A.05, Subdivision 3.

The bill was read for the first time and referred to the Committee on Transportation.

Novak introduced:

H. F. No. 1469, A bill for an act relating to transportation; extending the time for submission by the commissioner of certain proposals relating to certain modes of transportation; amending Minnesota Statutes 1976, Section 174.06, Subdivision 7.

The bill was read for the first time and referred to the Committee on Transportation.

Heinitz, Simoneau and Mangan introduced:

H. F. No. 1470, A bill for an act relating to motor vehicles; subjecting motor vehicle dealers to penalties if they fail to properly notify the registrar of motor vehicles of vehicle ownership interest transfers; amending Minnesota Statutes 1976, Sections 168A.10, Subdivision 2, and by adding subdivisions; and 168A.14, by adding a subdivision.

The bill was read for the first time and referred to the Committee on Transportation.

Wenstrom, Fudro, Evans, Langseth and Anderson, R., introduced:

H. F. No. 1471, A bill for an act relating to aeronautics; requiring boards of adjustment to grant or deny applications for zoning variances within six months; authorizing the commissioner of transportation to develop an air transportation system; amending Minnesota Statutes 1976, Section 360.015, Subdivision 14; 360.017, Subdivision 1; and 360.067, Subdivision 2.

The bill was read for the first time and referred to the Committee on Transportation.

St. Onge; Anderson, R.; Samuelson; Anderson, I., and Fugina introduced:

H. F. No. 1472, A bill for an act relating to transportation; providing for certain permitted advertising signs on federal primary aid highways; amending Minnesota Statutes 1976, Sections 173.03; 173.08; 173.13, Subdivision 1; and 173.16, Subdivision 1.

The bill was read for the first time and referred to the Committee on Transportation.

Fugina, Prahl, Begich, Battaglia and Anderson, I., introduced:

H. F. No. 1473, A bill for an act relating to taxation; increasing the tax on taconite production and providing for the distribution of its proceeds; establishing a taconite environmental and economic protection fund; imposing a tax on residual materials attributable to the production of concentrates from taconite; appropriating money; amending Minnesota Statutes 1976, Sections 273.134; 273.135, Subdivision 2; 298.03; 298.22, by adding a subdivision; 298.24, Subdivision 1; 298.244, Subdivision 2; 298.25; 298.26; 298.27; 298.28, Subdivision 1, and by adding subdivisions; 298.282, Subdivisions 1 and 2; and Chapter 298, by adding sections; repealing Minnesota Statutes 1976, Sections 298.24, Subdivision 2; 298.241; 298.243; 298.244, Subdivision 1; 298.28, Subdivision 1a; and 298.281.

The bill was read for the first time and referred to the Committee on Taxes.

Beauchamp introduced:

H. F. No. 1474, A bill for an act relating to employment services; authorizing the release of information to certain state agencies; amending Minnesota Statutes 1976, Section 268.12, Subdivision 12.

The bill was read for the first time and referred to the Committee on Governmental Operations.

Kelly, W.; Anderson, I.; Vanasek and Sabo introduced:

H. F. No. 1475, A bill for an act relating to taxation; providing changes in classification ratios and assessment procedures; increasing local government aids and certain tax credits; altering levy limits; imposing a minimum tax on certain types of income; appropriating money; amending Minnesota Statutes 1976, Sections 124.212, Subdivision 10; 273.11, Subdivision 1; 273.12; 273.13, Subdivisions 6, 7 and 14a; 273.132; 275.50, Subdivision 5; 275.51, by adding a subdivision; 275.52, Subdivisions 2, 3 and 4; 278.01; 287.241, Subdivision 2; 290A.04, Subdivisions 1 and 2; 477A.01, Subdivisions 1, 2, 4, 4a, 4b, and by adding a subdivision; 477A.03; and Chapters 272, 290, 290A and 477A, by adding sections; repealing Minnesota Statutes 1976, Sections 275.51, Subdivisions 3b and 3c; and 287.241, Subdivisions 3 and 4.

The bill was read for the first time and referred to the Committee on Taxes.

HOUSE ADVISORIES

Pursuant to rule 5.3, the following House Advisory was introduced:

Cummiskey introduced:

H. A. No. 26, A proposal to set standards of responsibility for safety for motorcyclists and motor vehicle operators.

The advisory was referred to the Committee on Transportation.

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Mr. Speaker:

I hereby announce the passage by the Senate of the following House File, herewith returned:

H. F. No. 283, A bill for an act relating to securities; disciplinary action against a licensee; clarifying the time for initiating a proceeding; amending Minnesota Statutes 1976, Sections 80A.07, Subdivision 2, and 80A.21, Subdivision 1.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

I hereby announce the passage by the Senate of the following House File, herewith returned, as amended by the Senate, in which amendment the concurrence of the House is respectfully requested:

H. F. No. 21, A bill for an act relating to elections; providing that certificates of election to the legislature be sent to the legislature; amending Minnesota Statutes 1976, Section 204A.54, Subdivision 1.

PATRICK E. FLAHAVEN, Secretary of the Senate

CONCURRENCE AND REPASSAGE

Johnson moved that the House concur in the Senate amendments to H. F. No. 21 and that the bill be repassed as amended by the Senate. The motion prevailed.

H. F. No. 21, A bill for an act relating to elections; providing that certificates of election to the legislature be sent to the legislature and returned to the member; amending Minnesota Statutes 1976, Section 204A.54, Subdivision 1.

The bill was read for the third time, as amended by the Senate, and placed upon its repassage.

The question was taken on the repassage of the bill and the roll was called. There were 132 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Abeln	Corbid	Jensen	Murphy	Sieben, H.
Adams	Cummiskey	Johnson	Neisen	Sieben, M.
Albrecht	Dahl	Jude	Nelsen, B.	Simoneau
Anderson, B.	Dean	Kahn	Nelsen, M.	Skoglund
Anderson, D.	Den Ouden	Kaley	Nelson	Smogard
Anderson, G.	Eckstein	Kalis	Niehaus	Spanish
Anderson, I.	Eken	Kelly, R.	Norton	Stanton
Anderson, R.	Ellingson	Kelly, W.	Novak	Stoa
Arlandson	Enebo	Kempe, A.	Osthoff	Suss
Battaglia	Erickson	Kempe, R.	Patton	Swanson
Beauchamp	Esau	King	Pehler	Tomlinson
Begich	Evans	Knickerbocker	Peterson	Vanasek
Berg	Ewald	Kostohryz	Petrafaso	Voss
Berglin	Faricy	Kroening	Pleasant	Waldorf
Berkelman	Fjoslien	Laidig	Prahl	Welch
Biersdorf	Forsythe	Langseth	Reding	Wenstrom
Birnstihl	Friedrich	Lehto	Rice	Wenzel
Braun	Fudro	Lemke	Rose	White
Brinkman	Fugina	Mangan	St. Onge	Wieser
Byrne	George	Mann	Samuelson	Wigley
Carlson, A.	Gunter	McCarron	Sarna	Williamson
Carlson, D.	Hanson	McCollar	Savelkoul	Wynia
Carlson, L.	Haugerud	McDonald	Scheid	Zubay
Casserly	Heinitz	McEachern	Schulz	Speaker Sabo
Clark	Hckanson	Metzen	Searle	
Clawson	Jacobs	Moe	Searles	
Cohen	Jaros	Munger	Sherwood	

The bill was repassed, as amended by the Senate, and its title agreed to.

Mr. Speaker:

I hereby announce the passage by the Senate of the following House File, herewith returned, as amended by the Senate, in which amendment the concurrence of the House is respectfully requested:

H. F. No. 231, A bill for an act relating to transportation, particular uses of highway right of way; amending Minnesota Statutes 1976, Section 160.27, Subdivision 2.

PATRICK E. FLAHAVEN, Secretary of the Senate

CONCURRENCE AND REPASSAGE

Jude moved that the House concur in the Senate amendments to H. F. No. 231 and that the bill be repassed as amended by the Senate. The motion prevailed.

H. F. No. 231, A bill for an act relating to transportation; permitting advertising on bus shelters and trash receptacles on high-

way right of way; amending Minnesota Statutes 1976, Section 160.27, Subdivision 2.

The bill was read for the third time, as amended by the Senate, and placed upon its repassage.

The question was taken on the repassage of the bill and the roll was called. There were 126 yeas and 4 nays as follows:

Those who voted in the affirmative were:

Abeln	Cohen	Jaros	Moe	Sieben, H.
Adams	Corbid	Jensen	Munger	Sieben, M.
Albrecht	Cummiskey	Johnson	Murphy	Simoneau
Anderson, B.	Dahl	Jude	Neisen	Skoglund
Anderson, D.	Dean	Kahn	Nelsen, B.	Smogard
Anderson, I.	Den Ouden	Kaley	Nelsen, M.	Spanish
Anderson, R.	Eckstein	Kalis	Nelson	Stanton
Arlandson	Eken	Kelly, R.	Niehaus	Stoa
Battaglia	Ellingson	Kelly, W.	Norton	Suss
Beauchamp	Enebo	Kempe, A.	Novak	Swanson
Begich	Erickson	Kempe, R.	Patton	Tomlinson
Berg	Esau	King	Pehler	Vanasek
Berglin	Evans	Knickerbocker	Peterson	Voss
Berkelman	Ewald	Kostohryz	Petraieso	Waldorf
Biersdorf	Fjoslien	Kroening	Prahl	Welch
Birnstihl	Forsythe	Kvam	Reding	Wenzel
Brandl	Friedrich	Laidig	Rice	White
Braun	Fudro	Lehto	Rose	Wigley
Brinkman	Fugina	Lemke	St. Onge	Williamson
Byrne	George	Mangan	Samuelson	Wynia
Carlson, A.	Gunter	Mann	Sarna	Zubay
Carlson, D.	Hanson	McCarron	Scheid	Speaker Sabo
Carlson, L.	Haugerud	McCollar	Schulz	
Casserty	Heinitz	McDonald	Searle	
Clark	Hokanson	McEachern	Searles	
Clawson	Jacobs	Metzen	Sherwood	

Those who voted in the negative were:

Anderson, G.	Farcy	Osthoff	Wieser
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The bill was repassed, as amended by the Senate, and its title agreed to.

Mr. Speaker:

I hereby announce the passage by the Senate of the following House File, herewith returned, as amended by the Senate, in which amendment the concurrence of the House is respectfully requested:

H. F. No. 661, A bill for an act relating to highway traffic regulations; exempting trucks engaged in hauling hay from certain weight restrictions during a specified period of time.

PATRICK E. FLAHAVEN, Secretary of the Senate

CONCURRENCE AND REPASSAGE

Nelsen, B., moved that the House concur in the Senate amendments to H. F. No. 661 and that the bill be repassed as amended by the Senate. The motion prevailed.

H. F. No. 661, A bill for an act relating to highway traffic regulations; exempting trucks engaged in hauling hay from certain weight restrictions during a specified period of time.

The bill was read for the third time, as amended by the Senate, and placed upon its repassage.

The question was taken on the repassage of the bill and the roll was called. There were 133 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Abeln	Corbid	Jensen	Munger	Sherwood
Adams	Cummiskey	Johnson	Murphy	Sieben, H.
Albrecht	Dahl	Jude	Neisen	Sieben, M.
Anderson, B.	Dean	Kahn	Nelsen, B.	Simoneau
Anderson, D.	Den Ouden	Kaley	Nelsen, M.	Skoglund
Anderson, G.	Eckstein	Kalis	Nelson	Smogard
Anderson, I.	Eken	Kelly, R.	Niehaus	Spanish
Anderson, R.	Ellingson	Kelly, W.	Norton	Stanton
Arlandson	Enebo	Kempe, A.	Novak	Stoa
Battaglia	Erickson	Kempe, R.	Osthoff	Suss
Beauchamp	Essau	King	Patton	Swanson
Begich	Evans	Knickerbocker	Pehler	Tomlinson
Berglin	Ewald	Kostohryz	Peterson	Vanasek
Berkelman	Faricy	Kroening	Petraleso	Voss
Biersdorf	Fjoslien	Kvam	Pleasant	Waldorf
Birnstihl	Forsythe	Laidig	Prahl	Welch
Brandl	Friedrich	Langseth	Reding	Wenstrom
Braun	Fudro	Lehto	Rice	Wenzel
Brinkman	Fugina	Lemke	Rose	White
Byrne	George	Mangan	St. Onge	Wieser
Carlson, A.	Gunter	Mann	Samuelson	Wigley
Carlson, D.	Hanson	McCarron	Sarna	Williamson
Carlson, L.	Haugerud	McCollar	Savelkoul	Wynia
Casserly	Heinitz	McDonald	Scheid	Zubay
Clark	Hokanson	McEachern	Schulz	Speaker Sabo
Clawson	Jacobs	Metzen	Searle	
Cohen	Jaros	Moe	Searles	

The bill was repassed, as amended by the Senate, and its title agreed to.

Mr. Speaker:

I hereby announce the passage by the Senate of the following Senate Files, herewith transmitted:

S. F. Nos. 450, 478 and 757.

PATRICK E. FLAHAVER, Secretary of the Senate

Mr. Speaker:

I hereby announce the passage by the Senate of the following Senate Files, herewith transmitted:

S. F. Nos. 651, 826, 847 and 919.

PATRICK E. FLAHAVEN, Secretary of the Senate

FIRST READING OF SENATE BILLS

S. F. No. 450, A bill for an act relating to banks and banking; authorizing certain branch banks; permitting consolidation of banks in regions; amending Minnesota Statutes 1976, Sections 48.34 and 49.34.

The bill was read for the first time and referred to the Committee on Financial Institutions and Insurance.

S. F. No. 478, A bill for an act relating to cities; amending the definition of first class cities; amending Minnesota Statutes 1976, Section 410.01.

The bill was read for the first time and referred to the Committee on Local and Urban Affairs.

S. F. No. 757, A bill for an act relating to transportation; repealing the "Sunday holiday law"; allowing commercial vehicles to operate within 35 miles of cities of the first class on Sundays and legal holidays; amending Minnesota Statutes 1976, Section 221.221; repealing Minnesota Statutes 1976, Sections 221.191, 221.201 and 221.211.

The bill was read for the first time and referred to the Committee on Transportation.

S. F. No. 651, A bill for an act relating to health; developing standards for safe drinking water; providing penalties; defining terms; amending Minnesota Statutes 1976, Section 115.71, Subdivision 7; and 144.12, Subdivision 1.

The bill was read for the first time and referred to the Committee on Health and Welfare.

S. F. No. 826, A bill for an act relating to seaway port authorities; personnel; contracts; authorizing port authorities to employ a certified public accountant to audit the books of the authority and authorizing the state auditor to accept such audits in lieu of his audit; amending Minnesota Statutes 1976, Section 458.18.

The bill was read for the first time and referred to the Committee on Local and Urban Affairs.

S. F. No. 847, A bill for an act relating to statutory publications; providing for the distribution of Minnesota Statutes and session laws; amending Minnesota Statutes 1976, Section 648.39, Subdivision 1.

The bill was read for the first time and referred to the Committee on Rules and Legislative Administration.

S. F. No. 919, A bill for an act relating to highway traffic regulations; prescribing the width of vehicles; amending Minnesota Statutes 1976, Section 169.80, Subdivision 2.

The bill was read for the first time.

Lemke moved that S. F. No. 919 and H. F. No. 1076, now on General Orders, be referred to the Chief Clerk for comparison. The motion prevailed.

PROGRESS REPORTS ON CONFERENCE COMMITTEES

Pursuant to Joint Rule 2.06, progress on H. F. No. 38 was reported to the House.

CONSENT CALENDAR

H. F. No. 749 was reported to the House.

There being no objection, H. F. No. 749 was continued on the Consent Calendar for one day.

H. F. No. 61 was reported to the House.

There being no objection, H. F. No. 61 was continued on the Consent Calendar for one day.

H. F. No. 145, A bill for an act relating to highways; requiring a hearing by a county board prior to the adoption of a resolution revoking a county highway that would revert to a town; amending Minnesota Statutes 1976, Section 163.11, by adding a subdivision.

The bill was read for the third time and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 133 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Abeln	Corbid	Jensen	Munger	Sherwood
Adams	Cummiskey	Johnson	Murphy	Sieben, H.
Albrecht	Dahl	Jude	Neisen	Sieben, M.
Anderson, B.	Dean	Kahn	Nelsen, B.	Simoneau
Anderson, D.	Den Ouden	Kaley	Nelsen, M.	Skoglund
Anderson, G.	Eckstein	Kalis	Nelson	Smogard
Anderson, I.	Eken	Kelly, R.	Niehaus	Spanish
Anderson, R.	Ellingson	Kelly, W.	Norton	Stanton
Arlandson	Enebo	Kempe, A.	Novak	Stoa
Battaglia	Erickson	Kempe, R.	Osthoff	Suss
Beauchamp	Esau	King	Patton	Swanson
Begich	Evans	Knickerbocker	Pehler	Tomlinson
Berg	Ewald	Kostohryz	Peterson	Vanasek
Berglin	Faricy	Kroening	Petrafeso	Voss
Berkelman	Fjoslien	Kvam	Pleasant	Waldorf
Biersdorf	Forsythe	Laidig	Prahl	Welch
Birnstihl	Friedrich	Langseth	Reding	Wenstrom
Brandl	Fudro	Lehto	Rice	Wenzel
Braun	Fugina	Lemke	Rose	White
Brinkman	George	Mangan	St. Onge	Wieser
Byrne	Gunter	Mann	Samuelson	Wigley
Carlson, D.	Hanson	McCarron	Sarna	Williamson
Carlson, L.	Haugerud	McCollar	Savelkoul	Wynia
Casserly	Heinitz	McDonald	Scheid	Zubay
Clark	Hokanson	McEachern	Schulz	Speaker Sabo
Clawson	Jacobs	Metzen	Searle	
Cohen	Jaros	Moe	Searles	

The bill was passed and its title agreed to.

H. F. No. 557, A bill for an act relating to highways; requiring reimbursement of fire fighting and protection expenses in certain instances.

The bill was read for the third time and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 133 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Abeln	Braun	Erickson	Jensen	Lemke
Adams	Brinkman	Esau	Johnson	Mangan
Albrecht	Byrne	Evans	Jude	Mann
Anderson, B.	Carlson, D.	Ewald	Kahn	McCarron
Anderson, D.	Carlson, L.	Faricy	Kaley	McCollar
Anderson, G.	Casserly	Fjoslien	Kalis	McDonald
Anderson, I.	Clark	Forsythe	Kelly, R.	McEachern
Anderson, R.	Clawson	Friedrich	Kelly, W.	Metzen
Arlandson	Cohen	Fudro	Kempe, A.	Moe
Battaglia	Corbid	Fugina	Kempe, R.	Munger
Beauchamp	Cummiskey	George	King	Murphy
Begich	Dahl	Gunter	Knickerbocker	Neisen
Berg	Dean	Hanson	Kostohryz	Nelsen, B.
Berglin	Den Ouden	Haugerud	Kroening	Nelsen, M.
Berkelman	Eckstein	Heinitz	Kvam	Nelson
Biersdorf	Eken	Hokanson	Laidig	Niehaus
Birnstihl	Ellingson	Jacobs	Langseth	Norton
Brandl	Enebo	Jaros	Lehto	Novak

Osthoff	Rose	Sherwood	Suss	White
Patton	St. Onge	Sieben, H.	Swanson	Wieser
Pehler	Samuelson	Sieben, M.	Tomlinson	Wigley
Peterson	Sarna	Simoneau	Vanasek	Williamson
Petrafeso	Savelkoul	Skoglund	Voss	Wynia
Pleasant	Scheid	Smogard	Waldorf	Zubay
Prahl	Schulz	Spanish	Welch	Speaker Sabo
Reding	Searle	Stanton	Wenstrom	
Rice	Searles	Stoa	Wenzel	

The bill was passed and its title agreed to.

H. F. No. 818, A bill for an act relating to highway traffic regulations; implements of husbandry; restricting the speed of certain implements of husbandry on the highways; providing a penalty; amending Minnesota Statutes 1976, Chapter 169, by adding a section.

The bill was read for the third time and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 131 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Abeln	Cummiskey	Jude	Neisen	Sieben, M.
Adams	Dahl	Kahn	Nelsen, B.	Simoneau
Albrecht	Dean	Kaley	Nelsen, M.	Skoglund
Anderson, D.	Den Ouden	Kalis	Nelson	Smogard
Anderson, G.	Eckstein	Kelly, R.	Niehaus	Spanish
Anderson, I.	Eken	Kelly, W.	Norton	Stanton
Anderson, R.	Ellingson	Kempe, A.	Novak	Stoa
Arlandson	Enebo	Kempe, R.	Osthoff	Suss
Battaglia	Erickson	King	Patton	Swanson
Beauchamp	Esau	Knickerbocker	Pehler	Tomlinson
Begich	Evans	Kostohryz	Peterson	Vanasek
Berg	Ewald	Kroening	Petrafeso	Voss
Berglin	Fariy	Kvam	Pleasant	Waldorf
Berkelman	Fjoslien	Laidig	Prahl	Welch
Biersdorf	Forsythe	Langseth	Reding	Wenstrom
Birnstihl	Friedrich	Lehto	Rice	Wenzel
Brandl	Fudro	Lemke	Rose	White
Braun	Fugina	Mangan	St. Onge	Wieser
Brinkman	George	Mann	Samuelson	Wigley
Byrne	Gunter	McCarron	Sarna	Williamson
Carlson, D.	Hanson	McCollar	Savelkoul	Wynia
Carlson, L.	Heinitz	McDonald	Scheid	Zubay
Cassarly	Hokanson	McEachern	Schulz	Speaker Sabo
Clark	Jacobs	Metzen	Searle	
Clawson	Jaros	Moe	Searles	
Cohen	Jensen	Munger	Sherwood	
Corbid	Johnson	Murphy	Sieben, H.	

The bill was passed and its title agreed to.

H. F. No. 979, A bill for an act relating to state lands; authorizing the conveyance by the state of certain lands in St. Louis county.

The bill was read for the third time and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 132 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Abeln	Corbid	Jensen	Munger	Sieben, H.
Adams	Cummiskey	Johnson	Murphy	Sieben, M.
Albrecht	Dahl	Jude	Neisen	Simoneau
Anderson, B.	Dean	Kahn	Nelsen, B.	Skoglund
Anderson, D.	Den Ouden	Kaley	Nelsen, M.	Smogard
Anderson, G.	Eckstein	Kalis	Nelson	Spanish
Anderson, I.	Eken	Kelly, R.	Norton	Stanton
Anderson, R.	Ellingson	Kelly, W.	Novak	Stoa
Arlandson	Enebo	Kempe, A.	Osthoff	Suss
Battaglia	Erickson	Kempe, R.	Patton	Swanson
Beauchamp	Esau	King	Pehler	Tomlinson
Begich	Evans	Knickerbocker	Peterson	Vanasek
Berg	Ewald	Kostohryz	Petrafeso	Voss
Berglin	Faricy	Kroening	Pleasant	Waldorf
Berkelman	Fjoslien	Kvam	Prahl	Welch
Biersdorf	Forsythe	Laidig	Reding	Wenstrom
Birnstihl	Friedrich	Langseth	Rice	Wenzel
Brandl	Fudro	Lehto	Rose	White
Braun	Fugina	Lemke	St. Onge	Wieser
Brinkman	George	Mangan	Samuelson	Wigley
Byrne	Gunter	Mann	Sarna	Williamson
Carlson, D.	Hanson	McCarron	Savelkoul	Wynia
Carlson, L.	Haugerud	McCollar	Scheid	Zubay
Casserly	Heinitz	McDonald	Schulz	Speaker Sabo
Clark	Hokanson	McEachern	Searle	
Clawson	Jacobs	Metzen	Searles	
Cohen	Jaros	Moe	Sherwood	

The bill was passed and its title agreed to.

H. F. No. 1107 was reported to the House.

There being no objection, H. F. No. 1107 was continued on the Consent Calendar for one day.

H. F. No. 542, A bill for an act relating to the city of Saint Paul; establishing a public housing agency; transferring functions from housing and redevelopment authority.

The bill was read for the third time and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 104 yeas and 24 nays as follows:

Those who voted in the affirmative were:

Adams	Anderson, G.	Arlandson	Begich	Berkelman
Anderson, B.	Anderson, I.	Battaglia	Berg	Brandl
Anderson, D.	Anderson, R.	Beauchamp	Berglin	Braun

Brinkman	Fudro	Kempe, R.	Nelson	Skoglund
Byrne	Fugina	King	Niehaus	Smogard
Carlson, L.	George	Knickerbocker	Novak	Spanish
Casserly	Gunter	Kostohryz	Petrafaso	Stanton
Clark	Hanson	Laidig	Pleasant	Stoa
Clawson	Haugerud	Langseth	Prahl	Suss
Cohen	Heinitz	Lehto	Reding	Swanson
Corbid	Hokanson	Lemke	Rosa	Tomlinson
Cummiskey	Jacobs	Mangan	St. Onge	Vanasek
Dahl	Jaros	Mann	Samuelson	Voss
Dean	Jensen	McDonald	Sarna	Waldorf
Eckstein	Johnson	McEachern	Scheid	Welch
Eken	Jude	Metzen	Schulz	Wenstrom
Ellingson	Kahn	Moe	Searles	Wenzel
Enebo	Kalis	Munger	Sherwood	White
Evans	Kelly, R.	Murphy	Sieben, H.	Williamson
Ewald	Kelly, W.	Neisen	Sieben, M.	Zubay
Forsythe	Kempe, A.	Nelsen, M.	Simoneau	

Those who voted in the negative were:

Abeln	Erickson	Kaley	Norton	Savelkoul
Biersdorf	Esau	Kroening	Osthoff	Searle
Birnstihl	Faricy	Kvam	Patton	Wieser
Carlson, D.	Fjoslien	McCollar	Pehler	Speaker Sabo
Den Ouden	Friedrich	Nelsen, B.	Peterson	

The bill was passed and its title agreed to.

H. F. No. 946, A bill for an act relating to the trunk highway system; adding a new route in substitution of an existing route.

The bill was read for the third time and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 131 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Abeln	Brinkman	Evans	Kahn	McDonald
Adams	Byrne	Ewald	Kaley	McEachern
Albrecht	Carlson, A.	Faricy	Kalis	Metzen
Anderson, B.	Carlson, D.	Fjoslien	Kelly, R.	Moe
Anderson, D.	Carlson, L.	Forsythe	Kelly, W.	Munger
Anderson, G.	Casserly	Friedrich	Kempe, A.	Murphy
Anderson, I.	Clark	Fudro	Kempe, R.	Neisen
Anderson, R.	Clawson	Fugina	King	Nelsen, B.
Arlandson	Corbid	George	Knickerbocker	Nelsen, M.
Battaglia	Cummiskey	Gunter	Kostohryz	Nelson
Beauchamp	Dahl	Hanson	Kroening	Niehaus
Begich	Dean	Haugerud	Kvam	Norton
Berg	Den Ouden	Heinitz	Laidig	Novak
Berglin	Eckstein	Hokanson	Langseth	Osthoff
Berkelman	Eken	Jacobs	Lehto	Patton
Biersdorf	Ellingson	Jaros	Lemke	Pehler
Birnstihl	Enebo	Jensen	Mangan	Petrafaso
Brandl	Erickson	Johnson	Mann	Pleasant
Braun	Esau	Jude	McCollar	Prahl

Reding	Schulz	Smogard	Voss	Williamson
Rice	Searle	Spanish	Waldorf	Wynia
Rose	Searles	Stanton	Welch	Zubay
St. Onge	Sherwood	Stoa	Wenstrom	Speaker Sabo
Samuelson	Sieben, H.	Suss	Wenzel	
Sarna	Sieben, M.	Swanson	White	
Savelkoul	Simoneau	Tomlinson	Wieser	
Scheid	Skoglund	Vanasek	Wigley	

The bill was passed and its title agreed to.

H. F. No. 947, A bill for an act relating to railroads; allowing reduced rates for transportation of waste material for reprocessing; amending Minnesota Statutes 1976, Section 218.021, Subdivision 2.

The bill was read for the third time and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 134 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Abeln	Cohen	Jaros	Moe	Searles
Adams	Corbid	Jensen	Munger	Sherwood
Albrecht	Cummiskey	Johnson	Murphy	Sieben, H.
Anderson, B.	Dahl	Jude	Neisen	Sieben, M.
Anderson, D.	Dean	Kahn	Nelsen, B.	Simoneau
Anderson, G.	Den Ouden	Kaley	Nelsen, M.	Skoglund
Anderson, I.	Eckstein	Kalis	Nelson	Smogard
Anderson, R.	Eken	Kelly, R.	Niehaus	Spanish
Arlandson	Ellingson	Kelly, W.	Norton	Stanton
Battaglia	Enebo	Kempe, A.	Novak	Stoa
Beauchamp	Erickson	Kempe, R.	Osthoff	Suss
Begich	Esau	King	Patton	Swanson
Berg	Evans	Knickerhocker	Pehler	Tomlinson
Berglin	Ewald	Kostohryz	Peterson	Vanasek
Berkelman	Faricy	Kroening	Petrafeso	Voss
Biersdorf	Fjoslien	Kvam	Pleasant	Waldorf
Birnstihl	Forsythe	Laidig	Prahl	Welch
Brandl	Friedrich	Langseth	Reding	Wenstrom
Braun	Fudro	Lehto	Rice	Wenzel
Brinkman	Fugina	Lemke	Rose	White
Byrne	George	Mangan	St. Onge	Wieser
Carlson, A.	Gunter	Mann	Samuelson	Wigley
Carlson, D.	Hanson	McCarron	Sarna	Williamson
Carlson, L.	Haugerud	McCollar	Savelkoul	Wynia
Casserly	Heinitz	McDonald	Scheid	Zubay
Clark	Hokanson	McEachern	Schulz	Speaker Sabo
Clawson	Jacobs	Metzen	Searle	

The bill was passed and its title agreed to.

CALENDAR

H. F. No. 324, A bill for an act relating to sheriffs; fees and mileage allowance; amending Minnesota Statutes 1976, Section 357.09, Subdivisions 1, 2, and 4; repealing Minnesota Statutes 1976, Sections 357.09, Subdivision 5; and 357.10.

The bill was read for the third time and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 131 yeas and 2 nays as follows:

Those who voted in the affirmative were:

Abeln	Corbid	Johnson	Neisen	Sieben, M.
Adams	Cummiskey	Jude	Nelsen, B.	Simoneau
Albrecht	Dahl	Kahn	Nelsen, M.	Skoglund
Anderson, B.	Dean	Kaley	Nelson	Smogard
Anderson, G.	Den Ouden	Kalis	Niehaus	Spanish
Anderson, I.	Eckstein	Kelly, R.	Norton	Stanton
Anderson, R.	Eken	Kelly, W.	Novak	Stoa
Arlandson	Ellingson	Kempe, A.	Osthoff	Suss
Battaglia	Enebo	Kempe, R.	Patton	Swanson
Beauchamp	Erickson	King	Pehler	Tomlinson
Begich	Esau	Knickerbocker	Peterson	Vanasek
Berg	Evans	Kostohryz	Petraieso	Voss
Berglin	Ewald	Kroening	Pleasant	Waldorf
Berkelman	Faricy	Laidig	Prahl	Weich
Biersdorf	Fjoslien	Langseth	Reding	Wenstrom
Birnstihl	Forsythe	Lehto	Rice	Wenzel
Brandl	Friedrich	Lemke	Rose	White
Braun	Fudro	Mangan	St. Onge	Wieser
Brinkman	Fugina	Mann	Samuelson	Wigley
Byrne	George	McCarron	Sarna	Williamson
Carlson, A.	Gunter	McCollar	Savelkoul	Wynia
Carlson, D.	Hanson	McDonald	Scheid	Zubay
Carlson, L.	Heinitz	McEachern	Schulz	Speaker Sabo
Casserly	Hokanson	Metzen	Searle	
Clark	Jacobs	Moe	Searles	
Clawson	Jaros	Munger	Sherwood	
Cohen	Jensen	Murphy	Sieben, H.	

Those who voted in the negative were:

Anderson, D. Haugerud

The bill was passed and its title agreed to.

S. F. No. 483 was reported to the House and given its third reading.

Sieben, H., moved to amend S. F. No. 483, the unofficial engrossment, as follows:

In the title, page 1, line 11, delete "governor" and insert "commissioner of finance".

The motion prevailed and the amendment was adopted.

McDonald moved that S. F. No. 483, as amended, be returned to General Orders.

A roll call was requested and properly seconded.

The question was taken on the motion by McDonald and the roll was called. There were 30 yeas and 99 nays as follows:

Those who voted in the affirmative were:

Albrecht	Dean	Forsythe	Laidig	Rose
Anderson, D.	Den Ouden	Friedrich	McDonald	Savelkoul
Anderson, R.	Esau	Heinitz	Nelsen, B.	Searles
Byrne	Evans	Kaley	Niehaus	Spanish
Carlson, A.	Ewald	Kempe, R.	Peterson	Wigley
Carlson, D.	Fjoslien	Kvam	Pleasant	Zubay

Those who voted in the negative were:

Abeln	Cohen	Jude	Munger	Sieben, M.
Adams	Corbid	Kahn	Murphy	Simoneau
Anderson, B.	Cummiskey	Kalis	Neisen	Skoglund
Anderson, G.	Dahl	Kelly, R.	Nelsen, M.	Smogard
Anderson, I.	Eckstein	Kelly, W.	Nelson	Stanton
Arlandson	Ellingson	Kempe, A.	Norton	Stoa
Battaglia	Enebo	King	Novak	Suss
Begich	Erickson	Knickerbocker	Patton	Swanson
Berg	Faricy	Kostohryz	Pehler	Tomlinson
Berglin	Fudro	Kroening	Petrafeso	Vanasek
Berkelman	Fugina	Langseth	Prahl	Voss
Biersdorf	George	Lehto	Rice	Waldorf
Birnstihl	Gunter	Lemke	St. Onge	Wenstrom
Brandl	Hanson	Mangan	Samuelson	Wenzel
Braun	Haugerud	Mann	Sarna	White
Brinkman	Hokanson	McCarron	Scheid	Wieser
Carlson, L.	Jacobs	McCollar	Schulz	Williamson
Casserly	Jaros	McEachern	Searle	Wynia
Clark	Jensen	Metzen	Sherwood	Speaker Sabo
Clawson	Johnson	Moe	Sieben, H.	

The motion did not prevail.

S. F. No. 483, A bill for an act relating to the operation of state government; raising base salaries for certain executive branch employees, metropolitan agency officers, legislators, judges and judicial branch employees; limiting possible increases for certain executive branch employees; limiting the ability of appointing authorities to fill certain unclassified positions; prohibiting salaries of employees of political subdivisions from exceeding the salary of the governor; prohibiting salaries of court referees from exceeding the salaries of judges; removing achievement awards; appropriating money; amending Minnesota Statutes 1976, Sections 3.099; 3.102; 3A.02, Subdivision 1; 15A.081, Subdivision 1, and by adding subdivisions; 15A.083; 43.067; 43.09, Subdivision 2a; 473.123, Subdivision 4; 473.141, Subdivision 7; 473.605, Subdivision 2; 487.01, Subdivision 5; 487.02, Subdivision 1; 488A.021, Subdivision 8; and 488A.19, Subdivision 10; repealing Minnesota Statutes 1976, Sections 3.13; 15A.081, Subdivision 4; 43.066; 43.069; 487.05 and 490.102, Subdivision 5.

The bill was read for the third time, as amended, and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 70 yeas and 64 nays as follows:

Those who voted in the affirmative were:

Abeln	Cohen	Jacobs	Metzen	Sieben, H.
Anderson, I.	Corbid	Jaros	Moe	Sieben, M.
Arlandson	Cummiskey	Johnson	Munger	Skoglund
Battaglia	Dahl	Kahn	Murphy	Stanton
Beauchamp	Eken	Kelly, R.	Nelson	Suss
Berg	Ellingson	Kelly, W.	Norton	Swanson
Berglin	Enebo	King	Pehler	Vanasek
Brandl	Faricy	Kostohryz	Petrafeso	Voss
Braun	Fudro	Kroening	Reding	Waldorf
Carlson, A.	Fugina	Langseth	Rice	Wenzel
Carlson, L.	George	Lehto	St. Onge	White
Casserly	Gunter	Mangan	Samuelson	Williamson
Clark	Hanson	Mann	Scheid	Wynia
Clawson	Haugerud	McCarron	Sherwood	Speaker Sabo

Those who voted in the negative were:

Adams	Dean	Jude	Nelsen, B.	Searle
Albrecht	Den Ouden	Kaley	Nelsen, M.	Searles
Anderson, B.	Eckstein	Kalis	Niehaus	Simoneau
Anderson, D.	Erickson	Kempe, A.	Novak	Smogard
Anderson, G.	Esau	Kempe, R.	Osthoff	Spanish
Anderson, R.	Evans	Knickerbocker	Patton	Stoa
Begich	Ewald	Kvam	Peterson	Tomlinson
Berkelman	Fjoslien	Laidig	Pleasant	Welch
Biersdorf	Forsythe	Lemke	Prahl	Wenstrom
Birnsthil	Friedrich	McCollar	Rose	Wieser
Brinkman	Heinitz	McDonald	Sarna	Wigley
Byrne	Hokanson	McEachern	Savelkoul	Zubay
Carlson, D.	Jensen	Neisen	Schulz	

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

Jude was excused at 3:30 p.m. and Novak was excused between the hours of 3:30 and 4:15 p.m.

GENERAL ORDERS

Pursuant to rules of the House, the House resolved itself into the Committee of the Whole, with Sabo in the Chair, for the consideration of bills pending on General Orders of the Day. After some time spent therein the Committee arose.

REPORT OF COMMITTEE OF THE WHOLE

The Speaker resumed the Chair, whereupon the following proceedings of the Committee as kept by the Chief Clerk were reported to the House:

S. F. No. 170 which it recommended to pass.

H. F. No. 585 which it recommended progress retaining its place on General Orders.

H. F. No. 7 which it recommended to pass with the following amendments:

Offered by Searles:

Page 1, line 22, after "*act.*" insert "*As used in this section, "employer" shall not include nonprofit corporations, businesses with ten or fewer employees or businesses with annual gross receipts less than \$500,000.*".

Offered by Enebo:

Page 3, line 14, delete "*party*" insert "*recognized exclusive representative of the employer*".

Offered by Enebo:

Page 1, line 20, after "*transferees*" insert "*who carry on substantially the same business as the employer*".

On the motion of Anderson, I., the report of the Committee of the Whole was adopted.

ROLL CALLS IN COMMITTEE OF THE WHOLE

Pursuant to rule 1.6, the following roll calls were taken in the Committee of the Whole:

Searles moved to amend H. F. No. 7.

Osthoff requested a division of the amendment.

The first portion of the Searles amendment reads, as follows:

Page 1, line 17, delete "*collective bargaining*" and insert "*employment*".

Page 1, line 21, delete "*collective bargaining*" and insert "*employment*".

Page 1, line 24, delete "*collective bargaining*" and insert "*employment*".

Page 2, line 2, delete "*collectively bargained*" and insert "*employment*".

Page 2, line 24, delete "*collective bargaining*" and insert "*employment*".

Page 2, line 31, delete "*collective bargaining*" and insert "*employment*".

Page 3, line 4, delete "collectively bargained" and insert "employment".

Page 3, after line 17, insert:

"Subd. 4. (a) Where an employment agreement between an employer and a labor organization contains a successor clause, such clause shall be binding upon and enforceable against any successor employer who succeeds to the contracting employer's business until the expiration date of the agreement stated in the agreement. No such successor clause shall be binding upon or enforceable against any successor employer for more than three years from the effective date of the employment agreement between the contracting employer and the labor organization.

(b) As used in this subdivision, "successor employer" means any purchaser, assignee, or transferee of a business the employees of which are subject to an employment agreement, if such purchaser, assignee, or transferee conducts or will conduct substantially the same business operation, or offer the same service, and use the same physical facilities, as the contracting employer.

(c) This subdivision shall not apply to a receiver or trustee in bankruptcy of any contracting employer who has gone into receivership or bankruptcy, or to any employer who acquires a business from a receiver or trustee in bankruptcy, or to any employer which is a public entity, or to any employer who is subject to the National Labor Relations Act, Agricultural Labor Relations Act of 1975, or the Railway Labor Act.

(d) An employer who is a party to an employment agreement containing a successor clause has the affirmative duty to disclose the existence of such agreement and such clause to any successor employer. Such disclosure requirement shall be satisfied by including in any contract of sale, agreement to purchase, or any similar instrument of conveyance, a statement that the successor employer is bound by such successor clause as provided for in the employment agreement."

Renumber the remaining section.

Further, amend the title as follows:

Page 1, line 3, delete "collective bargaining" and insert "employment".

Page 1, line 6, delete "collective bargaining" and insert "employment".

Page 1, line 10, delete "collective bargaining" and insert "employment".

The question was taken on the adoption of the first portion of the Searles amendment and the roll was called. There were 55 yeas and 69 nays as follows:

Those who voted in the affirmative were:

Albrecht	Den Ouden	Haugerud	Lemke	Schulz
Anderson, D.	Eckstein	Heinitz	Mann	Searle
Anderson, R.	Eken	Jensen	McDonald	Searles
Berkelman	Erickson	Johnson	Nelsen, B.	Smogard
Biersdorf	Esau	Kaley	Nelsen, M.	Stoa
Birnstihl	Evans	Kalis	Niehaus	Suss
Braun	Ewald	Kempe, R.	Osthoff	Vanasek
Carlson, A.	Fjoslien	King	Peterson	Wenstrom
Carlson, D.	Forsythe	Knickerbocker	Pleasant	White
Corbid	Friedrich	Kvam	Rose	Wigley
Dean	Gunter	Laidig	Savelkoul	Zubay

Those who voted in the negative were:

Abeln	Clark	Kahn	Murphy	Simoneau
Adams	Clawson	Kelly, R.	Neisen	Skoglund
Anderson, I.	Cummiskey	Kelly, W.	Norton	Spanish
Arlandson	Dahl	Kempe, A.	Patton	Stanton
Battaglia	Ellingson	Kostohryz	Pehler	Swanson
Beauchamp	Enebo	Kroening	Prahl	Tomlinson
Begich	Faricy	Lehto	Rice	Voss
Berg	Fudro	Mangan	St. Onge	Welch
Berglin	Fugina	McCarron	Samuelson	Wenzel
Brandl	George	McCollar	Sarna	Wieser
Brinkman	Hanson	McEachern	Scheid	Williamson
Byrne	Hokanson	Metzen	Sherwood	Wynia
Carlson, L.	Jacobs	Moe	Sieben, H.	Speaker Sabo
Casserly	Jaros	Munger	Sieben, M.	

The motion did not prevail and the first portion of the amendment was not adopted.

The second portion of the Searles amendment reads as follows:

Page 1, line 22, after "act." insert "*As used in this section, "employer" shall not include nonprofit corporations, businesses with ten or fewer employees or businesses with annual gross receipts less than \$500,000.*"

The question was taken on the adoption of the second portion of the Searles amendment and the roll was called. There were 69 yeas and 58 nays as follows:

Those who voted in the affirmative were:

Albrecht	Birnstihl	Corbid	Esau	Gunter
Anderson, D.	Brandl	Dahl	Evans	Haugerud
Anderson, G.	Braun	Dean	Ewald	Heinitz
Anderson, R.	Brinkman	Den Ouden	Faricy	Jensen
Berg	Carlson, A.	Eckstein	Fjoslien	Johnson
Berkelman	Carlson, D.	Eken	Forsythe	Kaley
Biersdorf	Clawson	Erickson	Friedrich	Kalis

Kempe, R.	McDonald	Petrafeso	Searles	Wenzel
King	Munger	Pleasant	Sherwood	White
Knickerbocker	Nelsen, B.	Rose	Smogard	Wieser
Kvam	Nelsen, M.	Samuelson	Stoa	Wigley
Laidig	Niehaus	Savelkoul	Suss	Wynia
Lemke	Patton	Schulz	Vanasek	Zubay
Mann	Peterson	Searle	Wenstrom	

Those who voted in the negative were:

Abeln	Cummiskey	Kelly, W.	Neisen	Simoneau
Adams	Ellingson	Kempe, A.	Nelson	Skoglund
Anderson, I.	Enebo	Kostohryz	Norton	Spanish
Arlandson	Fudro	Kroening	Osthoff	Stanton
Battaglia	Fugina	Lehto	Pehler	Swanson
Beauchamp	George	Mangan	Prahl	Tomlinson
Begich	Hanson	McCarron	Rice	Voss
Berglin	Hokanson	McCollar	St. Onge	Welch
Byrne	Jacobs	McEachern	Sarna	Williamson
Carlson, L.	Jaros	Metzen	Scheid	Speaker Sabo
Casserly	Kahn	Moe	Sieben, H.	
Clark	Kelly, R.	Murphy	Sieben, M.	

The motion prevailed and the second portion of the amendment was adopted.

The question was taken on the motion by Savelkoul to re-refer H. F. No. 7, as amended, to the Committee on Commerce and Economic Development and the roll was called. There were 44 yeas and 79 nays as follows:

Those who voted in the affirmative were:

Albrecht	Dean	Friedrich	Langseth	Searles
Anderson, B.	Den Ouden	Gunter	McDonald	Smogard
Anderson, D.	Eken	Haugerud	Nelsen, B.	Vanasek
Anderson, G.	Erickson	Heinitz	Niehaus	Welch
Anderson, R.	Esau	Johnson	Peterson	White
Biersdorf	Evans	Kaley	Pleasant	Wieser
Brinkman	Ewald	Knickerbocker	Rose	Wigley
Carlson, A.	Fjoslien	Kvam	Savelkoul	Zubay
Carlson, D.	Forsythe	Laidig	Searle	

Those who voted in the negative were:

Abeln	Cummiskey	Kelly, W.	Nelsen, M.	Sieben, M.
Adams	Dahl	Kempe, A.	Nelson	Simoneau
Anderson, I.	Eckstein	Kempe, R.	Norton	Skoglund
Arlandson	Ellingson	Kostohryz	Osthoff	Spanish
Battaglia	Enebo	Kroening	Patton	Stanton
Beauchamp	Faricy	Lehto	Pehler	Stoa
Begich	Fudro	Lemke	Petrafeso	Swanson
Berg	Fugina	Mangan	Reding	Tomlinson
Berglin	George	Mann	Rice	Voss
Berkelman	Hanson	McCarron	St. Onge	Waldorf
Birnstihl	Hokanson	McCollar	Samuelson	Wenstrom
Brandl	Jacobs	McEachern	Sarna	Wenzel
Byrne	Jaros	Metzen	Scheid	Williamson
Carlson, L.	Jensen	Moe	Schulz	Wynia
Clark	Kahn	Murphy	Sherwood	Speaker Sabo
Cohen	Kelly, R.	Neisen	Sieben, H.	

The motion did not prevail.

Knickerbocker moved to amend H. F. No. 7, as follows:

Page 3, after line 17 insert a new section to read:

"Sec. 2. This act shall not apply to a receiver or trustee in bankruptcy of any contracting employer who has gone into receivership or bankruptcy, or to any employer who acquires a business from a receiver or trustee in bankruptcy, or to any employer which is a public entity."

Renumber the remaining section.

The question was taken on the adoption of the amendment and the roll was called. There were 59 yeas and 70 nays as follows:

Those who voted in the affirmative were:

Adams	Carlson, A.	Forsythe	Mann	Savelkoul
Albrecht	Carlson, D.	Friedrich	McDonald	Searle
Anderson, B.	Cohen	Gunter	Moe	Searles
Anderson, D.	Dean	Haugerud	Neisen	Smogard
Anderson, G.	Den Ouden	Heinitz	Nelsen, B.	Stoa
Anderson, R.	Eckstein	Johnson	Niehaus	Welch
Berg	Eken	Kaley	Patton	Wenstrom
Berkelman	Erickson	Knickerbocker	Peterson	Wenzel
Biersdorf	Esau	Kvam	Petrafeso	Wieser
Brand	Evans	Laidig	Pleasant	Wigley
Braun	Ewald	Langseth	Rose	Zubay
Brinkman	Fjoslien	Lemke	Samuelson	

Those who voted in the negative were:

Abeln	Dahl	Kelly, W.	Nelson	Simoneau
Anderson, I.	Ellingson	Kempe, A.	Norton	Skoglund
Arlandson	Enebo	Kempe, R.	Osthoff	Spanish
Battaglia	Faricy	King	Pehler	Stanton
Beauchamp	Fudro	Kostohryz	Prahl	Suss
Begich	Fugina	Kroening	Reding	Swanson
Berglin	George	Lehto	Rice	Tomlinson
Birnstihl	Hanson	Mangan	St. Onge	Vanasek
Byrne	Hokanson	McCollar	Sarna	Voss
Carlson, L.	Jacobs	McEachern	Scheid	Waldorf
Casserty	Jaros	Metzen	Schulz	White
Clark	Jensen	Munger	Sherwood	Williamson
Clawson	Kahn	Murphy	Sieben, H.	Wynia
Cummiskey	Kelly, R.	Nelsen, M.	Sieben, M.	Speaker Sabo

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

Pehler moved to amend H. F. No. 7, as follows:

Strike everything after the enacting clause and insert the following:

"Section 1. Minnesota Statutes 1976, Chapter 179 is amended by adding a section to read:

[179.125] *Every collective bargaining contract between an employer and a labor organization shall be enforceable for the term of the contract against any successor to, or assignee, transferee, lessee, or purchaser of the employer's business, unless the successor, assignee, transferee, lessee, or purchaser and the labor organization jointly agree to modify or vacate the contract.*

Sec. 2. *This act is effective the day following final enactment.*"

Amend the title as follows:

Page 1, strike lines 2 through 10 and insert "relating to labor relations; requiring successor employers to assume certain obligations;"

The question was taken on the adoption of the amendment and the roll was called. There were 56 yeas and 66 nays as follows:

Those who voted in the affirmative were:

Anderson, B.	Carlson, D.	Friedrich	McDonald	Skoglund
Anderson, D.	Corbid	Gunter	Nelsen, B.	Smogard
Anderson, G.	Dean	Heinitz	Niehaus	Stoa
Anderson, R.	Den Ouden	Jensen	Novak	Wenstrom
Arlandson	Eken	Kaley	Patton	Wieser
Beauchamp	Erickson	Kelly, R.	Pehler	Wigley
Berg	Esau	Kelly, W.	Peterson	Wynia
Biersdorf	Evans	Kempe, R.	Petrafeso	Zubay
Birnstihl	Ewald	King	Rose	
Brandl	Faricy	Knickerbocker	Savelkoul	
Brinkman	Fjoslien	Laidig	Searle	
Carlson, A.	Forsythe	Langseth	Searles	

Those who voted in the negative were:

Abeln	Cohen	Kahn	Nelson	Stanton
Adams	Cummiskey	Kempe, A.	Osthoff	Suss
Albrecht	Dahl	Kostohryz	Prahl	Swanson
Anderson, I.	Eckstein	Kroening	Reding	Tomlinson
Battaglia	Ellingson	Lemke	Rice	Vanasek
Begich	Enebo	Mangan	St. Onge	Waldorf
Berglin	Fudro	Mann	Samuelson	Wenzel
Berkelman	Fugina	McCollar	Sarna	White
Braun	George	McEachern	Scheid	Williamson
Byrne	Hanson	Metzen	Schulz	Speaker Sabo
Carlson, L.	Hokanson	Moe	Sieben, H.	
Casserly	Jacobs	Munger	Sieben, M.	
Clark	Jaros	Murphy	Simoneau	
Clawson	Johnson	Nelsen, M.	Spanish	

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

Beauchamp moved to amend H. F. No. 7, as amended, as follows:

Strike everything after the enacting clause and insert the following:

“Section 1. Minnesota Statutes 1976, Chapter 179 is amended by adding a section to read:

[179.125] *Every collective bargaining contract between an employer and a labor organization shall be enforceable for the term of the contract against any successor to, or assignee, transferee, lessee, or purchaser of the employer's business, unless the successor, assignee, transferee, lessee, or purchaser and the labor organization jointly agree to modify or vacate the contract. Any violation of this act shall also be a gross misdemeanor.*

Sec. 2. *This act is effective the day following final enactment.*”.

Amend the title as follows:

Page 1, strike lines 2 through 10 and insert “relating to labor relations; requiring successor employers to assume certain obligations; prescribing penalties;”.

The question was taken on the adoption of the amendment and the roll was called. There were 10 yeas and 103 nays as follows:

Those who voted in the affirmative were:

Beauchamp	Fugina	King	Patton	Welch
Cohen	Hanson	Norton	Stoa	Zubay

Those who voted in the negative were:

Abeln	Casserly	Kahn	Nelsen, M.	Simoneau
Adams	Clark	Kaley	Nelson	Skoglund
Albrecht	Clawson	Kelly, W.	Niehaus	Smogard
Anderson, D.	Dean	Kempe, A.	Novak	Spanish
Anderson, G.	Den Ouden	Kempe, R.	Osthoff	Stanton
Anderson, I.	Eckstein	Kroening	Pehler	Suss
Anderson, R.	Eken	Kvam	Petrafeso	Swanson
Arlandson	Ellingson	Laidig	Pleasant	Tomlinson
Battaglia	Enebo	Langseth	Reding	Vanasek
Begich	Erickson	Lemke	Rice	Voss
Berg	Esau	Mangan	Rose	Waldorf
Berglin	Evans	Mann	St. Onge	Wenstrom
Berkelman	Fjoslien	McCollar	Samuelson	Wenzel
Biersdorf	Forsythe	McDonald	Sarna	White
Brandl	Fudro	McEachern	Savelkoul	Wieser
Braun	Gunter	Metzen	Scheid	Wigley
Brinkman	Heinitz	Moe	Schulz	Williamson
Byrne	Hokanson	Munger	Searle	Wynia
Carlson, A.	Jacobs	Murphy	Searles	Speaker Sabo
Carlson, D.	Jensen	Neisen	Sieben, H.	
Carlson, L.	Johnson	Nelsen, B.	Sieben, M.	

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

The question was taken on the motion to recommend passage of H. F. No. 7, as amended, and the roll was called. There were 70 yeas and 60 nays as follows:

Those who voted in the affirmative were:

Abeln	Cohen	Kempe, A.	Nelson	Sieben, M.
Adams	Cummiskey	Kempe, R.	Norton	Simoneau
Anderson, I.	Dahl	Kostohryz	Novak	Skoglund
Arlandson	Ellingson	Kroening	Osthoff	Spanish
Battaglia	Enebo	Lehto	Pehler	Stanton
Begich	Fudro	Mangan	Prahl	Stoa
Berglin	Fugina	McCollar	Reding	Swanson
Berkelman	George	McEachern	Rice	Tomlinson
Brandl	Hanson	Metzen	St. Onge	Voss
Byrne	Hokanson	Moe	Samuelson	Waldorf
Carlson, L.	Jacobs	Munger	Sarna	Wenzel
Casserly	Jaros	Murphy	Scheid	Williamson
Clark	Kahn	Neisen	Sherwood	Wynia
Clawson	Kelly, R.	Nelsen, M.	Sieben, H.	Speaker Sabo

Those who voted in the negative were:

Albrecht	Corbid	Gunter	Langseth	Schulz
Anderson, B.	Dean	Haugerud	Lemke	Searle
Anderson, D.	Den Ouden	Heinitz	Mann	Searles
Anderson, G.	Eckstein	Jensen	McDonald	Smogard
Anderson, R.	Eken	Johnson	Nelsen, B.	Suss
Beauchamp	Erickson	Kaley	Niehaus	Vanasek
Biersdorf	Esau	Kalis	Patton	Welch
Birnstihl	Evans	Kelly, W.	Peterson	Wenstrom
Braun	Ewald	King	Petrafeso	White
Brinkman	Fjoslien	Knickerbocker	Pleasant	Wieser
Carlson, A.	Forsythe	Kvam	Rose	Wigley
Carlson, D.	Friedrich	Laidig	Savelkoul	Zubay

The motion prevailed.

MOTIONS AND RESOLUTIONS

Hokanson moved that the name of Jacobs be stricken, the name of Dean be shown as fifth author and the name of Berglin be added as second author on H. F. No. 415. The motion prevailed.

Ellingson moved that the names of Voss, Skoglund, and Carlson, A., be added as authors on H. F. No. 968. The motion prevailed.

ADJOURNMENT

Anderson, I., moved that when the House adjourns today it adjourn until 2:00 p.m., Wednesday, April 20, 1977. The motion prevailed.

Anderson, I., moved that the House adjourn. The motion prevailed, and the Speaker declared the House stands adjourned until 2:00 p.m., Wednesday, April 20, 1977.

EDWARD A. BURDICK, Chief Clerk, House of Representatives

STATE OF MINNESOTA
SEVENTIETH SESSION—1977

THIRTY-SEVENTH DAY

SAINT PAUL, MINNESOTA, WEDNESDAY, APRIL 20, 1977

The House of Representatives convened at 2:00 p.m. and was called to order by the Speaker.

Prayer was offered by the Chaplain.

The roll was called and the following members were present:

Abeln	Corbid	Jensen	Munger	Sherwood
Adams	Cummiskey	Johnson	Murphy	Sieben, H.
Albrecht	Dahl	Jude	Neisen	Sieben, M.
Anderson, B.	Dean	Kahn	Nelsen, B.	Simoneau
Anderson, D.	Den Ouden	Kaley	Nelsen, M.	Skoglund
Anderson, G.	Eckstein	Kalis	Nelson	Smogard
Anderson, I.	Eken	Kelly, R.	Niehaus	Spanish
Anderson, R.	Ellingson	Kelly, W.	Norton	Stanton
Arlandson	Enebo	Kempe, A.	Novak	Stoa
Battaglia	Erickson	Kempe, R.	Osthoff	Suss
Beauchamp	Esau	King	Patton	Swanson
Begich	Evans	Knickerbocker	Pehler	Tomlinson
Berg	Ewald	Kostohryz	Peterson	Vanasek
Berglin	Faricy	Kroening	Petraieso	Voss
Berkelman	Fjoslien	Kvam	Pleasant	Waldorf
Biersdorf	Forsythe	Laidig	Prahl	Welch
Birnstihl	Friedrich	Langseth	Reding	Wenstrom
Brandl	Fudro	Lehto	Rice	Wenzel
Braun	Fugina	Lemke	Rose	White
Brinkman	George	Mangan	St. Onge	Wieser
Byrne	Gunter	Mann	Samuelson	Wigley
Carlson, A.	Hanson	McCarron	Sarna	Williamson
Carlson, D.	Haugerud	McCollar	Savelkoul	Wynia
Carlson, L.	Heinitz	McDonald	Scheid	Zubay
Casserly	Hokanson	McEachern	Schulz	Speaker Sabo
Clark	Jacobs	Metzen	Searle	
Clawson	Jaros	Moe	Searles	

A quorum was present.

Cohen was excused until 3:30 p.m.

The Chief Clerk proceeded to read the Journal of the preceding day. McCollar moved that further reading of the Journal be dispensed with and that the Journal be approved as corrected by the Chief Clerk. The motion prevailed.

REPORTS OF CHIEF CLERK

Pursuant to Rules of the House, printed copies of H. F. Nos. 240, 1094, 267, 978, 41, 635, 462, 972, 338, 405, 829 and 7 and S. F. Nos. 651, 826, 847, 919, 450, 478 and 757 have been placed in the members' files.

S. F. No. 919 and H. F. No. 1076, which had been referred to the Chief Clerk for comparison, were examined and found to be identical with certain exceptions.

SUSPENSION OF RULES

Lemke moved that the rules be so far suspended that S. F. No. 919 be substituted for H. F. No. 1076 and that the House File be indefinitely postponed. The motion prevailed.

REPORTS OF STANDING COMMITTEES

Mann from the Committee on Agriculture to which was referred:

H. F. No. 1275, A bill for an act relating to agriculture; grain inspection and weighing; fees; providing a basis for establishing and adjusting fees; amending Minnesota Statutes 1976, Section 17B.15, Subdivision 2.

Reported the same back with the recommendation that the bill pass.

The report was adopted.

Mann from the Committee on Agriculture to which was referred:

H. F. No. 1421, A bill for an act relating to natural resources; designating wild rice as the official state grain; amending Minnesota Statutes 1976, Chapter 1, by adding a section.

Reported the same back with the following amendments:

Page 1, line 10, before "*Wild*" insert "*Zizania aquatica, commonly known as*".

Page 1, line 10, after "*rice*" insert "*or manomin,*".

Page 1, line 13, before "*wild*" insert "*zizania aquatica, commonly known as*".

Page 1, line 14, after "*rice*" insert "*or manomin,*".

With the recommendation that when so amended the bill pass.

The report was adopted.

Norton from the Committee on Appropriations to which was referred:

H. F. No. 679, A bill for an act relating to employment services; authorizing the summer employment of young persons for state and local service; appropriating money.

Reported the same back with the following amendments:

Page 3, line 25, delete "\$9,000,000" and insert "\$5,000,000".

Page 3, line 31, delete "\$5,000,000" and insert "\$1,000,000".

With the recommendation that when so amended the bill pass.

The report was adopted.

Hanson from the Committee on Commerce and Economic Development to which was referred:

H. F. No. 723, A bill for an act relating to economic development; providing grants to community development corporations; setting out criteria for making such grants; appropriating funds; amending Minnesota Statutes 1976, Chapter 362, by adding a section.

Reported the same back with the following amendments:

Page 1, line 19, delete "1060.2-4" and insert "1060.2-2".

Page 1, lines 22 and 23, delete "*commissioner of economic development is responsible to*" and insert "*director of the state planning agency shall*".

Page 1, line 23, delete "*may make*".

Page 2, delete line 1.

Page 2, line 2, delete "*provisions*" and insert "*shall enforce the rules related to community development corporations promulgated by the department of economic development. The director may amend, suspend, repeal or otherwise modify these rules as provided for in chapter 15*".

Page 2, line 3, delete "*commissioner*" and insert "*director*".

Page 2, line 14, delete "*when*".

Page 2, line 15, delete "*authorized by the metropolitan council*" and insert "*or cities, townships, unincorporated areas or combinations thereof*".

Page 2, line 21, delete "*commissioner*" and insert "*director*".

Page 3, line 2, delete "*commissioner*" and insert "*director*".

Page 3, line 8, delete "*commissioner*" and insert "*director*".

Page 3, line 18, delete "*commissioner*" and insert "*director*".

Page 3, line 31, delete "*commissioner of economic development*" and insert "*director of the state planning agency*".

Page 3, line 32, delete "*1,500,000*" and insert "*1,574,200*".

Page 4, line 1, delete "*equitably*" and insert "*equally*".

Page 4, line 2, delete "*outstate*" and insert "*nonmetropolitan*".

Page 4, line 2, delete "*\$89,579*" and insert "*\$74,200*".

With the recommendation that when so amended the bill pass and be re-referred to the Committee on Appropriations.

The report was adopted.

Hanson from the Committee on Commerce and Economic Development to which was referred:

H. F. No. 1208, A bill for an act relating to commerce; regulating mobile home lot payments; prohibiting entrance fees; specifying required notice for termination of tenancies; amending Minnesota Statutes 1976, Sections 327.43, Subdivision 1; and 327.44.

Reported the same back with the following amendments:

Page 1, line 23, strike "except".

Page 1, line 23, restore the stricken language.

With the recommendation that when so amended the bill pass and be placed on the Consent Calendar.

The report was adopted.

Johnson from the Committee on Education to which was referred:

H. F. No. 1428, A bill for an act relating to education; authorizing the state board of education to create additional

advisory task forces; amending Minnesota Statutes 1976, Section 15.014, by adding subdivisions.

Reported the same back with the recommendation that the bill pass.

The report was adopted.

Munger from the Committee on Environment and Natural Resources to which was referred:

H. F. No. 15, A bill for an act relating to parks; appropriating money for the development of recreation facilities for the handicapped at Islands of Peace park.

Reported the same back with the recommendation that the bill pass and be re-referred to the Committee on Appropriations.

The report was adopted.

Swanson from the Committee on Health and Welfare to which was referred:

H. F. No. 419, A bill for an act relating to public welfare; establishing programs for displaced homemakers; establishing multipurpose service programs; defining terms; appropriating money.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. [CITATION.] Sections 1 to 5 may be cited as the "Equal Opportunity for Displaced Homemakers Act".

Sec. 2. [DEFINITIONS.] Subdivision 1. For the purposes of sections 1 to 5, the terms defined in this section have the meanings given them.

Subd. 2. "Displaced homemaker" means a person who:

(a) Worked in the home for a substantial number of years providing unpaid household services for family members;

(b) Is not gainfully employed;

(c) Has difficulty in securing employment; and

(d) Was dependent on the income of another family member but is no longer supported by such income, or was dependent on federal assistance but is no longer eligible for such assistance.

Subd. 3. "Director" means the executive director of the governor's manpower office.

Sec. 3. [DISPLACED WORKER PROGRAMS.] Subdivision 1. In order to enable the displaced homemaker to contribute to society and maintain independence and economic security, the director may enter into arrangements with existing private or nonprofit organizations and agencies with experience in dealing with displaced homemakers to provide the counseling and training services authorized by sections 1 to 5. The governor's manpower office shall retain ultimate responsibility for administration of the counseling and training programs.

Subd. 2. The director shall allocate funds to two pilot programs, one in the metropolitan area and one serving rural Minnesota.

Subd. 3. The director shall allocate funds to establish specific components within the pilot programs to more effectively serve the individual needs of the displaced homemakers. The components within the system shall provide the following services:

(a) Job counseling services which shall:

- (1) Be designed specifically for displaced homemakers; and
- (2) Operate to counsel displaced homemakers with respect to appropriate job opportunities.

(b) Job training and job placement services which shall:

(1) Provide weekly training allowances for the economically disadvantaged, and those displaced homemakers receiving public and private job training or education;

(2) Develop public sector jobs by working with state and local government agencies, as well as with private, nonprofit organizations;

(3) Develop individual employability plans to comprehensively provide specific services including health care, child support, financial counseling, education and training counseling, and legal counseling; and

(4) Take into account, and build on the skills and experiences of the displaced homemakers.

Subd. 4. To the extent of available funding, the director may provide basic weekly allowances for individuals receiving training or education under sections 1 to 5 who are economically disadvantaged.

Subd. 5. The director may provide counseling, job training, and placement services to all individuals qualifying under the rules of the director.

Sec. 4. [ADMINISTRATION OF PROGRAMS.] Subdivision 1. The director shall cooperate with federal, state and local agencies and private employees to coordinate the service programs established pursuant to section 3. The director, with the advice of the governor, shall promulgate rules concerning the eligibility of persons for the job training and other programs provided for under sections 1 to 5, as well as the level of stipends for the job training programs. The director shall assist displaced homemakers in applying for appropriate welfare programs and shall take welfare allowances received into account in setting the stipend level. Income received as a stipend under this program shall be totally disregarded for purposes of determining eligibility for and the amount of a general assistance grant.

Subd. 2. The director shall evaluate the effectiveness of the job training, placement and service to displaced homemakers, including the number of persons trained, the number of persons placed in employment, follow-up data on such persons, the number of persons served by the pilot programs, and cost effectiveness of the various components of the pilot programs.

Subd. 3. The staff members of the pilot programs shall assist the displaced homemaker in finding permanent employment. To this end, the director and the staff members shall work with the department of employment services and any other agency to secure employment for displaced homemakers.

Subd. 4. The coordinator of each pilot program may accept, use and dispose of contributions of money, services and property from any source for the purposes of sections 1 to 5. Any funds accepted pursuant to this subdivision are hereby appropriated for the purposes for which they are received.

Sec. 5. [PILOT PROGRAM STAFFING.] To the extent possible, supervisory, technical, and administrative positions in the pilot programs established pursuant to sections 1 to 5 shall be filled by displaced homemakers.

Sec. 6. [APPROPRIATIONS.] There is appropriated from the general fund to the executive director of the governor's manpower office the sum of \$160,000 for the purposes of sections 1 to 5."

Further amend the title by deleting it in its entirety and inserting:

"A bill for an act relating to the governor's manpower office; providing for the employment and training of displaced home-

makers; authorizing certain job training, counseling and placement activities; appropriating money.”.

With the recommendation that when so amended the bill pass and be re-referred to the Committee on Appropriations.

The report was adopted.

Swanson from the Committee on Health and Welfare to which was referred:

H. F. No. 461, A bill for an act relating to welfare; providing penalties for welfare offenses; requiring notification of change of circumstances; amending Minnesota Statutes 1976, Sections 256.98; and 393.07, Subdivision 10.

Reported the same back with the following amendments:

Page 1, line 11, delete “*Subdivision 1.*”.

Page 1, line 15, strike “he” and insert “*a recipient or applicant*”.

Page 1, line 16, strike “he” and insert “*a recipient or applicant*”.

Page 2, line 1, strike “shall be” and insert “*is*”.

Page 2, line 2, before “*sentenced*” insert “*shall be*”.

Page 2, line 3, after “(5).” insert “*The amount of the assistance incorrectly paid shall be the difference between the amount of assistance actually received and the amount to which the recipient would have been entitled under state and federal law had the welfare agency been informed of all material facts.*”.

Page 2, delete lines 16 to 32.

Page 3, delete lines 1 to 4.

Page 3, line 31, after “(c)” insert “*Willfully*”.

Further amend the title as follows:

Page 1, line 3, delete “requiring notification of change”.

Page 1, line 4, delete “of circumstances;”.

With the recommendation that when so amended the bill pass.

The report was adopted.

Swanson from the Committee on Health and Welfare to which was referred:

H. F. No. 644, A bill for an act relating to public welfare; general assistance work programs; providing authority for local agencies to contract with nonprofit organizations for work program services; amending Minnesota Statutes 1976, Section 256D.11, Subdivision 4.

Reported the same back with the recommendation that the bill pass and be placed on the Consent Calendar.

The report was adopted.

Swanson from the Committee on Health and Welfare to which was referred:

H. F. No. 757, A bill for an act relating to health; establishing a health program for pre-school children; providing for reimbursement to school districts; appropriating money.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert the following:

“Section 1. [STATEMENT OF PURPOSE.] The legislature finds that early detection of children’s health and developmental problems can reduce their later need for costly care, minimize their physical and educational handicaps, and aid in their rehabilitation. The purpose of this act is to assist parents and communities in improving the health of Minnesota children and in planning educational and health programs.

Sec. 2. [SCHOOL BOARD RESPONSIBILITIES.] Subdivision 1. Every school board shall provide for a voluntary health and developmental screening program for children at least once before entering kindergarten. This screening program shall be established either by one board or by two or more boards acting in cooperation. In fiscal years 1978 and 1979, the screening programs shall include at least the following components to the extent the school board determines are financially feasible: developmental assessments, hearing and vision screening, dental assessments, and the review of health history and immunization status. In fiscal year 1979, the screening programs shall include at least the following additional components to the extent the school board determines are financially feasible: laboratory tests and nutritional and physical assessments. All screening components shall be consistent with the standards of the state board of health for early and periodic screening programs.

Subd. 2. If any child’s screening indicates a condition which requires diagnosis or treatment, his parents shall be notified by

the school board and the school board shall arrange for appropriate follow-up diagnosis or treatment in accordance with procedures established pursuant to section 3, subdivision 1.

Subd. 3. The school board shall actively encourage participation in the screening program.

Subd. 4. To the extent possible, every school board shall attempt to integrate and utilize existing volunteer screening programs in implementing sections 2 to 4.

Subd. 5. A school board may contract with health care providers to operate the screening programs and shall consult with local societies of health care providers.

Sec. 3. [RESPONSIBILITIES OF STATE BOARD OF EDUCATION AND STATE BOARD OF HEALTH.] Subdivision 1. The state board of education shall adopt rules establishing procedures to assist school boards in implementing the health and developmental screening programs. Before August 15, 1977, the state board of education shall establish these procedures in emergency rules pursuant to section 15.0412, subdivision 5. The state board of education shall consider the standards of the state board of health for early and periodic screening programs in establishing these procedures.

Subd. 2. The state board of education, in cooperation with the state board of health and health service providers, shall provide information and consultation services to school boards.

Subd. 3. The state board of education, in cooperation with the state board of health, shall report to the legislature by February 1, 1979, on the success of the screening programs in accomplishing the purposes specified in section 1.

Sec. 4. [DATA USE.] Data on individuals collected in screening programs established pursuant to section 2 is private, as defined by section 15.162, subdivision 5a. Individual and summary data shall be reported to the school district by the health provider who performs the screening services, for the purposes of developing appropriate educational programs for children and appropriate health education programs for the district; provided, no data on an individual shall be disclosed to the district without the consent of that individual's parent or guardian.

Sec. 5. [STATE AID.] The state board of education shall reimburse each school district for the cost of screening services provided pursuant to this act. The reimbursement shall not exceed \$13 per child screened in fiscal year 1978 and \$24 per child screened in fiscal year 1979. Any district may request and receive an advance payment equal to 50 percent of its estimated reimbursement for screening eligible children.

Sec. 6. [APPROPRIATION.] Subdivision 1. There is appropriated to the state board of education from the general fund the sum of \$650,000 for fiscal year 1978 and \$1,200,000 for fiscal year 1979 for reimbursement of school districts as provided in section 5.

Subd. 2. There is appropriated to the state board of education from the general fund the sum of \$100,000 for fiscal year 1978 and \$100,000 for fiscal year 1979, for consultation with school districts and for evaluation of the screening programs established pursuant to section 2, subdivision 1.

Subd. 3. There is appropriated to the state board of health from the general fund the sum of \$100,000 for fiscal year 1978 and \$100,000 for fiscal year 1979, for the purposes of: training staff to provide screening services required by this act; providing technical assistance to screening programs established pursuant to this act; and monitoring and evaluation of screening programs established pursuant to this act.

Subd. 4. Any unexpended balances remaining from the appropriations for fiscal year 1978 in this section shall not cancel but shall be available for fiscal year 1979.”.

With the recommendation that when so amended the bill pass and be re-referred to the Committee on Appropriations.

The report was adopted.

Swanson from the Committee on Health and Welfare to which was referred:

H. F. No. 762, A bill for an act relating to health care; directing the state board of health to compile certain physician directories; providing for their distribution; appropriating money.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

“Section 1. [DIRECTORY OF CURRENTLY LICENSED PHYSICIANS.] Subdivision 1. The state board of health shall publish a directory of those currently licensed physicians in this state, who voluntarily agree to be included in that directory. The state board of health may distinguish among different types of physicians for purposes of the directory. The directory shall include the following information for each physician:

(a) The office address of the physician, the office hours of the physician, after-hours coverage, type of practice of the physician, number of medical specialties provided by the physician’s

office and the health care facilities in which the physician provides services to patients;

(b) Board certification, speciality society membership, teaching appointments, length of postgraduate training, participation in continuing education programs and state of professional credentialing of the physician;

(c) Acceptance of new patients by the physician, maximum or minimum age limits on patients, and time required to obtain appointments;

(d) Availability of services in the physician's office including but not limited to x-ray facilities, laboratory facilities, cardiograms, obstetrics, family planning, generic prescriptions, treatment of fractures, minor surgery and minor emergencies;

(e) Fee for service information;

(f) Billing procedures of the physician and participation by the physician in health care reimbursement programs funded by the federal government; and

(g) Types of services designed to enhance the accessibility of health care that are offered by the physician to the patient.

Subd. 2. The directory shall contain an introduction explaining the purposes and uses of the directory and a listing of physicians by speciality and by geographic location. The directory shall also contain information about various types of health care delivery centers including health maintenance organizations and community clinics, and information about financial assistance that may be available to a patient.

Subd. 3. The state board of health shall provide for the active involvement of members of the general public and physicians in the development of the directory. Collection of data from physicians shall be done in cooperation with professional physicians' organizations, which organizations shall be compensated for any expense incurred in collection of data not normally collected.

Subd. 4. The state board of health shall publish a physician directory for each health systems agency designated in accordance with 42 U.S.C., Section 3001-1. Each directory shall be revised at least every two years to reflect current data.

Subd. 5. The state board of health shall provide the commissioner of administration with enough copies of the physician directories to meet the distribution needs of the commissioner of administration as authorized by subdivision 6.

Subd. 6. The commissioner of administration shall offer physician directories for sale to the public at a central location determined by the commissioner of administration and at a price determined by the commissioner. The commissioner of administration shall provide for the mailing of physician directories to any person, agency, or organization if so requested, provided that reasonable costs are borne by the requesting party.

Subd. 7. The state board of health shall notify the board of medical examiners as to the amount of the anticipated costs of compilation, production and distribution of physicians directories during a fiscal year. The board of medical examiners shall deposit at least this amount in the general fund from licensing and annual license renewal fees collected during that fiscal year, pursuant to section 147.02, subdivision 1.

Sec. 2. There is appropriated from the general fund to the state board of health \$24,000 for the biennium ending June 30, 1979, for the purposes of section 1."

Further amend the title by deleting it in its entirety and inserting:

"A bill for an act relating to health care; directing the state board of health to compile and distribute certain physician directories; assessing physicians for a portion of the cost; appropriating money."

With the recommendation that when so amended the bill pass and be re-referred to the Committee on Appropriations.

The report was adopted.

Swanson from the Committee on Health and Welfare to which was referred:

H. F. No. 916, A bill for an act relating to welfare; child support; authorizing additional procedures in collection of support payments; updating uniform reciprocal enforcement of support act; amending Minnesota Statutes 1976, Sections 256.87, Subdivision 1; 256.872; 256.873; 257.253; 257.254; 257.257; 257.259; 257.261, Subdivision 1; 257.29; 393.07, Subdivision 9; 393.11; 487.19, Subdivision 1; 518.41; 518.42, Subdivisions 2, 5, 7, 8, 9, and by adding subdivisions; 518.45, Subdivisions 2, 4 and 5; 518.46, Subdivisions 2, 3 and 4; 518.48; 518.49; 518.551; and Chapter 518, by adding a section.

Reported the same back with the following amendments:

Page 1, line 25, strike "such" and insert "the".

Page 1, line 26, strike "such" and insert "the".

Page 2, line 1, strike "such" and insert "the".

Page 2, line 3, strike "such" and insert "the".

Page 2, line 4, strike "such" and insert "the".

Page 2, line 5, strike "such" and insert "the".

Page 2, line 6, after "to" strike "such" and insert "the".

Page 2, line 6, after "or" strike "such" and insert "any".

Page 2, line 7, strike "such" and insert "the".

Page 2, line 10, strike "such" and insert "the".

Page 2, line 12, after "of" strike "such" and insert "the".

Page 2, line 12, before "notice" strike "such" and insert "the".

Page 2, line 14, strike "such" and insert "the".

Page 2, line 19, delete "*continue only as long as*" and insert "*be effective only for the period of time during which*".

Page 7, line 17, delete "*enter into written agreements*" and insert "*contract*".

Page 7, line 18, before "*board*" insert "*county welfare*".

Page 7, line 19, after "*paternity*" delete "*and*" and insert "*actions,*".

Page 7, line 21, delete "*such*" and insert "*the*".

Page 9, line 6, after "*otherwise*" insert a comma.

Page 9, line 19, delete "*including*" and insert "*or*".

Page 9, line 20, after "*owed*" insert a comma.

Page 9, line 20, delete "*including*" and insert "*or*".

Page 9, line 27, delete "*a subdivision*" and insert "*subdivisions*".

Page 9, delete lines 31 to 32.

Page 10, delete lines 3 to 4.

Page 10, delete lines 8 to 9.

Page 10, delete lines 14 to 15.

Renumber the sections in sequence.

Page 15, line 6, delete "*subdivision 6*" and insert "*this section*".

Page 16, line 16, after "*of*" insert "*a court of*".

Page 16, line 22, delete "*At the hearing to enforce the registered support*".

Page 16, delete lines 23 to 32.

Page 17, delete lines 1 to 5 and insert "*If at any hearing to enforce the registered support order the obligor shows to the court any ground upon which enforcement of a support order of this state may be stayed the court shall stay enforcement of the order for an appropriate period if the obligor furnishes the same security for payment of the support ordered that is required for a support order of this state.*".

Page 17, line 26, delete "*In such cases*" and insert "*After receipt of the notice*".

Page 17, line 30, delete "*a court order for custody, child*".

Page 17, delete lines 31 to 32.

Page 18, lines 1 to 4, delete the new language and insert "*the judgment and decree in the proceeding. If the court finds in a dissolution proceeding before issuing the judgment and decree that notification has not been given to the agency responsible for the welfare payments, the court shall order that notification be made and shall not issue its order for judgment and decree until the agency has made its recommendations. In those proceedings where no notification has been made and the agency determines that the judgment is not proper and adequate for the care and support of the child or children, it may petition the court for a redetermination of the support payments ordered*".

With the recommendation that when so amended the bill pass.

The report was adopted.

Swanson from the Committee on Health and Welfare to which was referred:

H. F. No. 917, A bill for an act relating to public welfare; appropriating money for the Vinland National Center.

Reported the same back with the following amendments:

Page 1, line 9, after "Center." insert "Money available for planning may be used for pursual of a certificate of need by the board of directors of the Vinland National Center. Money shall not be used for construction until the Vinland National Center has secured a certificate of need."

With the recommendation that when so amended the bill pass and be re-referred to the Committee on Appropriations.

The report was adopted.

Swanson from the Committee on Health and Welfare to which was referred:

H. F. No. 981, A bill for an an act relating to health; health maintenance organizations; requiring health maintenance organizations to permit optometrists to provide services to enrollees; amending Minnesota Statutes 1976, Section 62D.12, by adding a subdivision.

Reported the same back with the following amendments:

Page 1, line 11, after "organization" insert "offering vision care services".

Page 1, line 15, after "perform." insert "*This subdivision shall not apply to a health maintenance organization that provides vision care services which constitute the scope of practice of a licensed optometrist through providers who are employees of that health maintenance organization, or through providers who contract to provide these services for a health maintenance organization on a per capita basis. This subdivision shall not require a health maintenance organization to pay for vision care services provided by an optometrist who is not designated as a member of the panel of providers of that health maintenance organization as long as its procedures and criteria for the qualification of an optometrist as a provider of vision care services are reasonable and not discriminatory.*"

With the recommendation that when so amended the bill pass.

The report was adopted.

Swanson from the Committee on Health and Welfare to which was referred:

H. F. No. 1050, A bill for an act relating to nursing homes; clarifying requirements for administration and inspections; changing provisions for reimbursement of expenses for interest on capital indebtedness; deleting certain provisions and adding new provisions on investment allowance; providing an annual cost settlement; appropriating money; amending Minnesota

Statutes 1976, Sections 144A.05; 144A.10, Subdivisions 2 and 5; 256B.27, by adding a subdivision; 256B.44, Subdivision 3; 256B.45; 256B.47, Subdivision 1; and Chapter 256B, by adding a section.

Reported the same back with the following amendments:

Page 2, line 23, strike "during".

Page 2, line 24, strike "the remainder of its license year".

Page 3, line 16, delete "*in the license year following the year in*".

Page 3, line 17, delete "*which the correction order was issued*" and insert "*any other scheduled inspection*".

Page 3, after line 24, insert sections to read:

"Sec. 4. Minnesota Statutes 1976, Section 144A.61, Subdivision 2, is amended to read:

Subd. 2. [NURSING ASSISTANTS.] For the purposes of sections 144A.61 and 144A.611 "nursing assistant" means a nursing home employee, including a nurse's aide or an orderly, who is assigned by the director of nursing to provide or assist in the provision of direct patient care services under the supervision of a registered nurse. The (BOARD OF NURSING) commissioner of education may, by rule, establish categories of nursing assistants who are not required to comply with the educational requirements of sections 144A.61 and 144A.611.

Sec. 5. Minnesota Statutes 1976, Section 144A.61, Subdivision 3, is amended to read:

Subd. 3. [CURRICULA.] The commissioner of education shall develop curricula which may be used for nursing assistant training programs for employees of nursing homes. The curricula (AS APPROVED BY THE BOARD OF NURSING,) shall be utilized by all facilities, institutions, or programs offering nursing assistant training programs.

Sec. 6. Minnesota Statutes 1976, Section 144A.61, Subdivision 6, is amended to read:

Subd. 6. [TRAINING PROGRAM.] Each nursing assistant hired to work in a nursing home on or after July 1, (1977) 1978, shall have successfully completed an approved nursing assistant training program or shall be enrolled in the first available approved training program which is scheduled to commence within 60 days of the date of the assistant's employment. Ap-

proved training programs shall be offered at the location most reasonably accessible to the enrollees in each class.

Sec. 7. Minnesota Statutes 1976, Section 144A.611, Subdivision 1, is amended to read:

144A.611 [REIMBURSABLE EXPENSES PAYABLE TO NURSING ASSISTANTS.] Subdivision 1. [NURSING HOMES.] The actual costs of tuition and reasonable expenses for that approved program deemed by the (BOARD OF NURSING) *commissioner of education* to be minimally necessary to protect the health and welfare of nursing home residents, which are paid to nursing home assistants pursuant to subdivision 2, shall be a reimbursable expense for nursing homes under the provisions of chapter 256B and the rules promulgated thereunder.”.

Page 3, after line 29, add a new section to read:

“Sec. 9. Minnesota Statutes 1976, Section 256B.43, is amended by adding subdivisions to read:

Subd. 5. Depreciation shall be allowed for all governmentally owned nursing homes regardless of the source of funds used to construct or expand the facility. The provisions of this subdivision shall apply to all cost reports submitted on or after November 1, 1972.

Subd. 6. The state agency shall by rule establish a separate depreciation allowance for land improvements, equipment and vehicles.”.

Page 4, line 19, strike “1977” and insert “1978”.

Page 5, line 28, reinstate the stricken language.

Page 5, line 29, reinstate the stricken language.

Page 5, line 30, reinstate the stricken language and insert before the period “*which do not directly relate to the provision of patient care*”.

Page 6, after line 2, insert new sections to read:

“Sec. 13. Minnesota Statutes 1976, Section 256B.47, Subdivision 2, is amended to read:

Subd. 2. The following costs shall not be recognized as allowable to the extent that these costs cannot be demonstrated by the nursing home to the state agency to be directly related to the provision of patient care: (1) political contributions; (2) salaries

or expenses of a lobbyist, as defined in section 10A.01, subdivision 11, for lobbying activities; (3) advertising designed to encourage potential residents to select a particular nursing home; (4) assessments levied by the health department for uncorrected violations; (5) legal fees for unsuccessful challenges to decisions by state agencies; and (6) dues paid to a nursing home or hospital association. *The state agency shall promulgate rules establishing standards which shall distinguish between any patient-care related components and nonpatient-care related components of these costs, where applicable. For purposes of these rules, the state agency shall exercise emergency powers and establish emergency rules pursuant to section 15.0412, subdivision 5, before September 1, 1977.* The state agency shall by rule exclude the costs of any other items which it determines are not directly related to the provision of patient care.

Sec. 14. Minnesota Statutes 1976, Section 256B.48, Subdivision 1, is amended to read:

256B.48 [CONDITIONS FOR PARTICIPATION.] Subdivision 1. No nursing home shall be eligible to receive medical assistance payments unless it agrees in writing that it will refrain from:

(a) Charging nonmedical assistance residents rates for similar services which exceed by more than ten percent those rates which are approved by the state agency for medical assistance recipients(;). *For nursing homes charging nonmedical assistance residents rates less than ten percent more than those rates which are approved by the state agency for medical assistance recipients, the maximum differential in rates between non-medical assistance residents and medical assistance recipients shall not exceed that differential which was in effect on April 13, 1976. If a nursing home has exceeded this differential since April 13, 1976, it shall return the amount collected in excess of the allowable differential stated by this subdivision to the non-medical assistant resident, or that person's representative, by July 1, 1977.* Effective July 1, 1978, no nursing home shall be eligible for medical assistance if it charges nonmedical assistance recipients rates for similar services which exceed those which are approved by the state agency for medical assistance recipients; provided, however, that the nursing home may (1) charge nonmedical assistance residents a higher rate for a private room, and (2) charge for special services which are not included in the daily rate if medical assistance patients are charged separately at the same rate for the same services in addition to the daily rate paid by the state agency;

(b) Requiring an applicant for admission to the home, or the guardian or conservator of the applicant, as a condition of admission, to pay an admission fee in excess of \$100, loan any money to the nursing home, or promise to leave all or part of the applicant's estate to the home; and

(c) Requiring any resident of the nursing home to utilize a vendor of health care services who is a licensed physician or pharmacist chosen by the nursing home.

The prohibitions set forth in clause (b) shall not apply to a (NONPROPRIETARY) retirement home *with more than 325 beds including at least 150 licensed nursing home beds and which (CONTAINS AN IDENTIFIABLE UNIT OF FEWER THAN 20 PERCENT OF THE TOTAL NUMBER OF FACILITY BEDS TO PROVIDE NURSING CARE TO THE RESIDENTS OF THE HOME)*:

(1) *is owned and operated by an organization tax-exempt under section 290.05, subdivision 1, clause (i); and*

(2) *at the time of admission places all of the applicant's assets which are required to be assigned to the home in a trust account from which only expenses for the cost of care of the applicant may be deducted; and*

(3) *agrees in writing at the time of admission to the home to permit the applicant, or his guardian, or conservator, to examine the records relating to the individual's trust account upon request, and to receive an audited statement of the expenditures from his individual account upon request; and*

(4) *agrees in writing at the time of admission to the home to permit the applicant to withdraw from the home at any time and to receive, upon withdrawal, all of the unexpended funds remaining in his individual trust account; and*

(5) *was in compliance with provisions (1) to (4) as of June 30, 1976".*

Page 6, delete lines 3 to 12.

Page 6, after line 12, insert a new section to read:

"Sec. 15. [REPEALER.] *Minnesota Statutes 1976, Section 144A.61, Subdivision 5, is hereby repealed.*"

Renumber the sections in sequence.

Further amend the title as follows:

Page 1, line 3, after "inspections;" insert "changing certain provisions governing the training of nursing assistants;"

Page 1, line 7, delete "providing an annual cost settlement" and insert "requiring the state agency to establish certain standards; exempting certain homes from certain requirements".

Page 1, line 10, after "5;" insert "144A.61, Subdivisions 2, 3 and 6; 144A.611, Subdivision 1;"

Page 1, line 10, after "subdivision;" insert "256B.43, by adding subdivisions;"

Page 1, line 11, delete "Subdivision 1;" and insert "Subdivisions 1 and 2; 256B.48, Subdivision 1;"

Page 1, delete line 12 and insert "repealing Minnesota Statutes 1976, Section 144A.61, Subdivision 5."

With the recommendation that when so amended the bill pass and be re-referred to the Committee on Appropriations.

The report was adopted.

Swanson from the Committee on Health and Welfare to which was referred:

H. F. No. 1052, A bill for an act relating to human services; providing grants to plan and organize human services programs; requiring notification of affected state agencies; requiring certain membership on advisory councils; promulgating rules; amending Minnesota Statutes 1976, Sections 402.01, by adding a subdivision; 402.02, Subdivisions 1 and 2; 402.03; 402.04, Subdivision 1; 402.05; and 402.06; repealing Minnesota Statutes 1976, Sections 402.08 and 402.09.

Reported the same back with the following amendments:

Page 2, line 29, strike "Receive and expend for the purposes of sections".

Page 2, strike lines 30 to 31.

Page 2, strike line 32 to the semicolon and insert "*Perform all clerical and accounting functions for the receipt and expenditure of funds for the purposes of sections 402.01 to 402.10*".

Page 3, line 1, after "*Rent*" delete the comma and insert "*and*".

Page 3, line 1, after "*purchase*" delete "*, and own*".

Page 3, line 1, after "*equipment*;" delete "*and*".

Page 3, line 3, strike the period and insert "*; and*".

Page 3, after line 3, insert:

"(h) *If a single county has been authorized to establish a county welfare board composed solely of county commissioners,*

the board of commissioners is authorized to assume the responsibilities and duties of human services boards pursuant to this chapter, notwithstanding any other provision herein to the contrary relating to membership of the human services board."

Page 6, line 4, after "grants" insert ", not to exceed \$25,000,".

Page 6, line 5, delete "Planning grants shall be".

Page 6, delete lines 6 to 7 and insert "Applications for grants shall be made on forms approved by the state planning officer."

Page 7, line 8, before "for" insert ", not to exceed \$75,000,".

Page 7, line 8, delete "not to exceed" and insert "of".

Page 7, delete lines 9 to 11 and insert "Applications for grants shall be made on forms approved by the state planning officer."

Page 7, after line 11, insert a new section to read:

"Sec. 8. [REPORTS TO LEGISLATURE.] The state planning agency shall report to the legislature not later than January 1 of each legislative session on the experience of human services boards established pursuant to this act. The report shall include an assessment of the effect of establishment of human services boards on the cost and quality of services provided."

Page 7, after line 19, insert sections to read:

"Sec. 10. On or before the first day of July each year the human services board shall submit to each county board of commissioners participating in the human services board an estimate of the amount needed by it to perform its duties, including expenses of administration, and, if approved, each county shall levy a tax as provided by law for these purposes. In the event the estimate is not approved, each county board of commissioners participating in the human services board shall confer with the human services board, develop a budget and levy a tax for the amount required. The state auditor shall audit the books and accounts of the human services board once each year. The human services board shall pay to the state the total cost and expenses of the examination, including the salaries paid to auditors while actually engaged in making the examination. The revolving fund of the state auditor shall be credited with all collections made for any examination.

Sec. 11. The state planning officer shall have authority for human services development. He may appoint professional and clerical staff as he deems necessary. The positions shall be established in the unclassified civil service pursuant to section 43.05, for a period not to exceed two years.

Sec. 12. *The state planning officer shall be the repository for all files, reports, documents, information and property acquired by or otherwise considered the property of the office of human services created pursuant to Laws 1975, Chapter 434, Section 2, Subdivision 24, except property which was loaned by other state agencies. The state planning officer shall assume ongoing or continuing duties of the office of human services, including, but not limited to:*

(1) *Support for the development of human services boards created pursuant to Minnesota Statutes, Chapter 402, and ongoing technical assistance to the boards;*

(2) *Disbursement and monitoring grants pursuant to sections 402.01, clause (3), and 402.06, clause (2);*

(3) *Receiving and coordinating the review of annual plans required by section 402.06; and*

(4) *Cooperating with other state departments and agencies in assisting local human services integration projects. Any unexpended funds from the appropriation established pursuant to Laws 1975, Chapter 434, Section 2, Subdivision 24, shall not cancel and shall be reappropriated for the purposes of this section."*

Page 7, after line 21, insert a new section to read:

"Sec. 14. *This act shall be effective July 1, 1977.*"

Renumber the sections accordingly.

Further amend the title as follows:

Page 1, line 6, after "rules;" insert "providing for auditing of funds; giving additional powers to the state planning officer; appropriating money;"

With the recommendation that when so amended the bill pass and be re-referred to the Committee on Appropriations.

The report was adopted.

Swanson from the Committee on Health and Welfare to which was referred:

H. F. No. 1095, A bill for an act relating to public health; requiring medical malpractice information from insurers; granting subpoena power to the board of medical examiners; amending Minnesota Statutes 1976, Section 147.072.

Reported the same back with the recommendation that the bill pass and be placed on the Consent Calendar.

The report was adopted.

Swanson from the Committee on Health and Welfare to which was referred:

H. F. No. 1113, A bill for an act relating to welfare; clarifying the powers of guardianship by the commissioner; amending Minnesota Statutes 1976, Sections 252A.02, Subdivision 2; 252A.03, Subdivision 3; 252A.04, Subdivision 3; 252A.07, Subdivision 1; and 252A.18; repealing Minnesota Statutes 1976, Section 252.03.

Reported the same back with the recommendation that the bill pass and be placed on the Consent Calendar.

The report was adopted.

Swanson from the Committee on Health and Welfare to which was referred:

H. F. No. 1114, A bill for an act relating to public welfare; creating a rebuttable presumption that certain transfers of property are intended to make persons eligible for medical or maintenance assistance; amending Minnesota Statutes 1976, Chapter 256, by adding a section; repealing Minnesota Statutes 1976, Section 256B.17.

Reported the same back with the recommendation that the bill pass.

The report was adopted.

Swanson from the Committee on Health and Welfare to which was referred:

S. F. No. 651, A bill for an act relating to health; developing standards for safe drinking water; providing penalties; defining terms; amending Minnesota Statutes 1976, Section 115.71, Subdivision 7; and 144.12, Subdivision 1.

Reported the same back with the recommendation that the bill pass and be placed on the Consent Calendar.

The report was adopted.

Swanson from the Committee on Health and Welfare to which was referred:

S. F. No. 872, A bill for an act relating to state government; closing Hastings state hospital.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

“Section 1. The commissioner of welfare shall, on or before November 1, 1977, transfer to the commissioner of veterans’ affairs custodial control of the Hastings state hospital to be used by the commissioner of veterans’ affairs to provide domiciliary care for veterans.

Sec. 2. The commissioner of personnel shall provide for the orderly transfer of affected employees of Hastings state hospital and for relocation expenses to such employees pursuant to Minnesota Statutes, Section 246.60.

The commissioner shall ensure that the affected employees may transfer to any vacancy in their current classification in a state agency and location where they are willing to serve, without loss in salary and without serving a new probationary period.

If no such vacancy exists, employees may transfer to any vacancy in an equal or lower classification for which they are qualified in a state agency and location where they are willing to serve, without loss in salary. The commissioner shall provide employees with sufficient training to qualify them for positions.

Employees shall be offered transfer opportunities in order of their seniority in the department of public welfare.

If another appointing authority operates a program at Hastings state hospital which utilizes the current employees of the hospital, that appointing authority shall not abrogate or modify any rights now enjoyed by those employees under terms of an agreement between an exclusive bargaining representative and the state or one of its appointing authorities.

The commissioner of personnel shall confer with the exclusive bargaining representatives of the employees of Hastings state hospital in implementing this section.

Sec. 3. Of the funds allocated to Hastings state hospital from the appropriations made to the commissioner of administration for the department of public welfare by Laws 1976, Chapter 347, Section 7, Subdivision 2, and Laws 1976, Chapter 348, Section 7, Subdivision 3, 35 percent of the unencumbered balances on the date of transfer of custodial control shall be transferred to the commissioner of administration for the department of veterans’ affairs, Hastings state hospital, for the same purposes as the original appropriations. The amounts transferred are reappropriated for these purposes. The balance of the unencumbered funds shall be reallocated to projects at other hospitals and institutions under the control of the department of public welfare.

Sec. 4. *All transfers of department of public welfare personnel, furniture, equipment, furnishings, records and funds to the department of veterans' affairs, other departments or other state institutions made pursuant to this act shall be subject to the approval of the commissioner of administration. Transfers of furniture, equipment and furnishings are authorized.*

Sec. 5. *Notwithstanding any law to the contrary, the commissioner of veterans' affairs may enter into agreements with other governmental and nonprofit health service organizations for participation in "shared service" agreements that would be of mutual benefit to the state, the health service organizations involved and the public. The charges for services shall be on an actual cost basis, and the receipts deposited in the general fund.*

Sec. 6. Minnesota Statutes 1976, Section 246.02, Subdivision 2, is amended to read:

Subd. 2. The commissioner of public welfare shall act with the advice of the medical policy directional committee on mental health in the appointment and removal of the chief executive officers of the following institutions: Anoka Nursing Home, Ah-Gwa-Ching State Hospital, Fergus Falls State Hospital, (HASTINGS STATE HOSPITAL,) Moose Lake State Hospital, Oak Terrace Nursing Home, Rochester State Hospital, St. Peter State Hospital, Willmar State Hospital, Faribault State Hospital, Cambridge State Hospital, and Brainerd State Hospital.

Sec. 7. Minnesota Statutes 1976, Section 253.015, is amended to read:

253.015 [LOCATION; MANAGEMENT; COMMITMENT; SUPERINTENDENT.] The state hospitals located at Anoka, Fergus Falls, (HASTINGS,) Moose Lake, Rochester, St. Peter, and Willmar shall constitute the state hospitals for mentally ill, and shall be maintained under the general management of the commissioner of public welfare. The commissioner of public welfare shall determine to what state hospital mentally ill persons shall be committed from each county and notify the probate judge thereof, and of changes made from time to time. The chief executive officer of each hospital for the mentally ill shall be known as the superintendent. *The facility formerly known as Hastings State Hospital shall be maintained under the general management of the commissioner of veterans' affairs.*

Sec. 8. Minnesota Statutes 1976, Section 254.05, is amended to read:

254.05 [DESIGNATION OF STATE HOSPITALS.] The state hospital for the insane located at Anoka shall hereafter be known and designated as the Anoka state hospital; the state hospital (FOR THE INSANE) located at Hastings shall here-

after be known and designated as the Hastings state hospital; the state hospital for the insane and the hospital farm for inebriates located at Willmar shall hereafter be known and designated as the Willmar state hospital; the state hospital for the insane located at Moose Lake shall hereafter be known and designated as the Moose Lake state hospital; the state hospital for the insane located at Fergus Falls shall hereafter be known and designated as the Fergus Falls state hospital; the state hospital for the insane located at Rochester shall hereafter be known and designated as the Rochester state hospital; and the state hospital for the insane located at St. Peter shall hereafter be known and designated as the St. Peter state hospital. Each of the foregoing state hospitals, *except that at Hastings*, shall also be known by the name of regional center at the discretion of the commissioner of public welfare.

Sec. 9. *The transfer of public grounds to the department of veterans affairs made pursuant to the provisions of this act shall include the cemetery contained thereon.*

Sec. 10. *There is appropriated \$ from the general fund to the commissioner of personnel for the fiscal year ending June 30, 1978 to reimburse relocation, real estate and moving expenses as authorized in section 2 and provided by the rules of the personnel department.*

Sec. 11. *There is appropriated \$ from the general fund to the commissioner of public welfare for the biennium ending June 30, 1979 to purchase furniture, equipment and furnishings.*

Sec. 12. *This act is effective the day following final enactment. Notwithstanding Minnesota Statutes, Section 16A.28, or other law, the several appropriations made by this act shall expire on the dates indicated in this act or pursuant to Laws 1976, Chapters 347 and 348."*

Further amend the title by deleting it in its entirety and inserting:

"A bill for an act relating to state government; transferring certain functions of the department of public welfare; appropriating money; amending Minnesota Statutes 1976, Sections 246.02, Subdivision 2; 253.015; and 254.05."

With the recommendation that when so amended the bill pass and be re-referred to the Committee on Appropriations.

The report was adopted.

Fugina from the Committee on Higher Education to which was referred:

H. F. No. 1060, A bill for an act relating to education; loans to medical students; changing requirements for loan forgiveness and limitations on loan amounts; amending Minnesota Statutes 1976, Section 147.30.

Reported the same back with the recommendation that the bill pass and be re-referred to the Committee on Appropriations.

The report was adopted.

Fugina from the Committee on Higher Education to which was referred:

H. F. No. 1264, A bill for an act relating to education; higher education coordinating board; authorizing the board to contract for spaces for Minnesota residents in out of state schools of osteopathy and optometry; authorizing the board to explore the feasibility of a regional school of osteopathy and optometry; appropriating money.

Reported the same back with the following amendments:

Strike everything after the enacting clause and insert:

"Section 1. [POLICY.] The legislature finds there is a shortage of osteopaths in this state and that these practitioners provide important parts of the delivery of health care services to citizens of this state. There are no colleges of osteopathy located in Minnesota. The high cost and restrictive admissions policies of out of state institutions make it difficult for a sufficient number of Minnesota students to become osteopaths. It is in the public interest that opportunity be provided for Minnesota students to become osteopaths.

Sec. 2. The higher education coordinating board shall seek to contract with schools of osteopathy located in other states for placement spaces for Minnesota residents. The number of placements per year in colleges of osteopathy shall not exceed ten.

Sec. 3. Selection of students for spaces obtained through contract between the higher education coordinating board and the out of state schools shall be the responsibility of the individual school, provided that any student for whom space is contracted is required to enter into an agreement with the higher education coordinating board to practice osteopathy in the state of Minnesota for a period of not less than three years.

Sec. 4. The agreement with the student shall provide that practice in Minnesota by the student shall begin within 18 months following completion of the academic program unless the board approves a later time for beginning practice. The board

may approve a delay in the time for the student to begin practice in Minnesota for a period of not to exceed seven years, to allow for additional education or clinical experience or for extenuating circumstances which in the judgment of the board constitute sufficient justification for delay.

Sec. 5. A student who fails to fulfill the obligation to practice in accordance with section 4 or who for any reason except death or disability discontinues full time study under the agreement shall pay a penalty in an amount equal to the amount paid to the school by the higher education coordinating board for the space which the student has occupied. The penalty shall be payable on demand in accordance with terms and conditions prescribed by the board.

Sec. 6. The higher education coordinating board is authorized to establish terms and conditions of contracts with schools of osteopathy including the amount of payment to be made to each school.

Sec. 7. The sum of \$160,000 is appropriated from the general fund to the higher education coordinating board for the biennium ending June 30, 1979. Of this amount, not to exceed \$25,000 shall be available for administrative expenses of the board. Also of this amount, the sum of \$135,000 shall be available for payments under contract to schools of osteopathy for the year ending June 30, 1979."

Further, amend the title as follows:

Page 1, line 5, delete "and optometry".

Page 1, delete lines 6 and 7.

With the recommendation that when so amended the bill pass and be re-referred to the Committee on Appropriations.

The report was adopted.

Fugina from the Committee on Higher Education to which was referred:

H. F. No. 1322, A bill for an act relating to education; higher education coordinating board; personnel policies, practices and benefits for officers and employees; amending Minnesota Statutes 1976, Section 136A.03.

Reported the same back with the recommendation that the bill pass.

The report was adopted.

Enebo from the Committee on Labor-Management Relations to which was referred:

H. F. No. 921, A bill for an act relating to public employees; designating the number of arbitrators to resolve labor dispute; amending Minnesota Statutes 1976, Section 179.72, Subdivision 6.

Reported the same back with the recommendation that the bill pass.

The report was adopted.

Berg from the Committee on Local and Urban Affairs to which was referred:

H. F. No. 651, A bill for an act relating to Norman county; validating certain funds transfers.

Reported the same back with the following amendments:

Page 1, line 8, delete "or after".

With the recommendation that when so amended the bill pass and be placed on the Consent Calendar.

The report was adopted.

Berg from the Committee on Local and Urban Affairs to which was referred:

H. F. No. 809, A bill for an act changing the boundary line between Lac qui Parle county and Big Stone county; amending Laws 1937, Chapter 423, Section 1.

Reported the same back with the recommendation that the bill pass and be placed on the Consent Calendar.

The report was adopted.

Berg from the Committee on Local and Urban Affairs to which was referred:

H. F. No. 862, A bill for an act relating to the city of St. Paul; providing that the employees of the housing and redevelopment authority of the city of St. Paul may remain employees of the authority or become employees of the city as the governing body of the city may determine; amending Laws 1976, Chapter 234, Section 4, Subdivision 4, and by adding a subdivision.

Reported the same back with the following amendments:

Page 2, line 2, before "or" insert "*or any successor agency thereof,*".

Page 3, line 2, after "*benefits,*" insert "*except pension benefits,*".

Page 4, line 7, before "*The pension*" insert "*Notwithstanding any contrary provision of law,*".

Page 4, line 15, delete "*or to enroll in the pension and*".

Page 4, delete line 16, and insert "*under said pension plan or to become covered as coordinated members of the public employees retirement association upon election, by making such election within one year from the effective date of this act.*".

With the recommendation that when so amended the bill pass.

The report was adopted.

Berg from the Committee on Local and Urban Affairs to which was referred:

H. F. No. 937, A bill for an act relating to Ramsey county; deleting obsolete provisions in the Ramsey county code relating to parks and recreation; amending Laws 1974, Chapter 435, Section 1.0205.

Reported the same back with the following amendments:

Page 8, line 7, after the stricken "(4)" insert "(d)" and reinstate the stricken language remaining in the line.

Page 8, reinstate the stricken language in lines 8 and 9.

With the recommendation that when so amended the bill pass and be placed on the Consent Calendar.

The report was adopted.

Berg from the Committee on Local and Urban Affairs to which was referred:

H. F. No. 938, A bill for an act relating to Ramsey county and the cities of Arden Hills, Roseville, Saint Paul and Shoreview; providing for construction of necessary highway improvements; apportioning costs; prescribing certain limitations; amending Laws 1974, Chapter 435, Section 1.0209, as amended.

Reported the same back with the following amendments:

Page 1, line 23, reinsert the stricken language.

Page 2, lines 1 and 2, reinsert the stricken language.

Page 3, line 7, reinsert the stricken language.

Page 3, line 8, reinsert the stricken "the construction shall not exceed".

Page 3, line 8, after the stricken "\$2,500" insert "\$10,000" and reinsert the stricken "for a project".

Page 3, line 24, delete "*December 31*" and insert "*September 7*".

Page 3, line 24, delete "*governing bodies of*".

Page 3, delete line 25.

Page 3, line 26, delete "*shall*" and insert "*board of commissioners may*".

Page 3, line 26, delete "*December 31*" and insert "*September 7*".

Page 3, line 30, delete "*as approved by*".

Page 3, line 31, delete "*the governing bodies*".

Page 4, line 6, delete "*bodies of the cities of Arden*".

Page 4, line 7, delete "*Hills, Roseville and Shoreview and*" and insert "*body*".

Page 4, line 9, delete "*upon its approval by the city council*".

Page 4, delete lines 10 and 11, and insert "*the day following its final enactment*".

Amend the title as follows:

Page 1, line 2, delete "*and the cities of Arden*".

Page 1, line 3, delete "*Hills, Roseville, Saint Paul and Shoreview*".

With the recommendation that when so amended the bill pass.

The report was adopted.

Berg from the Committee on Local and Urban Affairs to which was referred:

H. F. No. 1129, A bill for an act relating to Ramsey county; codifying existing laws relating to the composition, terms, selection and redistricting of the board of commissioners; providing for the time and place of certain board meetings; authorizing rules of procedure and the keeping and publication of a board journal; amending Laws 1974, Chapter 435, Section 2.05, and by adding sections; repealing Laws 1974, Chapters 435, Sections 2.01, 2.02 and 2.06; and 576, Section 2, Subdivisions 1, 2, 3 and 5.

Reported the same back with the recommendation that the bill pass and be placed on the Consent Calendar.

The report was adopted.

Berg from the Committee on Local and Urban Affairs to which was referred:

H. F. No. 1300, A bill for an act relating to outdoor recreation; appropriating money for acquisition of parks, trails, wildlife lands and for other purposes; authorizing sale of bonds; amending Minnesota Statutes 1976, Section 473.315, Subdivision 1.

Reported the same back with the following amendments:

Strike everything after the enacting clause and insert:

“Section 1. [NATURAL RESOURCES; OUTDOOR RECREATION; APPROPRIATION FOR LAND ACQUISITION AND BETTERMENT.] *Subdivision 1. There are appropriated from the Minnesota state building fund to the commissioner of natural resources the sums of money set forth in this section, for the acquisition and betterment of public outdoor recreation lands and capital improvements as more specifically described in subdivisions 2 to 9.*

All acquisition shall be in accordance with the policies established in sections 86A.01 to 86A.09. Lands acquired for a unit of the outdoor recreation system shall be suited to accomplish the purposes for which the unit is established and suited to be managed in accordance with the management principles applicable to the unit. Lands shall be acquired by the commissioner of administration for the commissioner of natural resources where provided by law.

TOTAL APPROPRIATED: \$24,000,000

Subd. 2. For acquisition of state parks and recreation areas, as listed and described in sections 85.012 and 85.013. \$7,393,850

First priority for acquisitions shall be given to land within existing statutory boundaries where the property is needed for immediate development in order to accomplish the purposes for which the unit is authorized, or where the anticipated use of the property is incompatible with the purposes for which the unit is authorized, or where the market value of comparable property in vicinity of the property to be acquired has risen more than ten percent in each of the previous two years.

Subd. 3. For acquisition of state trails, as listed and described in section 85.015, and pursuant to section 84.029, subdivision 2. \$1,714,750. For betterment of such trails. \$1,200,000

No further expenditure of funds for development of the Luce Line Trail shall be made until the commissioner of natural resources has prepared a comprehensive fiscal management plan covering all costs associated with development of the trail, submitted the plan to the full house environment and natural resources committee, the full house appropriations committee and the full senate finance committee for the purpose of consultation, and received their recommendations thereon. The recommendations shall be advisory only.

Subd. 4. For acquisition of state forests, as listed and described in section 89.021. \$5,244,000

Priority shall first be given to acquiring the remaining lands in the Sand Dunes and Memorial Hardwood state forests and then to lands particularly suited for use as state forest campgrounds or day use areas and to lands within state forests that possess outstanding natural or scenic values, forest growth, lake or river shoreland, or rare and distinctive species of flora and fauna native to the area, that should be preserved for the benefit of the public.

Subd. 5. For acquisition of fishing management lands, comprising lands and riparian rights and other interests therein needed for management of waters for primary wildlife use and benefit and for access to fishing waters pursuant to section 97.48, subdivisions 8, 11 and 15. \$957,600

Subd. 6. For acquisition of state wildlife management areas, acquired pursuant to section 97.48, subdivision 13, or section 97.481. \$2,462,400

Acquisition shall be limited to wildlife lands and waters that are of high priority because they are critical to the functioning of a unit already in public ownership, or are threatened with development that is incompatible with preservation of the area for wildlife management, or are situated in an area where the market value of comparable property has risen more than ten percent

in each of the previous two years, and that can be acquired from a willing seller.

Subd. 7. For acquisition of wild, scenic and recreational rivers, designated pursuant to sections 104.25 to 104.40, and canoe and boating routes, portages, and camp sites, as listed and described in section 85.32. \$1,286,300

Subd. 8. For acquisition of scientific and natural areas designated pursuant to section 84.033. \$321,100

Subd. 9. For costs of staff and independent professional services necessary to the acquisition and betterment of such lands and improvements. \$3,420,000

Sec. 2. [APPROPRIATION FOR METROPOLITAN PARKS AND TRAILS.] *\$24,000,000 is appropriated from the Minnesota state building fund to the director of the state planning agency for transfer and reappropriation to the metropolitan council established under section 473.123. The funds shall be transferred to the metropolitan council upon receipt by the agency of a resolution of the council requesting transfer. The funds shall be used to pay the cost of the acquisition and betterment by the metropolitan council and local government units of regional recreation open space in accordance with the council's policy plan, as provided in sections 473.301 to 473.341. The funds shall be available for payment of relocation costs and tax equivalents required in sections 473.315 and 473.341. Of the amount appropriated by this section, the metropolitan council may expend no more than \$200,000 for staff and independent professional services necessary for the acquisition and betterment of such open space and the performance of duties of the metropolitan council under this section and sections 6, 7 and 9.*

Sec. 3. [160.265] [BICYCLE TRAIL PROGRAM.] *The commissioner of transportation shall establish a program for the development of bicycle trails primarily on existing road rights of way. The program shall include a system of bicycle trails to be established, developed, maintained, and operated by the department of transportation and a system of state grants for the development of local bicycle trails primarily on existing road rights of way. The program shall be coordinated with the development of the statewide transportation plan pursuant to section 174.03, with the bicycle trail program established by the department of natural resources pursuant to section 85.016, with the local park trail grant program established by the state planning agency pursuant to section 7 of this act, and with existing and proposed local bicycle trails. In the metropolitan area as defined in section 473.121, the program shall be developed in accordance with plans and priorities established by the metropolitan council. The program shall be developed after consultation with the state trail council, local units of government, and*

bicyclist organizations. The commissioner shall provide technical assistance to local units of government in planning and developing bicycle trails. The program shall be administered in accordance with the provisions of sections 160.262 to 160.264 and standards promulgated pursuant thereto. The commissioner shall compile and maintain a current registry of bicycle trails in the state and shall publish and distribute the information contained in the registry in a form and manner suitable to assist persons wishing to use the trails. The metropolitan council, the commissioner of natural resources, the state planning agency, the Minnesota historical society, and local units of government shall cooperate with and assist the commissioner of transportation in preparing the registry. The commissioner shall have all powers necessary and convenient to establish the program pursuant to this section including but not limited to the authority to adopt rules and regulations, pursuant to chapter 15, and emergency rules and regulations to commence immediately the grant program, pursuant to section 15.0412. "Bicycle trails", as used in this section, includes bicycle lanes and bicycle ways as those terms are used in sections 160.263 and 160.264.

Sec. 4. Minnesota Statutes 1976, Section 85.016, is amended to read:

85.016 [BICYCLE TRAIL PROGRAM.] The commissioner of natural resources shall (DEVELOP) *establish a program for (AN INTERCONNECTING STATEWIDE SYSTEM) the development of bicycle trails utilizing (BOTH) the state trails authorized by section 85.015, other state parks and recreation land, and state forests (AND EXISTING AND PROPOSED LOCAL BICYCLE TRAILS). The program shall be coordinated with the bicycle trail program established by the department of transportation pursuant to section 3 of this act, with the local park trail grant program established by the state planning agency pursuant to section 7 of this act, and with existing and proposed local bicycle trails. In the metropolitan area as defined in section 473.121, the program shall be developed in accordance with plans and priorities established by the metropolitan council. (IN ADDITION) The commissioner shall provide technical assistance to local units of government in planning and developing bicycle (TRAIL SYSTEMS) trails in local parks. The (STATE) bicycle trail program shall, as a minimum, describe the location, design, construction, maintenance and land acquisition needs of each component trail and shall give due consideration to the model standards for the establishment of recreational vehicle lanes promulgated by the commissioner of transportation pursuant to section 160.262. (THE PROGRAM SHALL INCLUDE A PROPOSAL FOR A SYSTEM OF STATE AID TO LOCALITIES. THE PROPOSAL FOR A SYSTEM OF STATE AID TO LOCALITIES SHALL INCLUDE A PROVISION THAT THE AMOUNT OF AID APPORTIONED TO A LOCALITY WILL DEPEND, IN PART, UPON THE NUMBERS OF BICYCLES REGISTERED IN THE LOCALITY.)* The program shall be developed after consultation with the state trail council and re-

gional and local units of government and bicyclists organizations. "Bicycle trails", as used in this section, includes bicycle lanes and bicycle ways as those terms are used in sections 160.263 and 160.264.

Sec. 5. Minnesota Statutes 1976, Chapter 85, is amended by adding a section to read:

[85.017] [TRAIL REGISTRY.] *The commissioner of natural resources shall compile and maintain a current registry of cross-country skiing, hiking, horseback riding and snowmobiling trails in the state and shall publish and distribute the information in the manner prescribed in section 86A.11. The metropolitan council, the state planning agency, the Minnesota historical society, and local units of government shall cooperate with and assist the commissioner in preparing the registry.*

Sec. 6. [APPROPRIATION FOR TRAIL ACQUISITION AND BETTERMENT.] *Subdivision 1. There is appropriated from the Minnesota state building fund \$7,300,000 for trail acquisition and betterment programs as more specifically provided in subdivisions 2 to 5.*

Subd. 2. [DEPARTMENT OF NATURAL RESOURCES.] \$1,300,000 is appropriated from the Minnesota state building fund to the commissioner of natural resources for the betterment of public land and improvements needed for trails for skiing, hiking, and bicycling within state parks and recreation areas as listed and described in sections 85.012 and 85.013 and state forests, as listed and described in section 89.021. Of this amount, not more than 15 percent may be expended by the commissioner for costs of staff and independent professional services necessary for the betterment of such land and improvements.

Subd. 3. [METROPOLITAN COUNCIL; TRAIL CORRIDORS.] \$1,100,000 is appropriated from the Minnesota state building fund to the director of the state planning agency for transfer and reappropriation to the metropolitan council established under section 473.123. The funds shall be transferred to the metropolitan council upon receipt by the agency of a resolution of the council requesting transfer. The funds shall be used to pay the cost of acquisition and betterment by the metropolitan council and local government units of public land and improvements needed for regional trails and trail corridors situated outside of regional parks and park reserves, in accordance with the council's policy plan, as provided in sections 473.301 to 473.341. The funds shall be available for payment of relocation costs and tax equivalents required in sections 473.315 and 473.341.

Subd. 4. [METROPOLITAN COUNCIL; PARK TRAILS.] \$2,200,000 is appropriated from the Minnesota state building fund to the director of the state planning agency for transfer

and reappropriation to the metropolitan council established under section 473.123. The funds shall be transferred to the metropolitan council upon receipt by the agency of a resolution of the council requesting transfer. The funds shall be used to pay the cost of betterment by the metropolitan council and local government units of public land and improvements needed for trails situated within regional parks and park reserves in accordance with the council's policy plan, as provided in sections 473.301 to 473.341, provided however that none of the funds may be used for acquisition of land, for relocation payments under section 473.315, or for tax equivalents under section 473.341.

Subd. 5. [DEPARTMENT OF TRANSPORTATION.]

There is appropriated from the Minnesota state building fund to the commissioner of the department of transportation \$2,700,000 for betterment of public land and improvements needed for bicycle trails primarily on existing road rights of way pursuant to section 3 of this act. Of this amount, not more than 15 percent may be expended by the commissioner for costs of staff and independent professional services necessary to the betterment of such lands and improvements.

Sec. 7. [APPROPRIATION FOR GRANT-IN-AID RECREATIONAL BETTERMENT.] Subdivision 1. There is appropriated from the Minnesota state building fund \$7,200,000 for recreational betterment grants-in-aid programs as more specifically provided in subdivisions 2 to 7.

Subd. 2. [DEFINITIONS.] For purposes of this section, the following terms have the meanings set forth; except as otherwise expressly provided or indicated by the context.

(a) "Athletic courts" means special surface areas and supporting equipment or structures such as nets, hoops, and walls which can be used for active games that have definite boundaries and are played on a marked surface, including, but not limited to, basketball, volleyball, handball and tennis.

(b) "Metropolitan council" and "metropolitan area" have the meanings given them in section 473.121.

(c) "Units of government" means any county, city and home rule charter city, town, school district, public post-secondary educational institution, special park district, or any elected park and recreation board having control over parks, parkways, playgrounds, and trees in a city of the first class.

Subd. 3. [LOCAL BICYCLE TRAIL GRANTS.] There is appropriated from the Minnesota state building fund \$2,100,000 to the commissioner of transportation for the purposes of providing grants to units of government for the betterment of public land and improvements needed for local bicycle trails pursuant to

section 3 of this act. In making grants the department shall consider, among other factors, the number of registered bicycles in the localities. \$700,000 of these funds shall be used for grants to units of government in the metropolitan area, in accordance with the priorities established by the metropolitan council. \$1,400,000 of these funds shall be used for grants to units of government outside the metropolitan area. A grant shall not exceed 75 per cent of the costs of the betterment of the bicycle trail. To be eligible for a grant, a unit of government must provide at least 25 percent of the costs of the betterment of the trail.

Subd. 4. [LOCAL PARK TRAIL GRANTS.] The state planning agency shall administer a program to provide grants to units of government for the betterment of public land and improvements needed for recreational trails in parks owned and operated by units of government. There is appropriated from the Minnesota state building fund \$1,300,000 to the director of the state planning agency for the purposes of carrying out the provisions of this subdivision. \$650,000 of these funds shall be used for grants to units of government in the metropolitan area in accordance with priorities established by the metropolitan council and the agency and \$650,000 of these funds shall be used for grants to units of government outside the metropolitan area. A grant shall not exceed 40 percent of the costs of the betterment of the trail. To be eligible for a grant, a unit of government must provide at least ten percent of the costs of the betterment of the trail.

Subd. 5. [PARK AND TRAIL GRANTS.] The state planning agency shall administer a program to provide grants to units of government located within standard metropolitan statistical areas, as designated by the United States office of management and budget, but outside of the metropolitan area defined in section 473.121. The grants shall be for acquisition and betterment by units of government of public land and improvements needed for parks, trails, conservatories, zoos and other special use facilities having recreational significance for the entire population of the particular standard metropolitan statistical area. There is appropriated from the Minnesota state building fund \$2,500,000 to the state planning agency for the purposes of carrying out the provisions of this subdivision. \$1,750,000 of these funds shall be used for grants for acquisition of parks and trails. \$750,000 of these funds shall be used for grants for betterment of parks, trails, conservatories, zoos and other special use facilities. The appropriation made in this subdivision shall be expended with the approval of the governor after consultation with the legislative advisory commission. The legislative commission on Minnesota resources shall make recommendations to the legislative advisory commission regarding such expenditures. The local contribution required shall be identical to that required by the legislative commission on Minnesota resources for grants-in-aid for recreation open space of regional significance. The program shall be administered so as to ensure the maximum possible use of available federal funds.

Subd. 6. [LOCAL OUTDOOR ATHLETIC COURT GRANTS.] The state planning agency shall administer a program to provide grants to units of government for the betterment of public land and improvements needed for local athletic courts. There is appropriated from the Minnesota state building fund \$1,300,000 to the director of the state planning agency for the purposes of carrying out the provisions of this subdivision. \$650,000 of these funds shall be used for grants to units of government in the metropolitan area in accordance with priorities established by the metropolitan council and the agency and \$650,000 of these funds shall be used for grants to units of government outside the metropolitan area. A grant shall not exceed 50 percent of the costs of the betterment of the athletic court. To be eligible for a grant, a unit of government must provide at least 50 percent of the costs of the betterment of the athletic court. In making grants the agency shall consider, among other factors, evidence of cooperation between units of government, local need and available financial resources, and court locations that encourage maximum use, patronage, and availability.

Subd. 7. [GRANT PROGRAM ADMINISTRATION.] The director of the state planning agency shall have all powers necessary and convenient in order to establish the grant programs pursuant to this section including, but not limited to, the authority to adopt rules and regulations for the programs, pursuant to chapter 15, and emergency rules and regulations to commence immediately the programs, pursuant to section 15.0412. Of the sum appropriated by subdivision 3 of this section, not more than five percent may be expended by the commissioner for staff and independent professional services needed for the grant program. Of the sums appropriated by subdivisions 4, 5 and 6 of this section, not more than five percent may be expended by the director for staff and independent professional services needed for the grant programs.

Sec. 8. The amounts appropriated in sections 1, 2, 6 and 7 shall not cancel but shall be available until expended.

Sec. 9. Minnesota Statutes 1976, Chapter 4, is amended by adding a section to read:

[4.35] [TRAIL PLANNING.] The state planning agency, in cooperation with the department of natural resources, metropolitan council and department of transportation, shall review and coordinate plans for trails acquisition and development and trail development grants pursuant to this act and Minnesota Statutes 1976, Sections 85.015, 85.016, 473.147, and 473.301 to 473.341.

Sec. 10. [BOND SALE.] Subdivision 1. To provide the amounts appropriated in sections 1, 2, 6 and 7, the commissioner of finance, upon request of the governor, shall sell and issue bonds of the state in the amount of \$62,500,000 in the manner and upon the terms prescribed by sections 16A.63 to 16A.66 and

by the Minnesota Constitution, Article XI, Sections 4 to 7. The proceeds of the bonds are appropriated to the Minnesota state building fund except as otherwise provided in section 16A.64.

Subd. 2. [DEBT SERVICE.] There is annually appropriated from the general fund in the state treasury to the Minnesota state building fund bond account in the state bond fund an amount sufficient to pay principal and interest coming due on bonds authorized by subdivision 1, in the amount and manner specified in section 16A.64, subdivision 5.

Sec. 11. Minnesota Statutes 1976, Section 473.121, Subdivision 14, is amended to read:

Subd. 14. "Regional recreation open space" means (THE) land and water areas, *or interests therein, and facilities* determined by the metropolitan council to be of regional (SIGNIFICANCE) *importance* in providing for a balanced system of public outdoor recreation for the metropolitan area, including but not limited to park reserves, major linear parks *and trails*, (AND) large recreation parks, *and conservatories, zoos, and other special use facilities.*

Sec. 12. Minnesota Statutes 1976, Section 473.302, is amended to read:

473.302 [REGIONAL RECREATION OPEN SPACE SYSTEM; PURPOSE.] The legislature finds that the pressure of urbanization and development threatens (THE MOST) valuable (REMAINING LARGE) recreational open space areas in the metropolitan area at the same time as the need for such areas is increased. Immediate action is therefore necessary to provide funds to acquire, preserve, protect and develop regional recreational open space for public use.

Sec. 13. Minnesota Statutes 1976, Section 473.303, is amended by adding a subdivision to read:

Subd. 6. [COMPENSATION.] Members and the chairman shall be compensated as provided for members of metropolitan commissions.

Sec. 14. Minnesota Statutes 1976, Section 473.315, Subdivision 1, is amended to read:

473.315 [GRANTS.] Subdivision 1. The metropolitan council with the advice of the commission may make grants, from any funds available to it for recreation open space purposes, to any municipality, park district or county located wholly or partially within the metropolitan area to cover the cost, or any portion of the cost, of acquiring or developing regional recreation open space in accordance with the policy plan; and all such agencies

may enter into contracts for this purpose or rights or interests therein. The cost of acquisition shall include any payments required for relocation pursuant to sections 117.50 to 117.56. (NO MORE THAN 80 PERCENT OF THE FUNDS AVAILABLE UNDER SECTIONS 473.301 TO 473.341 SHALL BE USED FOR ACQUISITION OF REGIONAL RECREATION OPEN SPACE AND NO MORE THAN 30 PERCENT SHALL BE USED FOR DEVELOPMENT OF REGIONAL RECREATION OPEN SPACE.)

Sec. 15. *This act is effective July 1, 1977.*"

Further strike the title and insert:

"A bill for an act relating to outdoor recreation; appropriating money for acquisition and betterment of parks, trails, wild-life lands, outdoor athletic courts, and for other purposes; authorizing sale of bonds; amending Minnesota Statutes 1976, Sections 85.016; 473.121, Subdivision 14; 473.302; 473.303, by adding a subdivision; 473.315, Subdivision 1; Chapter 4, by adding a section; and Chapter 85, by adding a section."

With the recommendation that when so amended the bill pass and be re-referred to the Committee on Environment and Natural Resources.

The report was adopted.

Berg from the Committee on Local and Urban Affairs to which was referred:

S. F. No. 99, A bill for an act relating to Wabasha county; authorizing the sale of Buena Vista sanitarium after rejection of bids.

Reported the same back with the following amendments:

Page 1, line 10 delete "under" and insert "through a real estate agent by means of".

Page 1, line 11, delete "through a real estate agent, as it deems appropriate" and insert "other method of sale as approved by the county".

With the recommendation that when so amended the bill pass.

The report was adopted.

Kelly, W., from the Committee on Taxes to which was referred:

H. F. No. 552, A bill for an act relating to taxation; permitting certain appeals of assessments to the commissioner of revenue; providing for appointment of local assessors or termination of their offices; refining terms of senior citizens property tax freeze; eliminating assessors' and auditors' bonds; providing for appeal of property classification; defining certain powers of boards of equalization; clarifying redemption period for tax-forfeited lands; amending Minnesota Statutes 1976, Sections 270.11, Subdivision 7; 270.50; 273.011, Subdivision 4; 273.012, Subdivision 2; 273.04; 273.05, Subdivisions 1 and 2; 273.06; 274.01, Subdivision 1; 274.13, Subdivision 1; 276.12; and 281.17; and Chapter 270, by adding section.

Reported the same back with the following amendments:

Page 2, line 16, delete "section" and insert "sections".

Page 2, line 16, after "270.493" insert "and 270.50".

Page 2, line 19, delete "counties enumerated in Minnesota Statutes".

Page 2, line 20, delete "1971, Section 391.02" and insert "Ramsey county".

Page 3, line 22, strike "counties enumerated".

Page 3, line 23, strike "in" delete "Minnesota Statutes 1971," strike "Section 391.01" and insert "Ramsey county".

Page 3, line 26, after "days" insert "from the latter of the effective date of this act or the date of incorporation or organization".

Page 3, line 29, after "[BASE TAX.]" insert "(a) Except as provided in clauses (b) and (c),".

Page 4, delete lines 7 to 16 and insert:

"(b) In the case of property purchased by a person 65 years of age or older for homestead purposes with title held as provided in this section, the "base tax" shall be the tax which would have been due in the year following the year in which the property was purchased, computed as if the property had been homesteaded on January 2 of the year purchased.

(c) In the case of property constructed for homestead purposes by a person 65 years of age or older with title held as provided in this section, the "base tax" shall be the tax which is due in the year following the year in which the property was substantially completed and homesteaded as of January 2."

Page 7, after line 26, insert:

“Sec. 10. Minnesota Statutes 1976, Section 273.061, Subdivision 3, is amended to read:

Subd. 3. [OATH.] Every county assessor, before entering upon his duties, shall take and subscribe the oath required of public officials, AND SHALL GIVE BOND TO THE STATE IN THE FORM REQUIRED BY STATUTE, IN SUCH SUM AS THE BOARD OF COUNTY COMMISSIONERS MAY DETERMINE).”.

Renumber the sections accordingly.

Further, amend the title:

Line 7, delete “and auditors’ ”.

Line 7, after the semicolon insert “eliminating certification of local treasurers’ bonds;”.

Line 14, after “273.06;” insert “273.061, Subdivision 3;”.

With the recommendation that when so amended the bill pass.

The report was adopted.

Fudro from the Committee on Transportation to which was referred:

H. F. No. 103, A bill for an act relating to highway traffic regulations; providing that a person may lawfully stop or park his motor vehicle on highways and streets under specified conditions for the purpose of aiding distressed motorists; amending Minnesota Statutes 1976, Chapter 169, by adding a section.

Reported the same back with the following amendments:

Page 1, line 15, delete “*in distress by reason of motor*”.

Page 1, delete line 16 and insert “*who signals for assistance by raising the hood of the vehicle or displaying a flag, flare or similar signal,*”.

Page 2, after line 6, insert:

“*This section does not apply to any person who stops or parks a vehicle next to an unattended vehicle.*”.

With the recommendation that when so amended the bill pass and be placed on the Consent Calendar.

The report was adopted.

SECOND READING OF HOUSE BILLS

H. F. Nos. 1275, 1421, 679, 1208, 1428, 461, 644, 916, 981, 1095, 1113, 1114, 1322, 921, 651, 809, 862, 937, 938, 1129, 552 and 103 were read for the second time.

SECOND READING OF SENATE BILLS

S. F. Nos. 919, 651 and 99 were read for the second time.

INTRODUCTION AND FIRST READING OF HOUSE BILLS

The following House Files were introduced:

Skoglund, Forsythe, Jaros, Clark and Brandl introduced:

H. F. No. 1476, A bill for an act relating to municipalities; hospital, nursing home and health care facilities; authorizing municipalities to include refinancing of existing indebtedness in the cost of a project; amending Minnesota Statutes 1976, Sections 447.35; 447.45, Subdivision 1; 447.47; and 474.05.

The bill was read for the first time and referred to the Committee on Local and Urban Affairs.

Kroening, Swanson and Fugina introduced:

H. F. No. 1477, A bill for an act relating to education; establishing a Minnesota occupational information system revolving fund; appropriating money.

The bill was read for the first time and referred to the Committee on Higher Education.

Jensen and Lemke introduced:

H. F. No. 1478, A bill for an act relating to taxation; defining conveyances that must be presented to the auditor before recording; amending Minnesota Statutes 1976, Section 272.12.

The bill was read for the first time and referred to the Committee on Commerce and Economic Development.

Jensen and Lemke introduced:

H. F. No. 1479, A bill for an act relating to real estate; transfers of undivided interests; amending Minnesota Statutes 1976, Section 272.14.

The bill was read for the first time and referred to the Committee on Commerce and Economic Development.

Birnstihl, Mann, Jensen, Lemke and Braun introduced:

H. F. No. 1480, A bill for an act relating to employments licensed by state; exempting registered professional engineers from water well contractor licensing provisions; amending Minnesota Statutes 1976, Section 326.03, by adding a subdivision.

The bill was read for the first time and referred to the Committee on Commerce and Economic Development.

Wenzel introduced:

H. F. No. 1481, A bill for an act relating to crimes; providing that whoever causes the death of a human being when committing the felony of burglary is guilty of murder in the first degree; amending Minnesota Statutes 1976, Sections 609.185; and 609.195.

The bill was read for the first time and referred to the Committee on Criminal Justice.

Fugina introduced:

H. F. No. 1482, A bill for an act relating to Independent School District 703; validating certain aid overpayments.

The bill was read for the first time and referred to the Committee on Education.

Begich, Battaglia and Fugina introduced:

H. F. No. 1483, A bill for an act relating to pesticides; prescribing certain limitations on the aerial application of pesticides; imposing requirements for pesticide application in certain areas; amending Minnesota Statutes 1976, Chapter 18A, by adding sections.

The bill was read for the first time and referred to the Committee on Environment and Natural Resources.

Suss, Voss, McCollar and Brinkman introduced:

H. F. No. 1484, A bill for an act relating to automobile insurance; clarifying certain ambiguous provisions in the Minnesota no-fault automobile insurance act; amending Minnesota Statutes 1976, Sections 65B.44, Subdivision 3; 65B.49, Subdivisions 4 and 6; 65B.51, Subdivision 1; and 65B.53, Subdivision 1.

The bill was read for the first time and referred to the Committee on Financial Institutions and Insurance.

Beauchamp introduced:

H. F. No. 1485, A bill for an act relating to departments of state; concerning confidential data on individuals; regarding emergency classification of data; amending Minnesota Statutes 1976, Sections 15.162, Subdivision 2a; and 15.1642, Subdivision 3.

The bill was read for the first time and referred to the Committee on Governmental Operations.

Beauchamp introduced:

H. F. No. 1486, A bill for an act relating to retirement; state aid for police pensions; amending Minnesota Statutes 1976, Sections 69.011, Subdivisions 1 and 2; 69.021, Subdivisions 5 and 7; and 69.031, Subdivision 5.

The bill was read for the first time and referred to the Committee on Governmental Operations.

Biersdorf introduced:

H. F. No. 1487, A bill for an act relating to state lands; authorizing the conveyance by the state of certain lands in Steele county.

The bill was read for the first time and referred to the Committee on Governmental Operations.

Kroening and Kelly, R., introduced:

H. F. No. 1488, A bill for an act relating to the Minnesota housing finance agency; providing for unclassified employees; amending Minnesota Statutes 1976, Section 43.09, Subdivision 2a.

The bill was read for the first time and referred to the Committee on Governmental Operations.

Jude introduced :

H. F. No. 1489, A bill for an act relating to courts; repealing the law that requires court clerks to make costs and disbursements reports to the county attorney in criminal cases; repealing Minnesota Statutes 1976, Section 485.09.

The bill was read for the first time and referred to the Committee on Governmental Operations.

Jude introduced :

H. F. No. 1490, A bill for an act relating to fees; repealing the filing fee in certain juvenile court proceedings; repealing Minnesota Statutes 1976, Section 260.106, Subdivisions 1 and 2.

The bill was read for the first time and referred to the Committee on Governmental Operations.

Jude introduced :

H. F. No. 1491, A bill for an act relating to courts; providing that petit jurors in probate court be selected in the same manner as petit jurors are selected in district court; amending Minnesota Statutes 1976, Section 525.013, by adding a subdivision; repealing Minnesota Statutes 1976, Section 525.013, Subdivisions 2 and 3.

The bill was read for the first time and referred to the Committee on Governmental Operations.

Jude introduced :

H. F. No. 1492, A bill for an act relating to courts; jurors; ballots for selection; authorizing an alternative method of identification of jurors; amending Minnesota Statutes 1976, Section 593.07.

The bill was read for the first time and referred to the Committee on Governmental Operations.

Simoneau introduced :

H. F. No. 1493, A bill for an act relating to the city of Fridley; providing for membership of a certain employee thereof in the public employees police and fire fund.

The bill was read for the first time and referred to the Committee on Governmental Operations.

Cohen introduced:

H. F. No. 1494, A bill for an act proposing an amendment to the Minnesota Constitution; adding an article to provide for initiative and referendum.

The bill was read for the first time and referred to the Committee on Governmental Operations.

Adams, Clawson, Metzen, Zubay and Sieben, H., introduced:

H. F. No. 1495, A bill for an act relating to the organization and operation of state government; regulating organization and procedures of various state departments and agencies; providing for appointment and compensation of the employees suggestion board; removing the minimum teachers' license fee; permitting the board of teaching to adopt rules; regulating state arts board grants and publicity; providing the status of part time executive secretaries; permitting joint rule making proceedings; changing the name and composition of the state board of human rights; making miscellaneous inconsequential clarifications and corrections; amending Minnesota Statutes 1976, Sections 15.01; 15.059, Subdivision 6; 16.71, Subdivisions 1 and 1a; 121.02, Subdivision 1; 125.08; 125.185, by adding a subdivision; 139.10, Subdivision 1, and by adding subdivisions; 144A.19, Subdivision 2; 144A.21, Subdivision 1; 144A.251; 214.04, Subdivision 3, and by adding a subdivision; 214.06, Subdivision 1; 363.04, Subdivisions 4, 4a and 5; and Laws 1976, Chapter 222, Section 207, Subdivision 2; repealing Minnesota Statutes 1976, Sections 144A.21, Subdivisions 3 and 4; 144A.25; and 214.05.

The bill was read for the first time and referred to the Committee on Governmental Operations.

Jude introduced:

H. F. No. 1496, A bill for an act relating to veterinarians; license filing fee; amending Minnesota Statutes 1976, Section 156.09.

The bill was read for the first time and referred to the Committee on Governmental Operations.

Carlson, L.; Swanson; McCarron; Forsythe and Samuelson introduced:

H. F. No. 1497, A bill for an act relating to health; providing state grants to finance health related research activities; directing the state health coordinating council to establish a health research subcommittee; providing for its powers and duties; appropriating money.

The bill was read for the first time and referred to the Committee on Health and Welfare.

Dahl, Birnstihl, Jensen, McEachern and Niehaus introduced:

H. F. No. 1498, A bill for an act relating to public welfare; mandating the working of certain general assistance recipients; allowing the use of general assistance funds for the work equity program; empowering the commissioner of public welfare to contract for recipient services and grant distribution; amending Minnesota Statutes 1976, Sections 256D.02, by adding subdivisions; 256D.04; 256D.06, by adding a subdivision; and 256D.11, Subdivisions 1 and 4, and by adding subdivisions.

The bill was read for the first time and referred to the Committee on Health and Welfare.

Laidig, Wigley, Evans, Rose and Erickson introduced:

H. F. No. 1499, A bill for an act relating to education; post-secondary educational institutions; requiring public post-secondary institutions to accept installment payments of tuition.

The bill was read for the first time and referred to the Committee on Higher Education.

Rice, for the Committee on General Legislation and Veterans Affairs, introduced:

H. F. No. 1500, A bill for an act relating to elections; vacancy in office of senator in congress; providing for special election to fill a vacancy; amending Minnesota Statutes 1976, Section 202A.72.

The bill was read for the first time and laid over one day.

Knickerbocker; Sieben, H.; Voss; McDonald and Novak introduced:

H. F. No. 1501, A bill for an act relating to metropolitan sewer charges; providing for regulation by the public service commission of charges to consumers; amending Minnesota Statutes 1976, Section 216A.05, Subdivision 2.

The bill was read for the first time and referred to the Committee on Local and Urban Affairs.

Tomlinson, Novak, White, Scheid and Searles introduced:

H. F. No. 1502, A bill for an act relating to taxation; property tax; changing valuation procedures for certain residential and commercial property; changing homestead base value for class 3cc property; changing minimum public aid income requirements for class 3cc property; providing for adjustments in valuation of property where variations exist within categories; providing additional grounds for appealing property tax levies; requiring registrar or county recorder to notify commissioner of revenue of age of transferred property; amending Minnesota Statutes 1976, Sections 273.11, Subdivisions 1 and 2, and by adding a subdivision; 273.122, Subdivision 1; 273.13, Subdivision 7; 278.-01; 287.241, Subdivision 4; and Chapter 273, by adding a section.

The bill was read for the first time and referred to the Committee on Taxes.

Brinkman, Vanasek, Pehler, Peterson and Fugina introduced:

H. F. No. 1503, A bill for an act relating to taxation; providing that reduced property tax classification for homesteads of disabled persons be continued for their surviving spouses; amending Minnesota Statutes 1976, Section 273.13, Subdivision 7.

The bill was read for the first time and referred to the Committee on Taxes.

Pehler, Evans and Knickerbocker introduced:

H. F. No. 1504, A bill for an act relating to taxation; providing that certain income tax credits for contributions may be carried forward; amending Minnesota Statutes 1976, Section 290.21, Subdivision 3.

The bill was read for the first time and referred to the Committee on Taxes.

Begich, Fugina and Battaglia introduced:

H. F. No. 1505, A bill for an act relating to the city of Duluth; review of assessments by county assessor.

The bill was read for the first time and referred to the Committee on Taxes.

Dean introduced:

H. F. No. 1506, A bill for an act relating to taxation; providing that rent credit survives death of claimant; amending Minnesota Statutes 1976, Section 290.984.

The bill was read for the first time and referred to the Committee on Taxes.

Cohen introduced:

H. F. No. 1507, A bill for an act relating to highways; designating the "Churchill Highway"; amending Minnesota Statutes 1976, Section 161.14, by adding a subdivision.

The bill was read for the first time and referred to the Committee on Transportation.

Wieser introduced:

H. F. No. 1508, A bill for an act relating to towns; reimbursement for certain town road maintenance expenses; appropriating funds.

The bill was read for the first time and referred to the Committee on Transportation.

Stanton introduced:

H. F. No. 1509, A bill for an act relating to motor vehicles; registration and taxation; reducing the fee for duplicate plates in certain circumstances; amending Minnesota Statutes 1976, Section 168.29.

The bill was read for the first time and referred to the Committee on Transportation.

Norton, for the Committee on Appropriations, introduced:

H. F. No. 1510, A bill for an act relating to the organization and operation of state government; appropriating money for education and related purposes with certain conditions, including the department of education, aids to libraries, higher education coordinating board, state universities, community colleges, and the university of Minnesota and its hospitals; amending Minnesota Statutes 1976, Sections 120.17, Subdivision 7a; 128A.02, Subdivision 3; 128A.06, Subdivision 1; 128A.07; 136A.121, Subdivision 3; 141.24; 141.36; 179.69, Subdivisions 4 and 5; and 197.78; repealing Minnesota Statutes 1976, Section 128A.08.

The bill was read for the first time and laid over one day.

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Mr. Speaker:

I hereby announce that the Senate accedes to the request of the House for the appointment of a Conference Committee, consisting of 3 members of the Senate, on the amendments adopted by the Senate to the following House File:

H. F. No. 301, A bill for an act relating to veterans; establishing a deadline for entering military service and becoming eligible for veterans preference; redefining the term "veteran" for certain other purposes; amending Minnesota Statutes 1976, Sections 43.30 and 197.447.

The Senate has appointed as such committee Messrs. Laufenburger, Frederick and Peterson.

Said House File is herewith returned to the House.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

I hereby announce that the Senate refuses to concur in the House amendment to:

S. F. No. 226, A bill for an act relating to minimum wage; providing a higher minimum wage; amending Minnesota Statutes 1976, Section 177.24.

And the Senate respectfully requests that a Conference Committee of 3 members be appointed thereon. Messrs. Milton; Keefe, S.; and Ogdahl have been appointed as such committee on the part of the Senate.

Said Senate File is herewith transmitted to the House with the request that the House appoint a like committee.

PATRICK E. FLAHAVEN, Secretary of the Senate

Faricy moved that the House accede to the request of the Senate and that the Speaker appoint a Conference Committee of 3 members of the House to meet with a like committee appointed by the Senate on the disagreeing votes of the two Houses on S. F. No. 226. The motion prevailed.

PROGRESS REPORTS ON CONFERENCE COMMITTEES

Pursuant to Joint Rule 2.06, progress on H. F. No. 301 was reported to the House.

CONSENT CALENDAR

H. F. No. 749 was reported to the House.

Kahn moved to amend H. F. No. 749, as follows:

Page 1, line 9, delete "whitetailed".

Page 1, line 10, delete "deer, *Odocoileus virginianus borealis*" and insert "*striped gopher, Citellus trideclinateus*".

Page 1, line 12, delete "whitetailed deer" and insert "*striped gopher*".

Page 1, line 13, after "state." delete "The".

Page 1, delete lines 14 to 16.

Upon objection of ten members H. F. No. 749 was stricken from the Consent Calendar and returned to General Orders.

H. F. No. 61, A bill for an act relating to the city of Cottage Grove; authorizing the rendering of emergency service by a physician's trained mobile intensive care paramedic; authorizing reasonable charges for the services; granting limited immunity from civil liability for paramedics and physicians advising or instructing paramedics.

The bill was read for the third time and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 131 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Abeln	Brandl	Eken	Haugerud	Kostohryz
Adams	Braun	Ellingson	Heinitz	Kroening
Albrecht	Brinkman	Enebo	Hokanson	Kvam
Anderson, D.	Byrne	Erickson	Jacobs	Laidig
Anderson, G.	Carlson, A.	Esau	Jaros	Langseth
Anderson, I.	Carlson, D.	Evans	Jensen	Lehto
Anderson, R.	Carlson, L.	Ewald	Johnson	Lemke
Arlandson	Casserly	Faricy	Jude	Mangan
Battaglia	Clark	Fjoslien	Kaley	Mann
Beauchamp	Clawson	Forsythe	Kalis	McCarron
Begich	Corbid	Friedrich	Kelly, R.	McCollar
Berg	Cummiskey	Fudro	Kelly, W.	McDonald
Berglin	Dahl	Fugina	Kempe, A.	McEachern
Berkelman	Dean	George	Kempe, R.	Metzen
Biersdorf	Den Ouden	Gunter	King	Moe
Birnstihl	Eckstein	Hanson	Knickerbocker	Munger

Murphy	Peterson	Scheid	Stanton	White
Neisen	Petrafaso	Schulz	Stoa	Wieser
Nelsen, B.	Pleasant	Searle	Suss	Wigley
Nelsen, M.	Prahl	Searles	Swanson	Williamson
Nelson	Reding	Sherwood	Tomlinson	Wynia
Niehaus	Rice	Sieben, H.	Vanasek	Zubay
Norton	Rose	Sieben, M.	Voss	Speaker Sabo
Novak	St. Onge	Simoneau	Waldorf	
Osthoff	Samuelson	Skoglund	Welch	
Patton	Sarna	Smogard	Wenstrom	
Pehler	Savelkoul	Spanish	Wenzel	

The bill was passed and its title agreed to.

H. F. No. 1107, A bill for an act relating to natural resources; authorizing the commissioner of natural resources to sell certain lands in Itasca county; appropriating money.

The bill was read for the third time and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 130 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Abeln	Clawson	Jacobs	Metzen	Searle
Adams	Corbid	Jaros	Moe	Searles
Albrecht	Cummiskey	Jensen	Munger	Sherwood
Anderson, B.	Dahl	Johnson	Murphy	Sieben, H.
Anderson, D.	Dean	Jude	Neisen	Sieben, M.
Anderson, G.	Den Ouden	Kaley	Nelsen, B.	Simoneau
Anderson, I.	Eckstein	Kalis	Nelsen, M.	Skoglund
Anderson, R.	Eken	Kelly, R.	Nelson	Smogard
Arlandson	Ellingson	Kelly, W.	Niehaus	Stanton
Battaglia	Eneko	Kempe, A.	Norton	Stoa
Beauchamp	Erickson	Kempe, R.	Novak	Suss
Begich	Esau	King	Osthoff	Swanson
Berg	Evans	Knickerbocker	Patton	Tomlinson
Berglin	Ewald	Kostohryz	Pehler	Vanasek
Berkelman	Faricy	Kroening	Peterson	Voss
Biersdorf	Fjoslien	Kvam	Petrafaso	Waldorf
Birnstihl	Forsythe	Laidig	Pleasant	Welch
Brandl	Friedrich	Langseth	Prahl	Wenstrom
Braun	Fudro	Lehto	Reding	Wenzel
Brinkman	Fugina	Lemke	Rice	White
Byrne	George	Mangan	Rose	Wieser
Carlson, A.	Gunter	Mann	St. Onge	Wigley
Carlson, D.	Hanson	McCarron	Samuelson	Williamson
Carlson, L.	Haugerud	McCollar	Sarna	Wynia
Casserly	Heinitz	McDonald	Savelkoul	Zubay
Clark	Hokanson	McEachern	Schulz	Speaker Sabo

The bill was passed and its title agreed to.

CALENDAR

H. F. No. 7, A bill for an act relating to labor relations; providing for successor clauses in collective bargaining agreements;

requiring successor employers to assume certain obligations; requiring notice of collective bargaining agreements to successor employers; requiring notice of successor transactions to exclusive representatives; allowing successor transactions in violation of a collective bargaining agreement to be enjoined; amending Minnesota Statutes 1976, Chapter 179, by adding a section.

The bill was read for the third time and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 68 yeas and 61 nays as follows:

Those who voted in the affirmative were:

Abeln	Cummiskey	Kelly, R.	Nelson	Skoglund
Adams	Dahl	Kempe, A.	Norton	Spanish
Anderson, I.	Ellingson	Kempe, R.	Novak	Stanton
Arlandson	Enebo	Kostohryz	Osthoff	Stoa
Battaglia	Farcy	Kroening	Pehler	Swanson
Begich	Fudro	Lehto	Prahl	Tomlinson
Berg	Fugina	Mangan	Reding	Voss
Berglin	George	McCarron	Rice	Waldorf
Berkelman	Hanson	McCollar	St. Onge	Wenzel
Brandl	Hokanson	McEachern	Sarna	Williamson
Byrne	Jacobs	Metzen	Scheid	Wynia
Carlson, L.	Jaros	Munger	Sieben, H.	Speaker Sabo
Casserly	Jude	Murphy	Sieben, M.	
Clark	Kahn	Neisen	Simoneau	

Those who voted in the negative were:

Albrecht	Dean	Heinitz	McDonald	Smogard
Anderson, B.	Den Ouden	Jensen	Nelsen, B.	Suss
Anderson, D.	Eckstein	Johnson	Niehaus	Vanasek
Anderson, G.	Eken	Kaley	Patton	Welch
Anderson, R.	Erickson	Kalis	Peterson	Wenstrom
Beauchamp	Esau	Kelly, W.	Petrafeso	White
Biersdorf	Evans	King	Pleasant	Wieser
Birnstihl	Ewald	Knickerbocker	Rose	Wigley
Braun	Fjoslien	Kvam	Samuelson	Zubay
Brinkman	Forsythe	Laidig	Savelkoul	
Carlson, A.	Friedrich	Langseth	Schulz	
Carlson, D.	Gunter	Lemke	Searle	
Corbid	Haugerud	Mann	Searles	

The bill was passed and its title agreed to.

S. F. No. 170, A bill for an act relating to political subdivisions; regulating certain interests in contracts by public officials; amending Minnesota Statutes 1976, Section 471.88, Subdivisions 2, 5, and 8.

The bill was read for the third time and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 128 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Abein	Dahl	Johnson	Murphy	Sieben, H.
Adams	Dean	Jude	Neisen	Sieben, M.
Albrecht	Den Ouden	Kaley	Nelsen, B.	Simoneau
Anderson, B.	Eckstein	Kalis	Nelson	Skoglund
Anderson, D.	Eken	Kelly, R.	Niehaus	Smogard
Anderson, G.	Ellingson	Kelly, W.	Norton	Spanish
Anderson, I.	Enebo	Kempe, A.	Novak	Stanton
Anderson, R.	Erickson	Kempe, R.	Osthoff	Stoa
Arlandson	Esau	King	Patton	Suss
Beauchamp	Evans	Knickerbocker	Pehler	Swanson
Berg	Ewald	Kostohryz	Peterson	Tomlinson
Berglin	Faricy	Kroening	Petrafeso	Vanasek
Berkelman	Fjoslien	Kvam	Pleasant	Voss
Biersdorf	Forsythe	Laidig	Prahl	Waldorf
Birnstihl	Friedrich	Langseth	Reding	Welch
Brandl	Fudro	Lehto	Rice	Wenstrom
Braun	Fugina	Lemke	Rose	Wenzel
Brinkman	George	Mangan	St. Onge	White
Byrne	Gunter	Mann	Samuelson	Wieser
Carlson, A.	Hanson	McCarron	Sarna	Wigley
Carlson, D.	Haugerud	McCollar	Savelkoul	Williamson
Carlson, L.	Heinitz	McDonald	Scheid	Wynia
Cassery	Hokanson	McEachern	Schulz	Zubay
Clark	Jacobs	Metzen	Searle	Speaker Sabo
Corbid	Jaros	Moe	Searles	
Cummiskey	Jensen	Munger	Sherwood	

The bill was passed and its title agreed to.

Kelly, W., was excused at 4:50 p.m. Wigley was excused at 5:40 p.m., and Friedrich was excused at 6:50 p.m.

GENERAL ORDERS

Pursuant to rules of the House, the House resolved itself into the Committee of the Whole, with Sabo in the Chair, for the consideration of bills pending on General Orders of the Day. After some time spent therein the Committee arose.

REPORT OF COMMITTEE OF THE WHOLE

The Speaker resumed the Chair, whereupon the following proceedings of the Committee as kept by the Chief Clerk were reported to the House:

H. F. No. 1005 which it recommended to pass.

S. F. No. 345 which it recommended progress.

H. F. No. 585 which it recommended to pass with the following amendments:

Offered by Casserly :

Page 8, line 10, strike "act of congress known as".

Page 8, line 11, strike "the revenue act of 1936" and insert "*Internal Revenue Code of 1954, as amended through December 31, 1976*".

Page 13, line 11, after the period, insert "*If any excess results from payments by the employer because of willful failure to withhold or remit as prescribed in clause (3) above, the excess attributable to the employer's payment shall be refunded to the employer.*".

H. F. No. 800 which it recommended to pass with the following amendments:

Offered by Wenstrom :

Page 4, line 18, after "*dealers,*" insert "*transfers between spouses or parent and child,*".

Offered by Searles :

Page 3, line 5, after the period insert "*When a sheriff or chief of police has performed the investigation required by this subdivision and has made any notification required by subdivision 3, no unit of government or official thereof shall be liable for damages resulting from acts or omissions of the chief or sheriff with regard to the report of transfer of the pistol.*".

Page 3, line 27, after the period insert "*This waiver may be granted orally or in writing, prior to submission of the Report of Transfer, at the discretion of the chief of police or sheriff.*".

Offered by Vanasek :

Page 2, line 25, after the semicolon insert "*and*".

Page 2, strike lines 26 and 27.

Page 2, line 28, delete "*(e)*" and insert "*(d)*".

Page 4, line 3, strike "*fact he or she is the transferee*" and insert "*transfer*".

Page 4, strike lines 7 and 8 and insert "*any record of the transfer, and the transferee shall keep the report of transfer*".

Offered by Kempe, A.:

Page 2, after line 3, insert a section to read:

"Sec. 2. Minnesota Statutes 1976, Section 624.712, Subdivision 2, is amended to read:

Subd. 2. 'Pistol' includes a weapon designed to be fired by the use of a single hand and with an overall length less than 26 inches, or having a barrel or barrels of a length less than 18 inches in the case of a shotgun or having a barrel of a length less than 16 inches in the case of a rifle (a) from which may be fired or ejected one or more solid projectiles by means of a cartridge or shell or by the action of an explosive or the igniting of flammable or explosive substances; or (b) for which the propelling force is a spring, elastic band, carbon dioxide, air or other gas, or vapor.

'Pistol' does not include a device firing or ejecting a shot measuring (.18) .22 of an inch, or less, in diameter and commonly known as a "BB gun" or "*Pellet gun*," a scuba gun, a stud gun or nail gun used in the construction industry or children's pop guns or toys."

Renumber the remaining sections.

Further amend the title as follows:

Page 1, line 8, after "624.712," insert "Subdivision 2, and".

Offered by McDonald:

As previously amended, page 4, line 20, strike "*temporary*".

Page 4, strike lines 21 and 22 and insert in lieu thereof:

"(a) A transfer by a person other than a federally licensed firearms dealer."

Offered by Forsythe:

As previously amended, page 3, line 18, delete "14" and insert "*seven*".

Page 3, line 26, delete "14" and insert "*seven*".

Offered by Williamson:

As previously amended, page 3, line 11, after the period insert "*No later than two years after the notification, the chief of police or sheriff shall expunge from the files of the law enforcement agency any data developed in the investigation pur-*

suant to this section concerning the specific disqualification of the transferee."

Offered by Swanson:

As previously amended, page 5, line 1, strike "12" and insert "60".

Offered by Munger:

As previously amended, page 6, after line 6, insert a section to read:

"Sec. 4. Minnesota Statutes 1976, Section 624.714, Subdivision 9, is amended to read:

Subd. 9. [CARRYING PISTOLS ABOUT ONE'S PREMISES OR FOR PURPOSES OF REPAIR, TARGET PRACTICE.] A permit to carry is not required of a person:

(a) To keep or carry about his place of business, dwelling house, premises or on land possessed by him a pistol;

(b) To carry a pistol from a place of purchase to his dwelling house or place of business, or from his dwelling house or place of business to or from a place where repairing is done, to have the pistol repaired;

(c) To carry a pistol between his dwelling house and his place of business;

(d) To carry a pistol in the woods or fields or upon the waters of this state for the purpose of hunting (OTHER THAN PROTECTED WILD ANIMALS) or of target shooting in a safe area; or

(e) To transport a pistol in a motor vehicle, snowmobile or boat if the pistol is unloaded, contained in a closed and fastened case, gunbox, or securely tied package. If a motor vehicle, snowmobile or boat does not have an enclosed area, a pistol may be carried in the driver or passenger area as long as the pistol is unloaded and contained in a closed and fastened case, gunbox, or securely tied package. A utility compartment or glove compartment shall be deemed to be within the area occupied by the driver and passengers."

Further amend the title as follows:

Page 1, line 9, before "and" insert "624.714, Subdivision 9;"

Offered by Petrafeso:

Strike the McDonald amendment to page 4, lines 20, 21 and 22.

Offered by Laidig:

As previously amended, page 1, after line 11, insert the following:

"Section 1. Minnesota Statutes 1976, Section 609.11, Subdivision 1, is amended to read:

609.11 [MINIMUM TERMS OF IMPRISONMENT.] Subdivision 1. All commitments to the commissioner of corrections for imprisonment of the defendant are without minimum terms except when sentence is to life imprisonment as required by law and except that any commitment following the defendant's first conviction of an offense wherein he had in his possession a firearm or used (A) *another* dangerous weapon at the time of the offense shall be for a term of not less than one year plus one day, nor more than the maximum sentence provided by law for the offense for which convicted, and except that any commitment following defendant's second or subsequent conviction of an offense wherein he had in his possession a firearm or used (A) *another* dangerous weapon at the time of the offense shall be for a term not less than three years, nor more than the maximum sentence provided by law for the offense for which convicted, and such person shall not be eligible for parole until he shall have served the full minimum sentence herein provided, notwithstanding the provisions of sections 242.19, 243.05, and 609.12 (AND 609.135). The offenses for which mandatory minimum sentences shall be served as (HEREIN) provided *pursuant to this section and section 609.135* are: aggravated assault, burglary, kidnapping, manslaughter, murder in the second or third degree, (RAPE,) *criminal sexual conduct in the first or second degree, aggravated robbery, sodomy, escape while under charge or conviction of a felony, or illegal discharge of an explosive or incendiary device.*

Sec. 2. Minnesota Statutes 1976, Section 609.11, is amended by adding a subdivision to read:

Subd. 2a. If during the commission of any of the crimes set forth in subdivision 1, the defendant possessed a firearm or used another dangerous weapon, the prosecution shall allege such matter in the information or indictment."

Page 1, line 18, after "and" and before "had" insert "during the commission of that crime he".

Page 6, after line 6, add:

"Sec. 5. [REPEALER.] *Minnesota Statutes 1976, Section 609.11, Subdivision 2, is repealed.*"

Renumber the sections in order.

Further amend the title as follows:

Page 1, line 7, after "Sections" and before "609.135", insert "609.11, Subdivision 1, and by adding a subdivision;"

Page 1, line 9, after "Section" and before the period, insert "; repealing Minnesota Statutes 1976, Section 609.11, Subdivision 2".

Offered by Savelkoul:

As previously amended, page 2, line 12, after "*Subdivision 1.*" insert "*Except as provided in section 4.*".

Page 3, line 12, after "[DELIVERY.]" insert "*Except as provided in section 4.*".

Page 3, after line 24, insert a new subdivision to read:

"*Subd. 6. [TRANSFEREE PERMIT.] If the chief of police or sheriff determines that the transferee is not a person prohibited by section 624.713 from possessing a pistol, he shall issue the transferee a transferee permit under the same terms and conditions as issuance under section 4 upon the request of the transferee.*"

Renumber the remaining subdivisions.

Page 5, line 20, after "[PENALTIES.]" insert "*Except as provided in section 4.*".

Page 6, after line 6, insert:

"Sec. 4. *Minnesota Statutes 1976, Chapter 624, is amended by adding a section to read:*

[624.7132] [TRANSFEREE PERMIT.] *Subdivision 1. Any person may apply for a pistol transferee permit by providing the following information in writing to the chief of police of an organized full time police department of the municipality in which he resides or to the county sheriff if there is no such local chief of police:*

(a) *his name, residence, telephone number and driver's license or other identification number;*

(b) *his sex, date of birth, height, weight, color of eyes and hair and other distinguishing characteristics, if any; and*

(c) *a statement that he is not prohibited by section 624.713 from possessing a pistol.*

The statement shall be signed by the person applying for a permit. At the time of application, the local police authority shall provide the applicant with a dated receipt for the application.

Subd. 2. [INVESTIGATION.] The chief of police or sheriff shall check criminal histories, records and warrant information relating to the applicant through the Minnesota crime information system.

Subd. 3. [FORMS.] Chiefs of police and sheriffs shall make transferee permit application forms available throughout the community. There shall be no charge for forms, reports, investigations, notifications, waivers or any other act performed or materials provided by a government employee or agency in connection with application for or issuance of a transferee permit.

Subd. 4. [GROUNDS FOR DISQUALIFICATION.] A determination by the chief of police or sheriff that the applicant is prohibited by section 624.713 from possessing a pistol shall be the only basis for refusal to grant a transferee permit.

Subd. 5. [GRANTING OF PERMITS.] The chief of police or sheriff shall issue a transferee permit or deny the application within seven days of application for the permit. The chief of police or sheriff shall provide an applicant with written notification of a denial and the specific reason for the denial. The permits and their renewal shall be granted free of charge.

Subd. 6. [RENEWAL.] Transferee permits issued pursuant to this section shall expire after one year and shall thereafter be renewed in the same manner and subject to the same provisions by which the original permit was obtained. Permits issued pursuant to this section shall not be transferable.

Subd. 7. [PERMIT VOIDED.] The transferee permit shall be void at the time that the holder becomes prohibited from possessing a pistol under section 624.713, in which event the holder shall return the permit within five days to the application authority. Failure of the holder to return the permit within the five days is a gross misdemeanor unless the court finds that the circumstances or the physical or mental condition of the permit holder prevented the holder from complying with the return requirement.

Subd. 8. [HEARING UPON DENIAL.] Any person aggrieved by denial of a transferee permit may appeal the denial

to the county court having jurisdiction over the county or municipality wherein the notification or denial occurred. The matter shall be heard de novo without a jury.

Subd. 9. [PERMIT TO CARRY.] A valid permit to carry issued pursuant to section 624.714 shall constitute a transferee permit for the purposes of this section.

Subd. 10. [TRANSFER.] A person who transfers a pistol to a person exhibiting a transferee permit issued pursuant to this section or a valid permit to carry issued pursuant to section 624.714 need not comply with the provisions of section 2.

Subd. 11. [PENALTIES.] A person who does any of the following is guilty of a gross misdemeanor:

(a) Transfers a pistol to person who has made a false statement in order to obtain a transferee permit if the transferor knows or has reason to know the transferee has made the false statement; or

(b) Gives or causes to be given any false information in applying for a transferee permit, knowing or having reason to know the information is false."

Further, amend the title:

Page 1, line 6, after "persons;" insert "providing for transferee permits;".

Page 1, line 9, delete "a section" and insert "sections".

Offered by Waldorf:

As previously amended, page 3, line 32, delete "who".

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

Page 4, delete lines 3, 4, and 5.

Page 4, line 6, delete "Thereafter".

Offered by Nelsen, M.:

As previously amended, page 3, delete line 24 and insert the following: "disqualification, and prohibiting the sale of a pistol by a chief of police or sheriff for any other reason shall be governed by the provisions of Minnesota Statutes, Section 609.43".

Offered by Anderson, I.:

As previously amended, page 2, after line 3, insert a new section to read:

"Sec. 2. Minnesota Statutes 1976, Section 624.712, Subdivision 4, is amended to read:

Subd. 4. "Saturday night special pistol" means a pistol other than an antique firearm or a pistol for which the propelling force is carbon dioxide, air or other vapor, or children's pop guns or toys, having a (FRAME,) barrel, cylinder, slide or breechblock:

(a) of any material having a melting point (liquidus) of less than 1,000 degrees Fahrenheit, or

(b) of any material having an ultimate tensile strength of less than 55,000 pounds per square inch, or

(c) of any powdered metal having a density of less than 7.5 grams per cubic centimeter."

Renumber the remaining sections.

In the title, line 8, after "624.712," insert "Subdivision 4,".

Offered by Anderson, I.:

As previously amended, page 6, after line 6, insert a new section to read:

"Sec. 4. Minnesota Statutes 1976, Section 624.714, is amended by adding a subdivision to read:

Subd. 14. [STATEWIDE PERMIT.] Notwithstanding section 624.717, a permit to carry issued pursuant to section 624.714 shall be valid statewide including within cities of the first class with more restrictive regulation of the carrying or possessing of pistols."

Further amend the title:

Page 1, line 6, after "penalties;" insert "providing for statewide validity of permits to carry;".

Page 1, line 8, after "subdivision;" insert "amending Minnesota Statutes 1976, Section 624.714, by adding a subdivision;".

Offered by Hokanson:

As previously amended, page 5, line 19, delete "*The matter shall be heard de novo without a jury.*".

On the motion of Anderson, I., the report of the Committee of the Whole was adopted.

ROLL CALLS IN COMMITTEE OF THE WHOLE

Pursuant to rule 1.6., the following roll calls were taken in the Committee of the Whole:

Searles moved to amend H. F. No. 585, as amended, as follows:

Page 13, after line 15 insert a new clause:

“(7) Employers required to withhold delinquent taxes, penalties, interest and costs under this subdivision shall be reimbursed to the extent of three percentum of such taxes, penalties, interest and costs withheld by such employer. Such reimbursement provided to the employer shall be calculated by multiplying three percentum by the sum of such taxes, penalties, interest and costs, remitting the balance to the commissioner of revenue.”.

The question was taken on the adoption of the amendment and the roll was called. There were 41 yeas and 71 nays as follows:

Those who voted in the affirmative were:

Albrecht	Erickson	Kaley	Nelsen, B.	Smogard
Anderson, D.	Esau	Kalis	Nichaus	Waldorf
Anderson, R.	Evans	Kempe, R.	Peterson	Wenzel
Biersdorf	Ewald	Knickerbocker	Pleasant	Wigley
Braun	Fjoslien	Kvam	Rose	Zubay
Carlson, A.	Friedrich	Laidig	Savelkoul	
Den Ouden	Gunter	Mann	Schulz	
Eckstein	Heinitz	McDonald	Searle	
Eken	Jude	Neisen	Searles	

Those who voted in the negative were:

Abeln	Clark	Kahn	Patton	Stanton
Adams	Clawson	Kelly, W.	Pehler	Stoa
Anderson, B.	Corbid	Kempe, A.	Prahl	Suss
Anderson, G.	Cummiskey	Kostohryz	Reding	Swanson
Anderson, I.	Dahl	Kroening	Rice	Vanasek
Battaglia	Ellingson	Langseth	St. Onge	Voss
Beauchamp	Faricy	Lehto	Samuelson	Welch
Begich	Fudro	Lemke	Sarna	White
Berg	Fugina	Mangan	Scheid	Williamson
Berglin	George	McCollar	Sherwood	Wynia
Birnstihl	Hanson	Metzen	Sieben, H.	Speaker Sabo
Brandl	Hokanson	Moe	Sieben, M.	
Byrne	Jacobs	Nelsen, M.	Simoneau	
Carlson, L.	Jensen	Novak	Skoglund	
Casserly	Johnson	Osthoff	Spanish	

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

Savelkoul moved to amend H. F. No. 585, as amended, as follows:

After page 2, line 32, insert:

"Sec. 3. Minnesota Statutes 1976, Section 290.06, Subdivision 3c, is amended to read:

Subd. 3c. [CREDITS AGAINST TAX.] Notwithstanding the provisions of subdivision 3a for taxable years which begin after December 31, 1971, the taxes due under the computation in accordance with section 290.06 shall be credited with the following amounts, *subject to the modification provided in subdivision 3e*:

(1) In the case of an unmarried individual, and, except as provided in paragraph 6, in the case of the estate of a decedent, \$21, and in the case of a trust, \$5;

(2) In the case of a married individual, living with husband or wife, and in the case of a head of a household, \$42. If such husband and wife make separate returns the personal exemption may be taken by either or divided between them;

(3) In the case of an individual, \$21 for each person (other than husband or wife) dependent upon and receiving his chief support from the taxpayer. One taxpayer only shall be allowed this credit with respect to any given dependent. In the case of the head of a household, a credit for one dependent shall be disallowed. A payment to a divorced or separated wife, other than a payment of the kind referred to in section 290.072, subdivision 3, shall not be considered a payment by the husband for the support of any dependent.

(4) (a) In the case of an unmarried individual who has attained the age of 65 before the close of his taxable year, an additional \$21;

(b) For taxable years which begin after December 31, 1974, in the case of an unmarried individual who is blind at the close of the taxable year, an additional \$25;

(c) In the case of a married individual, living with husband or wife, an additional \$21 for each spouse who has attained the age of 65 before the close of the individual's taxable year, and an additional \$25 for each spouse who is blind at the close of the individual's taxable year. If such husband and wife make separate returns, these credits may be taken by either or divided between them;

(d) For the purposes of sub-paragraphs (b) and (c) of paragraph (4), an individual is blind if his central visual acuity does

not exceed 20/200 in the better eye with correcting lenses, or if his visual acuity is greater than 20/200 but is accompanied by a limitation in the fields of vision such that the widest diameter of the visual field subtends an angle no greater than 20 degrees.

(e) For taxable years, which begin after December 31, 1974, in the case of an unmarried individual who is deaf at the close of the taxable year, an additional \$25;

(f) For taxable years which begin after December 31, 1974, in the case of a married individual, an additional \$25 for each spouse who is deaf at the close of the taxable year. If the husband and wife make separate returns, these credits may be taken by either or divided between them;

(g) For taxable years which begin after December 31, 1974, in the case of an individual, an additional \$25 for each person (other than a spouse) who is deaf and dependent upon and receiving his chief support from the taxpayer;

(h) For the purposes of subparagraphs (e), (f) and (g) of paragraph (4), an individual is deaf if the average loss in the speech frequencies (500-2000 Hertz) in the better ear, unaided, is 92 decibels, American National Standards Institute, or worse;

(5) In the case of an insurance company, it shall receive a credit on the tax computed as above equal in amount to any taxes based on premiums paid by it during the period for which the tax under Extra Session Laws 1967, Chapter 32, is imposed by virtue of any law of this state, other than the surcharge on premiums imposed by Extra Session Laws 1933, Chapter 53, as amended;

(6) If the status of a taxpayer, insofar as it affects the credits allowed under paragraphs 1, 2 and 3 shall change during the taxable year, or if the taxpayer shall either become or cease to be a resident of the state during such taxable year, such credit shall be apportioned, in accordance with the number of months before and after such change. For the purpose of such apportionment, a fractional part of a month shall be disregarded unless more than one-half of the month, in which case it shall be considered as a month. In case of death during a taxable year, a credit shall be allowed to the decedent, in proportion to the number of months before his death, and to his estate, in proportion to the number of months after his death, and in any event a minimum credit of \$5 shall be allowed to the decedent and his estate, respectively;

(7) In the case of a non-resident individual, credits under paragraphs 1, 2, 3 and 4 shall be apportioned in the proportion of the gross income from sources in Minnesota to the gross income from all sources, and in any event a minimum credit of \$5 shall be allowed.

Sec. 4. Minnesota Statutes 1976, Section 290.06, is amended by adding a subdivision to read:

Subd. 3c. [INFLATION ADJUSTMENT.] For taxable years beginning after December 31, 1977, the rates imposed by subdivision 2c and the credits provided by subdivision 3c shall be adjusted for inflation. The commissioner of revenue shall annually determine the percentage increase in the consumer price index for the Minneapolis-St. Paul metropolitan area with 1967 as a base year. The commissioner shall determine the increase from July 1, 1977 to June 30 each year, and he shall announce the percentage figure by September 1, each year. The dollar amount in each range of the rate schedule in subdivision 2c and the amount of each credit in subdivision 3c shall be multiplied by that percentage. The product of each calculation shall be added to the dollar amount in each range of the rate schedule and to each credit to produce inflation adjusted taxable net income subject to the rates in subdivision 2c and inflation adjusted credits for each succeeding year; provided that if the product exceeds a whole dollar amount it shall be raised to the next highest whole dollar.

Sec. 5. Minnesota Statutes 1976, Section 290.09, Subdivision 15, is amended to read:

Subd. 15. [STANDARD DEDUCTION.] In lieu of all deductions provided for in this chapter other than those enumerated in section 290.18, subdivision 2, and in lieu of the credits enumerated in section 290.21, subdivision 3, an individual may claim or be allowed a standard deduction as follows:

(a) If his adjusted gross income is \$10,000 or more, the standard deduction for taxable years ending before January 1, 1978 shall be \$1,000. For taxable years beginning after December 31, 1977 the amount of standard deduction available to persons with adjusted gross incomes of \$10,000 or more shall be adjusted for inflation. The commissioner of revenue shall annually determine the percentage increase in the consumer price index for the Minneapolis-St. Paul metropolitan area with 1967 as a base year. The commissioner shall determine the increase from July 1, 1977 to June 30 each succeeding year, and he shall announce the percentage figure by September 1, each year. The \$1,000 amount of the standard deduction shall be multiplied by that percentage. The product of the calculation shall be added to the \$1,000 to produce the adjusted standard deduction for persons with adjusted gross incomes of \$10,000 or more for each succeeding year; provided that if the product exceeds a whole dollar amount it shall be raised to the next highest whole dollar.

(b) If his adjusted gross income is less than \$10,000, the standard deduction shall be an amount equal to ten percent thereof.

In the case of a husband and wife living together, the standard deduction shall not be allowed to either if the net income of one of the spouses is determined without regard to the standard deduction. For the purposes of this paragraph the determination of whether an individual is living with his spouse shall be made as of the last day of the taxable year unless the spouse dies during the taxable year in which case such determination shall be made as of the date of such spouse's death."

Remember the remaining sections accordingly.

Further amend the title, line 5, after the semicolon insert "providing for annual adjustments of individual income tax brackets, individual credits and maximum standard deductions according to rate of change in the cost of living index;"

The question was taken on the adoption of the amendment and the roll was called. There were 39 yeas and 84 nays as follows:

Those who voted in the affirmative were:

Albrecht	Den Ouden	Friedrich	Kvam	Savelkoui
Anderson, D.	Eckstein	Gunter	Laidig	Searle
Anderson, R.	Erickson	Heinitz	McDonald	Searles
Biersdorf	Esau	Jensen	Nelsen, B.	Wenzel
Braun	Evans	Kaley	Niehau	Wieser
Carlson, A.	Ewald	Kalis	Peterson	Wigley
Carlson, D.	Fjoslien	Kempe, R.	Pleasant	Zubay
Dean	Forsythe	Knickerbocker	Rose	

Those who voted in the negative were:

Abeln	Clark	Kahn	Nelsen, M.	Skoglund
Adams	Clawson	Kelly, R.	Nelson	Smogard
Anderson, B.	Corbid	Kelly, W.	Norton	Spanish
Anderson, G.	Cummiskey	King	Novak	Stanton
Anderson, I.	Dahl	Kroening	Osthoff	Stoa
Arlandson	Eken	Langseth	Patton	Suss
Battaglia	Ellingson	Lehto	Pehler	Swanson
Beauchamp	Farcy	Lemke	Prahl	Tomlinson
Begich	Fudro	Mangan	Reding	Vanasek
Berg	Fugina	Mann	Rice	Voss
Berglin	George	McCarron	St. Onge	Waldorf
Berkelman	Hanson	McCollar	Samuelson	Wenstrom
Birnstihl	Hokanson	Metzen	Scheid	White
Brandl	Jacobs	Moe	Schulz	Williamson
Byrne	Jaros	Munger	Sherwood	Wynia
Carlson, L.	Johnson	Murphy	Sieben, H.	Speaker Sabo
Casserly	Jude	Neisen	Sieben, M.	

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

Kvam moved to amend H. F. No. 1005, as amended, as follows:

Strike everything after the enacting clause and insert the following:

"Section 1. For the purposes of meeting any increases in fees set by Minnesota Statutes 1976, Section 32.394, Subdivisions 8 and 8a, there is appropriated for the department of agriculture for the biennium 1977 to 1979 from the general fund in the state treasury the sum of \$71,000 to provide testing, inspection, licensing, registration and other related services."

Further amend the title as follows:

Page 1, line 3, strike everything after the semicolon and insert "limiting fee increases, providing an appropriation."

The question was taken on the adoption of the amendment and the roll was called. There were 33 yeas and 86 nays as follows:

Those who voted in the affirmative were:

Albrecht	Den Ouden	Friedrich	McDonald	Searle
Anderson, D.	Erickson	Heinitz	Nelsen, B.	Searles
Anderson, R.	Esau	Kaley	Niehaus	Waldorf
Carlson, A.	Evans	Kempe, R.	Peterson	Wigley
Carlson, D.	Ewald	Knickerbocker	Pleasant	Zubay
Dahl	Fjoslien	Kvam	Rose	
Dean	Forsythe	Laidig	Savelkoul	

Those who voted in the negative were:

Abeln	Eckstein	Kalis	Norton	Stanton
Adams	Eken	Kelly, R.	Novak	Stoa
Anderson, B.	Ellingson	Kelly, W.	Patton	Swanson
Anderson, G.	Enebo	King	Peher	Tomlinson
Anderson, I.	Faricy	Kostohryz	Prahl	Vanasek
Arlandson	Fudro	Kroening	Reding	Voss
Battaglia	Fugina	Langseth	Rice	Welch
Begich	George	Lehto	St. Onge	Wenstrom
Berg	Gunter	Lemke	Samuelson	Wenzel
Berglin	Hanson	Mann	Sarna	White
Berkelman	Haugerud	McCarron	Scheid	Wieser
Braun	Hokanson	McCollar	Schulz	Williamson
Byrne	Jacobs	McEachern	Sieben, H.	Wynia
Carlson, L.	Jaros	Metzen	Sieben, M.	Speaker Sabo
Casserly	Jensen	Moe	Simoneau	
Clark	Johnson	Munger	Skoglund	
Corbid	Jude	Murphy	Smogard	
Cummiskey	Kahn	Neisen	Spanish	

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

The question was taken on the motion by Birnstihl to progress H. F. No. 800, as amended, until Wednesday, February 1, 1978, and the roll was called. There were 54 yeas and 76 nays as follows:

Those who voted in the affirmative were:

Albrecht	Anderson, B.	Anderson, D.	Anderson, G.	Anderson, I.
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Anderson, R.	Den Ouden	Johnson	Nelsen, B.	Schulz
Battaglia	Eckstein	Jude	Nelsen, M.	Searle
Begich	Eken	Kaley	Niehaus	Sherwood
Biersdorf	Erickson	Kalis	Peterson	Smogard
Birnstihl	Esau	Kvam	Pleasant	Spanish
Braun	Evans	Langseth	Prahl	Wenzel
Brinkman	Fjoslien	Lemke	Reding	Wieser
Carlson, D.	Friedrich	Mann	St. Onge	Wigley
Corbid	Fugina	Metzen	Samuelson	Zubay
Dahl	Jensen	Neisen	Savelkoul	

Those who voted in the negative were:

Abeln	Dean	Kelly, R.	Norton	Stoa
Adams	Ellingson	Kempe, A.	Novak	Suss
Arlandson	Enebo	Kempe, R.	Osthoff	Swanson
Beauchamp	Ewald	King	Patton	Tomlinson
Berg	Faricy	Knickerbocker	Pehler	Vanasek
Berglin	Forsythe	Kroening	Petraleso	Voss
Berkelman	Fudro	Laidig	Rice	Welch
Brandl	George	Lehto	Rose	Wenstrom
Byrne	Gunter	Mangan	Sarna	White
Carlson, A.	Hanson	McCarron	Scheid	Williamson
Carlson, L.	Haugerud	McCollar	Searles	Wynia
Casserly	Heinitz	McDonald	Sieben, H.	Speaker Sabo
Clark	Hokanson	Moe	Sieben, M.	
Clawson	Jacobs	Munger	Simoneau	
Cohen	Jaros	Murphy	Skoglund	
Cummiskey	Kahn	Nelson	Stanton	

The motion did not prevail.

Begich moved to amend H. F. No. 800, as amended, as follows:

Page 2, after line 3, insert new sections to read:

“Sec. 2. Minnesota Statutes 1976, Section 624.712, Subdivision 1, is amended to read:

624.712 [DEFINITIONS.] Subdivision 1. As used in sections (624.711) 624.712 to (624.717) 624.716, the terms defined in this section shall have the meanings given them.

Sec. 3. [REPEALER.] *Minnesota Statutes 1976, Sections 624.711; 624.712, Subdivision 3; 624.714; 624.715; and 624.717 are repealed.*”.

Page 2, line 4 to page 6, line 6, delete sections 2 and 3, from the bill.

Further, strike the title in its entirety and insert:

“A bill for an act relating to crimes; removing certain restrictions on lawful possession of handguns; prohibiting stays of sentence in crimes involving possession of firearms or use of dangerous weapons; amending Minnesota Statutes 1976, Sections 609.135, Subdivision 1; 624.712, Subdivision 1; repealing

Minnesota Statutes 1976, Sections 624.711; 624.712, Subdivision 3; 624.714; 624.715; and 624.717.”.

The question was taken on the adoption of the amendment and the roll was called. There were 58 yeas and 71 nays as follows:

Those who voted in the affirmative were:

Albrecht	Corbid	Heinitz	Neisen	Savelkoul
Anderson, D.	Dahl	Jensen	Nelsen, B.	Schulz
Anderson, G.	Den Ouden	Kaley	Nelsen, M.	Searle
Anderson, I.	Eckstein	Kalis	Niehaus	Sherwood
Anderson, R.	Eken	Kvam	Peterson	Smogard
Battaglia	Erickson	Langseth	Pleasant	Spanish
Begich	Esau	Lemke	Prahl	Wenzel
Biersdorf	Evans	Mangan	Reding	Wiesel
Birnstihl	Fjoslien	Mann	Rose	Wigley
Braun	Friedrich	McCollar	St. Onge	Zubay
Brinkman	Fugina	McEachern	Samuelson	
Carlson, D.	Gunter	Murphy	Sarna	

Those who voted in the negative were:

Abeln	Cummiskey	Kahn	Munger	Suss
Adams	Dean	Kelly, R.	Nelson	Tomlinson
Arlandson	Ellingson	Kelly, W.	Norton	Vanasek
Beauchamp	Enebo	Kempe, A.	Novak	Voss
Berg	Ewald	Kempe, R.	Osthoff	Waldorf
Berglin	Faricy	King	Pehler	Welch
Berkelman	Forsythe	Knickerbocker	Petraleso	Wenstrom
Brandl	Fudro	Kostohryz	Rice	White
Byrne	George	Kroening	Scheid	Williamson
Carlson, A.	Hanson	Laidig	Sieben, H.	Wynia
Carlson, L.	Haugerud	Lehto	Sieben, M.	Speaker Sabo
Casserly	Hokanson	McCarron	Simoneau	
Clark	Jacobs	McDonald	Skoglund	
Clawson	Jaros	Metzen	Stanton	
Cohen	Jude	Moe	Stoa	

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

Begich moved to amend H. F. No. 800, as amended, as follows:

Page 4, line 14, after “transfer.” insert “*The county auditor of each county shall annually report to the commissioner of finance of the state of Minnesota the cost incurred by the county in complying with subdivisions 2, 3, and 9 of this section. Upon verification of the county auditor’s report the commissioner of finance shall reimburse the county in an amount not to exceed \$42 for each transfer application processed by the county.*”.

Biersdorf moved to amend the Begich amendment to H. F. No. 800, as follows:

Add a sentence to read: “*This reimbursement shall apply to all counties outside the seven county metropolitan area.*”.

The question was taken on the adoption of the Biersdorf amendment to the Begich amendment and the roll was called. There were 51 yeas and 74 nays as follows:

Those who voted in the affirmative were:

Albrecht	Braun	Friedrich	Mann	Smogard
Anderson, B.	Brinkman	Fugina	Nelsen, B.	Spanish
Anderson, D.	Carlson, D.	Gunter	Niehaus	Stoa
Anderson, G.	Dahl	Heinitz	Peterson	Wenzel
Anderson, I.	Den Ouden	Jensen	Prahl	Wieser
Anderson, R.	Eckstein	Johnson	Reding	Wigley
Battaglia	Eken	Kaley	Samuelson	Zubay
Beauchamp	Erickson	Kalis	Savelkoul	
Begich	Esau	Kvam	Schulz	
Biersdorf	Evans	Lemke	Searle	
Birnstihl	Fjoslien	Mangan	Sherwood	

Those who voted in the negative were:

Abeln	Cummiskey	Kelly, R.	Neisen	Simoneau
Adams	Dean	Kempe, A.	Nelson	Skoglund
Arlandson	Ellingson	Kempe, R.	Norton	Stanton
Berg	Enebo	King	Novak	Suss
Berglin	Ewald	Knickerbocker	Osthoff	Swanson
Berkelman	Faricy	Kostohryz	Pehler	Tomlinson
Brandl	Forsythe	Kroening	Petrafeso	Vanasek
Byrne	Fudro	Laidig	Pleasant	Voss
Carlson, A.	George	Lehto	Rice	Waldorf
Carlson, L.	Hanson	McCarron	Rose	Wenstrom
Cassery	Hokanson	McCollar	Sarna	White
Clark	Jacobs	McDonald	Scheid	Williamson
Clawson	Jaros	Metzen	Searles	Wynia
Cohen	Jude	Moe	Sieben, H.	Speaker Sabo
Corbid	Kahn	Munger	Sieben, M.	

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

Albrecht moved to amend the Begich amendment to H. F. No. 800, as follows:

At the end of line 5, after "*amount*" add "*of the cost*".

The question was taken on the adoption of the Albrecht amendment to the Begich amendment and the roll was called. There were 76 yeas and 50 nays as follows:

Those who voted in the affirmative were:

Albrecht	Berkelman	Eckstein	Friedrich	Kaley
Anderson, B.	Biersdorf	Eken	Fugina	Kalis
Anderson, D.	Birnstihl	Erickson	Gunter	Kempe, R.
Anderson, G.	Braun	Esau	Heinitz	Knickerbocker
Anderson, I.	Carlson, A.	Evans	Hokanson	Kostohryz
Anderson, R.	Carlson, D.	Ewald	Jacobs	Kvam
Battaglia	Clawson	Faricy	Jensen	Laidig
Beauchamp	Dahl	Fjoslien	Johnson	Langseth
Begich	Den Ouden	Forsythe	Jude	Lemke

Mangan	Nelsen, B.	Rose	Sherwood	Wigley
Mann	Niehaus	St. Onge	Smogard	Williamson
McCollar	Peterson	Samuelson	Spanish	Zubay
McDonald	Petrafeso	Savelkoul	Swanson	
Metzen	Pleasant	Schulz	Welch	
Murphy	Prahl	Searle	Wenzel	
Neisen	Reding	Searles	Wieser	

Those who voted in the negative were:

Abeln	Cohen	Kelly, R.	Novak	Stoa
Adams	Cummiskey	King	Osthoff	Suss
Arlandson	Dean	Kroening	Patton	Tomlinson
Berg	Ellingson	Lehto	Pehler	Vanasek
Berglin	Enebo	McCarron	Rice	Voss
Brandl	Fudro	Moe	Scheid	Waldorf
Byrne	George	Munger	Sieben, H.	Wenstrom
Carlson, L.	Hanson	Nelsen, M.	Sieben, M.	White
Casserly	Jaros	Nelson	Simoneau	Wynia
Clark	Kahn	Norton	Skoglund	Speaker Sabo

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

The question recurred on the Begich amendment, as amended, and the roll was called. There were 61 yeas and 65 nays as follows:

Those who voted in the affirmative were:

Abeln	Carlson, D.	Hokanson	Neisen	Searle
Albrecht	Dahl	Jacobs	Nelsen, B.	Searles
Anderson, B.	Den Ouden	Jensen	Nelsen, M.	Sherwood
Anderson, D.	Eckstein	Jude	Niehaus	Spanish
Anderson, G.	Eken	Kaley	Peterson	Swanson
Anderson, I.	Erickson	Kalis	Pleasant	Wenzel
Battaglia	Evans	Kempe, R.	Prahl	Wieser
Beauchamp	Ewald	Kvam	Reding	Wigley
Begich	Fjoslien	Lemke	Rose	Zubay
Biersdorf	Friedrich	Mangan	St. Onge	
Birnstihl	Fugina	Mann	Samuelson	
Braun	Gunter	McCollar	Savelkoul	
Brinkman	Heinitz	Murphy	Schulz	

Those who voted in the negative were:

Adams	Cummiskey	Kelly, R.	Norton	Stanton
Arlandson	Dean	Kempe, A.	Novak	Stoa
Berg	Ellingson	King	Osthoff	Suss
Berglin	Enebo	Knickerbocker	Pehler	Tomlinson
Berkelman	Farcy	Kostohryz	Petrafeso	Vanasek
Brandl	Forsythe	Kroening	Rice	Voss
Byrne	Fudro	Laidig	Sarna	Waldorf
Carlson, A.	George	Lehto	Scheid	Welch
Carlson, L.	Hanson	McCarron	Sieben, H.	Wenstrom
Casserly	Haugerud	McDonald	Sieben, M.	White
Clark	Jaros	Moe	Simoneau	Williamson
Clawson	Johnson	Munger	Skoglund	Wynia
Cohen	Kahn	Nelson	Smogard	Speaker Sabo

The motion did not prevail and the amendment, as amended, was not adopted.

McDonald moved to amend H. F. No. 800, as amended, as follows:

Page 4, line 20, strike "temporary".

Page 4, strike lines 21 and 22 and insert in lieu thereof:

"(a) A transfer by a person other than a federally licensed firearms dealer."

The question was taken on the adoption of the amendment and the roll was called. There were 61 yeas and 60 nays as follows:

Those who voted in the affirmative were:

Albrecht	Den Ouden	Johnson	Neisen	Searles
Anderson, B.	Eckstein	Jude	Nelsen, B.	Sherwood
Anderson, D.	Eken	Kaley	Nelsen, M.	Spanish
Anderson, I.	Erickson	Kempe, R.	Niehaus	Swanson
Anderson, R.	Esau	Kvam	Peterson	Wenzel
Battaglia	Evans	Langseth	Pleasant	White
Begich	Fjoslien	Lemke	Prahl	Wieser
Biersdorf	Friedrich	Mangan	Reding	Wigley
Birnstihl	Fudro	McCollar	Rose	Zubay
Braun	Fugina	McDonald	St. Onge	
Brinkman	Heinitz	McEachern	Samuelson	
Carlson, D.	Jacobs	Metzen	Sarna	
Dahl	Jensen	Murphy	Searle	

Those who voted in the negative were:

Abeln	Casserly	Gunter	McCarron	Skoglund
Adams	Clark	Hanson	Moe	Stanton
Anderson, G.	Clawson	Hokanson	Norton	Stoa
Arlandson	Cohen	Jaros	Novak	Suss
Beauchamp	Cummiskey	Kahn	Osthoff	Tomlinson
Berg	Dean	Kelly, R.	Pehler	Vanasek
Berglin	Ellingson	King	Petrafeso	Voss
Berkelman	Enebo	Knickerbocker	Rice	Waldorf
Brandl	Ewald	Kostohryz	Scheid	Welch
Byrne	Faricy	Kroening	Sieben, H.	Wenstrom
Carlson, A.	Forsythe	Laidig	Sieben, M.	Wynia
Carlson, L.	George	Lehto	Simoneau	Speaker Sabo

The motion prevailed and the amendment was adopted.

Petrafeso moved to amend H. F. No. 800, as amended, as follows:

Strike the McDonald amendment to page 4, lines 20, 21 and 22.

The question was taken on the adoption of the amendment and the roll was called. There were 66 yeas and 63 nays as follows:

Those who voted in the affirmative were:

Abeln	Cohen	Kahn	Novak	Tomlinson
Adams	Cummiskey	Kelly, R.	Osthoff	Vanasek
Anderson, G.	Dean	Kempe, A.	Pehler	Voss
Arlandson	Ellingson	King	Petrafeso	Waldorf
Beauchamp	Enebo	Knickerbocker	Rice	Welch
Berg	Farcy	Kostohryz	Scheid	Wenstrom
Berglin	Forsythe	Kroening	Sieben, H.	White
Berkelman	George	Laidig	Sieben, M.	Williamson
Brandl	Gunter	Lehto	Simoneau	Wynia
Byrne	Hanson	McCarron	Skoglund	Speaker Sabo
Carlson, A.	Haugerud	Moe	Smogard	
Carlson, L.	Hokanson	Munger	Stanton	
Cassery	Jaros	Nelson	Stoa	
Clark	Jensen	Norton	Suss	

Those who voted in the negative were:

Albrecht	Dahl	Johnson	Metzen	Sarna
Anderson, B.	Den Ouden	Jude	Murphy	Savelkoul
Anderson, D.	Eckstein	Kaley	Neisen	Schulz
Anderson, I.	Eken	Kalis	Nelsen, B.	Searle
Anderson, R.	Erickson	Kempe, R.	Nelsen, M.	Searles
Battaglia	Esau	Kvam	Niehaus	Sherwood
Begich	Evans	Langseth	Peterson	Spanish
Biersdorf	Fjoslien	Lemke	Pleasant	Swanson
Birnstihl	Friedrich	Mangan	Prahl	Wenzel
Braun	Fudro	Mann	Reding	Wieser
Brinkman	Fugina	McCollar	Rose	Zubay
Carlson, D.	Heinitz	McDonald	St. Onge	
Corbid	Jacobs	McEachern	Samuelson	

The motion prevailed and the amendment was adopted.

Laidig moved to amend H. F. No. 800, as amended, as follows:

Page 1, after line 11, insert the following:

"Section 1. Minnesota Statutes 1976, Section 609.11, Subdivision 1, is amended to read:

609.11 [MINIMUM TERMS OF IMPRISONMENT.] Subdivision 1. All commitments to the commissioner of corrections for imprisonment of the defendant are without minimum terms except when sentence is to life imprisonment as required by law and except that any commitment following the defendant's first conviction of an offense wherein he had in his possession a firearm or used (A) *another* dangerous weapon at the time of the offense shall be for a term of not less than one year plus one day, nor more than the maximum sentence provided by law for the offense for which convicted, and except that any commitment following defendant's second or subsequent conviction of an offense wherein he had in his possession a firearm or used (A) *another* dangerous weapon at the time of the offense shall be for a term not less than three years, nor more than the maximum sentence provided by law for the offense for which convicted, and such person shall not be eligible for parole until he shall have

served the full minimum sentence herein provided, notwithstanding the provisions of sections 242.19, 243.05, and 609.12 (AND 609.135). The offenses for which mandatory minimum sentences shall be served as (HEREIN) provided *pursuant to this section and section 609.135* are: aggravated assault, burglary, kidnapping, manslaughter, murder in the second or third degree, (RAPE,) *criminal sexual conduct in the first or second degree, aggravated robbery, sodomy, escape while under charge or conviction of a felony, or illegal discharge of an explosive or incendiary device.*

Sec. 2. Minnesota Statutes 1976, Section 609.11, is amended by adding a subdivision to read:

Subd. 2a. If during the commission of any of the crimes set forth in subdivision 1, the defendant possessed a firearm or used another dangerous weapon, the prosecution shall allege such matter in the information or indictment."

Page 1, line 18, after "and" and before "had" insert "*during the commission of that crime he*".

Page 6, after line 6, add:

"Sec. 5. [REPEALER.] *Minnesota Statutes 1976, Section 609.11, Subdivision 2, is repealed.*".

Renumber the sections in order.

Further amend the title as follows:

Page 1, line 7, after "Sections" and before "609.135", insert "*609.11, Subdivision 1, and by adding a subdivision;*".

Page 1, line 9, after "Section" and before the period, insert "*; repealing Minnesota Statutes 1976, Section 609.11, Subdivision 2*".

The question was taken on the adoption of the amendment and the roll was called. There were 108 yeas and 12 nays as follows:

Those who voted in the affirmative were:

Abeln	Beauchamp	Casserly	Evans	Johnson
Adams	Begich	Cohen	Faricy	Jude
Albrecht	Berkelman	Corbid	Fjoslien	Kaley
Anderson, B.	Biersdorf	Dahl	Forsythe	Kalis
Anderson, D.	Birnsthil	Dean	Friedrich	Kelly, R.
Anderson, G.	Brandl	Den Ouden	Fudro	Kempe, A.
Anderson, I.	Brinkman	Eken	Hanson	Kempe, R.
Anderson, R.	Carlson, A.	Enebo	Heinitz	King
Arlandson	Carlson, D.	Erickson	Jacobs	Knickerbocker
Battaglia	Carlson, L.	Esau	Jensen	Kostohryz

Kroening	Munger	Pleasant	Sherwood	Voss
Kvam	Murphy	Prahl	Sieben, H.	Waldorf
Laidig	Neisen	Reding	Sieben, M.	Welch
Langseth	Nelsen, B.	Rose	Simoneau	Wenstrom
Lehto	Nelsen, M.	St. Onge	Smogard	Wenzel
Lemke	Nelson	Samuelson	Spanish	White
Mangan	Niehaus	Sarna	Stanton	Wieser
Mann	Novak	Savelkoul	Stoa	Williamson
McCarron	Osthoff	Scheid	Suss	Wynia
McDonald	Pehler	Schulz	Swanson	Zubay
McEachern	Peterson	Searle	Tomlinson	
Metzen	Petraieso	Searles	Vanasek	

Those who voted in the negative were:

Berglin	Fugina	Kahn	Rice	Speaker Sabo
Clark	Gunter	Moe	Skoglund	
Ellingson	Jaros	Norton		

The motion prevailed and the amendment was adopted.

Waldorf moved to amend H. F. No. 800, as amended, as follows:

Page 3, line 32, delete "*who*".

Page 4, line 2, delete everything after "*pistol*".

Page 4, delete lines 3, 4, and 5.

Page 4, line 6, delete "*Thereafter*".

The question was taken on the adoption of the amendment and the roll was called. There were 62 yeas and 55 nays as follows:

Those who voted in the affirmative were:

Abeln	Brinkman	Jacobs	Murphy	Schulz
Albrecht	Carlson, D.	Jensen	Neisen	Searle
Anderson, B.	Corbid	Johnson	Nelsen, B.	Sherwood
Anderson, D.	Dahl	Jude	Nelsen, M.	Smogard
Anderson, G.	Den Ouden	Kaley	Niehaus	Spanish
Anderson, I.	Eckstein	Kalis	Peterson	Swanson
Anderson, R.	Erickson	Kelly, R.	Pleasant	Waldorf
Battaglia	Esau	Kvam	Prahl	Wenzel
Begich	Evans	Langseth	Reding	Wieser
Berkelman	Fjoslien	Lemke	Rose	Zubay
Biersdorf	Friedrich	Mangan	St. Onge	
Birnstihl	Fugina	McCollar	Samuelson	
Braun	Gunter	McDonald	Scheid	

Those who voted in the negative were:

Adams	Carlson, A.	Cummiskey	Forsythe	Kempe, A.
Arlandson	Carlson, L.	Dean	George	Kempe, R.
Berg	Casserly	Ellingson	Hanson	King
Berglin	Clark	Enebo	Hokanson	Kroening
Brandl	Clawson	Ewald	Jaros	Laidig
Byrne	Cohen	Faricy	Kahn	Lehto

McCarron	Novak	Sieben, H.	Stoa	Wenstrom
Moe	Osthoff	Sieben, M.	Suss	White
Munger	Pehler	Simoneau	Tomlinson	Williamson
Nelson	Petrafaso	Skoglund	Vanasek	Wynia
Norton	Rice	Stanton	Voss	Speaker Sabo

The motion prevailed and the amendment was adopted.

Anderson, I., moved to amend H. F. No. 800, as amended, as follows:

Page 6, after line 6, insert a new section to read:

"Sec. 4. Minnesota Statutes 1976, Section 624.714, is amended by adding a subdivision to read:

Subd. 14. [STATEWIDE PERMIT.] Notwithstanding section 624.717, a permit to carry issued pursuant to section 624.714 shall be valid statewide including within cities of the first class with more restrictive regulation of the carrying or possessing of pistols."

Further amend the title:

Page 1, line 6, after "penalties;" insert "providing for statewide validity of permits to carry;"

Page 1, line 8, after "subdivision;" insert "amending Minnesota Statutes 1976, Section 624.714, by adding a subdivision;"

The question was taken on the adoption of the amendment and the roll was called. There were 107 yeas and 10 nays as follows:

Those who voted in the affirmative were:

Abeln	Casserly	Hanson	Metzen	Sieben, H.
Adams	Clark	Heinitz	Munger	Sieben, M.
Albrecht	Clawson	Hokanson	Murphy	Smogard
Anderson, B.	Corbid	Jacobs	Neisen	Spanish
Anderson, D.	Dahl	Jensen	Nelsen, B.	Stanton
Anderson, G.	Dean	Johnson	Nelsen, M.	Stoa
Anderson, I.	Den Ouden	Jude	Niehaus	Suss
Anderson, R.	Eckstein	Kaley	Novak	Swanson
Arlandson	Eken	Kalis	Osthoff	Tomlinson
Battaglia	Ellingson	Kelly, R.	Pehler	Vanasek
Beauchamp	Enebo	King	Petrafaso	Voss
Begich	Erickson	Kroening	Pleasant	Waldorf
Berg	Esau	Kvam	Prahl	Wenstrom
Berkelman	Evans	Laidig	Reding	Wenzel
Biersdorf	Ewald	Langseth	Rose	White
Birnsthil	Farcy	Lemke	St. Onge	Wieser
Brandl	Fjoslien	Mangan	Sarna	Wynia
Braun	Forsythe	Mann	Savelkoul	Zubay
Byrne	Fudro	McCarron	Scheid	Speaker Sabo
Carlson, A.	Fugina	McCollar	Schulz	
Carlson, D.	George	McDonald	Searles	
Carlson, L.	Gunter	McEachern	Sherwood	

Those who voted in the negative were:

Berglin	Kahn	Kempe, R.	Norton	Skoglund
Jaros	Kempe, A.	Moe	Rice	Williamson

The motion prevailed and the amendment was adopted.

Fjoslien moved to amend H. F. No. 800, as amended, as follows:

Page 4, line 16, after "transfers" insert "to individuals who have not been denied the right to carry a pistol under Minnesota Statutes 1976, Section 624.713 and transfers".

The question was taken on the adoption of the amendment and the roll was called. There were 55 yeas and 65 nays as follows:

Those who voted in the affirmative were:

Albrecht	Carlson, D.	Gunter	McDonald	Samuelson
Anderson, D.	Clawson	Heinitz	Murphy	Savelkoul
Anderson, G.	Dahl	Jensen	Nelsen, B.	Schulz
Anderson, I.	Den Ouden	Johnson	Nelsen, M.	Searle
Anderson, R.	Eckstein	Kaley	Niehau	Sherwood
Battaglia	Eken	Kalis	Peterson	Smogard
Begich	Erickson	Kvam	Pleasant	Spanish
Biersdorf	Esau	Lemke	Prahl	Wenstrom
Birnstihl	Evans	Mangan	Reding	Wenzel
Braun	Fjoslien	Mann	Rose	Wieser
Brinkman	Fugina	McCollar	St. Onge	Zubay

Those who voted in the negative were:

Abeln	Corbid	Jaros	Munger	Skoglund
Adams	Cummiskey	Jude	Nelson	Stanton
Arlandson	Dean	Kahn	Norton	Suss
Berg	Ellingson	Kelly, R.	Novak	Swanson
Berglin	Enebo	Kempe, A.	Osthoff	Tomlinson
Berkelman	Farcy	Kempe, R.	Pehler	Vanasek
Brandl	Forsythe	King	Petrafeso	Voss
Byrne	Fudro	Kroening	Rice	Waldorf
Carlson, A.	George	Laidig	Sarna	Welch
Carlson, L.	Hanson	Lehto	Scheid	White
Casserly	Hangerud	McCarron	Sieben, H.	Williamson
Clark	Hokanson	Metzen	Sieben, M.	Wynia
Cohen	Jacobs	Moe	Simoneau	Speaker Sabo

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

Hokanson moved to amend H. F. No. 800, as amended, as follows:

Page 5, line 19, delete "The matter shall be heard de novo without a jury."

The question was taken on the adoption of the amendment and the roll was called. There were 80 yeas and 27 nays as follows:

Those who voted in the affirmative were:

Abeln	Carlson, L.	Gunter	Mangan	Scheid
Albrecht	Clawson	Hanson	Mann	Schulz
Anderson, B.	Cohen	Heinitz	McCollar	Searles
Anderson, D.	Corbid	Hokanson	McDonald	Sherwood
Anderson, G.	Cummiskey	Jacobs	Metzen	Smogard
Anderson, I.	Den Ouden	Jensen	Murphy	Spanish
Anderson, R.	Eckstein	Johnson	Neisen	Stoa
Battaglia	Eken	Jude	Nelsen, B.	Swanson
Beauchamp	Erickson	Kalis	Nelsen, M.	Vanasek
Begich	Esau	Kelly, R.	Niehaus	Waldorf
Biersdorf	Evans	Kempe, A.	Pehler	Welch
Birnstihl	Faricy	Kempe, R.	Peterson	Wenstrom
Brandl	Fjoslien	King	Pleasant	Wenzel
Braun	Forsythe	Kostohryz	Prahl	Wieser
Byrne	Fudro	Langseth	Rose	Wynia
Carlson, D.	Fugina	Lemke	Savelkoul	Zubay

Those who voted in the negative were:

Arlandson	Ellingson	McCarron	Searle	Voss
Berglin	Enebo	Moe	Sieben, H.	Williamson
Berkelman	George	Munger	Sieben, M.	Speaker Sabo
Carlson, A.	Jaros	Nelson	Simoneau	
Clark	Laidig	Novak	Skoglund	
Dean	Lehto	Petraleso	Tomlinson	

The motion prevailed and the amendment was adopted.

The question was taken on the motion to recommend passage of H. F. No. 800, as amended, and the roll was called. There were 64 yeas and 63 nays as follows:

Those who voted in the affirmative were:

Abeln	Cohen	Jaros	Munger	Stoa
Adams	Cummiskey	Jude	Nelson	Suss
Arlandson	Dean	Kahn	Norton	Swanson
Beauchamp	Ellingson	Kelly, R.	Novak	Tomlinson
Berg	Enebo	Kempe, A.	Osthoff	Vanasek
Berglin	Ewald	Kempe, R.	Petraleso	Voss
Berkelman	Faricy	King	Scheid	Waldorf
Brandl	Forsythe	Knickerbocker	Searles	Welch
Byrne	George	Kostohryz	Sieben, H.	White
Carlson, A.	Hanson	Laidig	Sieben, M.	Williamson
Carlson, L.	Haugerud	Lehto	Simoneau	Wynia
Cassery	Hokanson	McCarron	Skoglund	Speaker Sabo
Clark	Jacobs	Moe	Stanton	

Those who voted in the negative were:

Albrecht	Anderson, I.	Biersdorf	Carlson, D.	Den Ouden
Anderson, B.	Anderson, R.	Birnstihl	Clawson	Eckstein
Anderson, D.	Battaglia	Braun	Corbid	Eken
Anderson, G.	Begich	Brinkman	Dahl	Erickson

Esau	Kaley	Murphy	Prahl	Sherwood
Evans	Kalis	Neisen	Reding	Smogard
Fjoslien	Kvam	Nelsen, B.	Rose	Spanish
Fudro	Langseth	Nelsen, M.	St. Onge	Wenstrom
Fugina	Lemke	Niehaus	Samuelson	Wenzel
Gunter	Mangan	Patton	Sarna	Wieser
Heinitz	Mann	Pehler	Savelkoul	Zubay
Jensen	McEachern	Peterson	Schulz	
Johnson	Metzen	Pleasant	Searle	

The motion prevailed.

MOTIONS AND RESOLUTIONS

Sieben, M., moved that the name of Novak be added as an author on H. F. No. 157. The motion prevailed.

Wenzel moved that the names of Mann, Kempe, R., and Lemke be added as authors on H. F. No. 1386. The motion prevailed.

Ewald moved that his name be stricken as an author on H. F. No. 1412. The motion prevailed.

Wynia moved that the name of Ewald be added as an author on H. F. No. 1015. The motion prevailed.

Carlson, A., moved that the name of Berglin be stricken and the name of Nelson be added as an author on H. F. No. 652. The motion prevailed.

Kostohryz moved that the names of Kostohryz, Stanton and Knickerbocker be stricken and the name of Cummiskey be added as chief author on H. F. No. 395. The motion prevailed.

ANNOUNCEMENT BY THE SPEAKER

The Speaker announced the appointment of the following members of the House to the Conference Committee on S. F. No. 226: Faricy, Enebo, and Zubay.

ADJOURNMENT

Anderson, I., moved that the House adjourn. The motion prevailed, and the Speaker declared the House stands adjourned until 2:00 p.m., Thursday, April 21, 1977.

EDWARD A. BURDICK, Chief Clerk, House of Representatives

STATE OF MINNESOTA

SEVENTIETH SESSION—1977

THIRTY-EIGHTH DAY

SAINT PAUL, MINNESOTA, THURSDAY, APRIL 21, 1977

The House of Representatives convened at 2:00 p.m. and was called to order by the Speaker.

Prayer was offered by the Chaplain.

The roll was called and the following members were present:

Abeln	Cohen	Jaros	Moe	Searles
Adams	Corbid	Jensen	Munger	Sherwood
Albrecht	Cummiskey	Johnson	Murphy	Sieben, H.
Anderson, B.	Dahl	Jude	Neisen	Sieben, M.
Anderson, D.	Dean	Kahn	Nelsen, B.	Simoneau
Anderson, G.	Den Ouden	Kaley	Nelsen, M.	Skoglund
Anderson, I.	Eckstein	Kalis	Nelson	Smogard
Anderson, R.	Eken	Kelly, R.	Niehaus	Spanish
Arlandson	Ellingson	Kelly, W.	Norton	Stanton
Battaglia	Enebo	Kempe, A.	Novak	Stoa
Beauchamp	Erickson	Kempe, R.	Osthoff	Suss
Begich	Esau	King	Patton	Swanson
Berg	Evans	Knickerbocker	Pehler	Tomlinson
Berglin	Ewald	Kostohryz	Peterson	Vanasek
Berkelman	Faricy	Kroening	Petraieso	Voss
Biersdorf	Fjoslien	Kvam	Pleasant	Waldorf
Birnstihl	Forsythe	Laidig	Prahl	Welch
Brandl	Friedrich	Langseth	Reding	Wenstrom
Braun	Fudro	Lehto	Rice	Wenzel
Brinkman	Fugina	Lemke	Rose	White
Byrne	George	Mangan	St. Onge	Wieser
Carlson, A.	Gunter	Mann	Samuelson	Wigley
Carlson, D.	Hanson	McCarron	Sarna	Williamson
Carlson, L.	Haugerud	McCollar	Savelkoul	Wynia
Casserly	Heinitz	McDonald	Scheid	Zubay
Clark	Hokanson	McEachern	Schulz	Speaker Sabo
Clawson	Jacobs	Metzen	Searle	

A quorum was present.

The Chief Clerk proceeded to read the Journal of the preceding day. Esau moved that further reading of the Journal be dispensed with and that the Journal be approved as corrected by the Chief Clerk. The motion prevailed.

REPORTS OF CHIEF CLERK

Pursuant to Rules of the House, printed copies of H. F. Nos. 921, 1428, 1275, 644, 1095, 1113, 1114, 1322, 809, 1129, 1421, 679, 461, 651, 862, 938, 937, 916, 103, 981, 1208, 552, 585 and 800 and S. F. No. 99 have been placed in the members' files.

PETITIONS AND COMMUNICATIONS

The following communications were received:

STATE OF MINNESOTA
OFFICE OF THE GOVERNOR
ST. PAUL 55155

April 20, 1977

The Honorable Martin Sabo
Speaker of the House
State of Minnesota

Dear Speaker Sabo:

I have the honor to inform you that I received, approved, signed and deposited in the Office of the Secretary of State the following House Files:

H. F. No. 235, An act relating to agriculture; soybean research and promotion council; powers of the commissioner of agriculture and the council.

H. F. No. 262, An act relating to veterans; commissioner of veterans affairs; changing residency requirements for the commissioner.

H. F. No. 291, An act relating to education; school districts; joint powers; authorizing joint boards to acquire certain property for data processing.

H. F. No. 558, An act relating to snowmobiles; providing for operation on certain highways.

Sincerely,

RUDY PERPICH
Governor

STATE OF MINNESOTA
OFFICE OF THE SECRETARY OF STATE
ST. PAUL 55155

April 21, 1977

The Honorable Martin O. Sabo
Speaker of the House of Representatives
The Honorable Edward J. Gearty
President of the Senate

I have the honor to inform you that the following enrolled Acts of the 1977 Session of the State Legislature have been received from the Office of the Governor and are deposited in the Office of the Secretary of State for preservation, pursuant to the State Constitution, Article IV, Section 23:

<i>S.F. No.</i>	<i>H.F. No.</i>	<i>Session Laws Chapter No.</i>	<i>Date Approved 1977</i>	<i>Date Filed 1977</i>
22		26	April 20	April 21
401		27	April 20	April 21
	235	28	April 20	April 21
	262	29	April 20	April 21
	291	30	April 20	April 21
	558	31	April 20	April 21

Sincerely,

JOAN ANDERSON GROWE
Secretary of State

REPORTS OF STANDING COMMITTEES

Mann from the Committee on Agriculture to which was referred:

H. F. No. 1386, A bill for an act relating to agriculture; clarifying certain terms; eliminating six months license provision; permitting license suspension; permitting waiver of the right to a hearing; clarifying weighing locations and weighing fees; amending Minnesota Statutes 1976, Sections 17A.03, Subdivisions 6 and 7; 17A.04, Subdivision 1, and by adding a subdivision; 17A.05, Subdivision 2; 17A.06, Subdivisions 2 and 3; 17A.10; and 17A.11.

Reported the same back with the following amendments :

Page 3, line 20, after the period insert "*The bond shall be limited to the protection of claimants whose residence or principal place of livestock business is in the state of Minnesota at the time of the transaction.*".

Page 3, lines 21 to 24, delete the new language.

Page 5, line 2, strike "alleged breach" and insert "*transaction*".

Page 6, line 20, strike "markets at which the".

Page 6, strike line 21.

Page 6, line 22, strike "250 or more; and" and insert "*facilities.*".

With the recommendation that when so amended the bill pass.

The report was adopted.

Mann from the Committee on Agriculture to which was referred:

H. F. No. 1443, A bill for an act relating to agriculture; food licensing; defining a custom processor and providing for a custom processing permit; amending Minnesota Statutes 1976, Sections 28A.03; 28A.04; and 28A.13.

Reported the same back with the following amendments :

Page 3, line 20, after "*who*" insert "*for a fee*".

Page 3, line 21, delete the comma and insert "*or*".

Page 3, line 22, delete "*, or game*".

Page 3, line 23, delete the comma and insert "*or*".

Page 3, line 23, delete "*or game*".

With the recommendation that when so amended the bill pass.

The report was adopted.

Norton from the Committee on Appropriations to which was referred:

S. F. No. 32, A bill for an act relating to shade tree disease control; authorizing grants for municipal shade tree removal and

reforestation programs; authorizing a shade tree disease control research program; appropriating money; amending Minnesota Statutes 1976, Sections 18.023, Subdivisions 1, 1a, 2, 3a, 4, 7, 8 and 11, and adding a subdivision; 116.07, Subdivision 4; and 275.50, by adding a subdivision; repealing Minnesota Statutes 1976, Section 18.023, Subdivision 6.

Reported the same back with the following amendments:

Strike everything after the enacting clause and insert the following:

"Section 1. Minnesota Statutes 1976, Section 18.023, Subdivision 1, is amended to read:

18.023 [SHADE TREE DISEASE CONTROL.] Subdivision 1. [DEFINITIONS.] As used in subdivisions 1 to 12 the terms defined in this subdivision shall have the meanings given them.

(a) "Metropolitan area" means the area comprising the counties of Hennepin, Ramsey, Anoka, Dakota, Washington, Scott and Carver.

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

(c) "Municipality" means any *home rule charter or statutory* city or any town exercising municipal powers pursuant to section 368.01, or any general or special law, located in the metropolitan area; or any special park district as organized under chapter 398(.) ; or any special purpose park (DISTRICT) *and recreation board* organized under the city charter of a city of the first class located in the metropolitan area(.) ; or any county in the metropolitan area for the purposes of county owned property or any portion of a county located outside the geographic boundaries of a city or town exercising municipal powers; and any municipality or county located outside the metropolitan area (WHICH MAKES REQUEST TO AND HAS CONSENT OF THE COMMISSIONER TO COME WITHIN THE PROVISIONS OF THIS SECTION) *with an approved disease control program.*

(d) "Shade tree disease" means Dutch elm disease or oak wilt disease.

(e) "Wood utilization or disposal system" means (A SYSTEM) *facilities, equipment or systems* used for the removal and disposal of diseased shade trees which includes the collection, transportation, processing or storage of wood and which aids in the recovery of materials or energy from wood.

((F) "SUBSIDY PROGRAM" MEANS A MUNICIPAL PROGRAM OF FINANCIAL ASSISTANCE TO PRIVATE PROPERTY OWNERS FOR THE REMOVAL OF DISEASED ELM AND OR OAK SHADE TREES.)

((G)) (f) "Approved disease control program" means the municipal plan as approved by the commissioner to control shade tree disease.

((H)) (g) "Disease control area" means an area approved by the commissioner within which a municipality will conduct (A SHADE TREE) an approved disease control program.

(h) "Sanitation" means the identification, inspection, disruption of a common root system, girdling, trimming, removal and disposal of dead or diseased wood of elm or oak shade trees, including subsidies for trees removed pursuant to subdivision 4, on public or private property within a disease control area.

(i) "Reforestation" means the replacement of shade trees removed from public property as part of an approved disease control program. For purposes of this clause, "public property" shall include private property within five feet of the boulevard or street terrace in any city which has enacted an ordinance on or before January 1, 1977, that prohibits or requires a permit for the planting of trees in the public right of way.

Sec. 2. Minnesota Statutes 1976, Section 18.023, Subdivision 1a, is amended to read:

Subd. 1a. [METROPOLITAN SHADE TREE DISEASE CONTROL PROGRAM; PURPOSE.] The legislature finds that an epidemic of Dutch elm disease and oak wilt disease is occurring in Minnesota which threatens the natural environment. Immediate action is therefore necessary to provide funds to assist local units of government in the implementation of shade tree disease control programs by *conducting sanitation and reforestation programs*, expanding diseased wood destruction programs, increasing public awareness of shade tree disease, accelerating training of tree inspectors and research for disease prevention and subsidizing private property owners for the removal of diseased elm and oak trees.

Sec. 3. Minnesota Statutes 1976, Section 18.023, Subdivision 2, is amended to read:

Subd. 2. [COMMISSIONER TO ADOPT RULES.] The commissioner shall adopt and (FROM TIME TO TIME) may amend(,) rules (AND REGULATIONS) relating to shade tree disease control in (THE METROPOLITAN AREA IN ACCORDANCE WITH SECTIONS 15.0411 to 15.0422) *any municipality, as defined in subdivision 1.* (SUCH) The rules (AND REGULATIONS) shall prescribe control measures to be used to prevent the spread of shade tree diseases and shall include the following: (a) A definition of shade tree, (b) qualifications for tree inspectors, (c) methods of identifying diseased shade trees, (d) procedures for giving reasonable notice of inspection of private real

property, (e) measures for the (TREATMENT AND) removal of any shade tree which may contribute to the spread of shade tree disease, and for reforestation of disease control areas, (f) approved methods of treatment of shade trees, (g) criteria for priority designation areas in an approved disease control program, and (h) (SUCH) any other matters (AS SHALL BE) determined (TO BE) necessary by the commissioner to prevent the spread of shade tree disease and enforce the provisions of this section. (IN ACCORDANCE WITH THE RULES AND REGULATIONS ADOPTED BY THE COMMISSIONER AND) After reasonable notice of inspection (HAVING BEEN GIVEN TO THE) an owner of the real property (, DISEASED SHADE TREES SHALL BE REMOVED OR TREATED BY THE OWNER OF THE REAL PROPERTY) on which (SUCH) a diseased shade (TREES ARE) tree is located shall remove or treat the tree within (A) the period of time (AS MAY BE) and in the manner established by the commissioner. (IN THE CASE OF THE EXPENSE OF REMOVING OR TREATING DISEASED SHADE TREES LOCATED ON STREET TERRACES OR BOULEVARDS, NOT MORE THAN 50 PERCENT OF SUCH EXPENSE MAY BE ASSESSED TO THE ABUTTING PROPERTIES BY THE MUNICIPALITY WHICH EXPENSE SHALL BECOME A LIEN ON THE PROPERTY. TREES WHICH ARE NOT REMOVED OR TREATED SHALL BE DECLARED A PUBLIC NUISANCE AND REMOVED BY THE MUNICIPALITY WHICH MAY ASSESS THE TOTAL EXPENSE OR ANY PART THEREOF TO THE PROPERTY WHICH EXPENSE SHALL BECOME A LIEN ON THE PROPERTY.) *Diseased shade trees which are not removed or treated in compliance with the commissioner's rules shall be declared a public nuisance and removed or treated by approved methods by the municipality which may assess the total expense, which shall be limited to the lowest contract rates available, provided said rates include wage levels which meet Minnesota minimum wage standards, or any part thereof to the property and the expense shall become a lien on the property. A municipality may assess not more than 50 percent of the expense of treating with an approved method or removing diseased shade trees located on street terraces or boulevards to the abutting properties and the assessment shall become a lien on the property.*

Sec. 4. Minnesota Statutes 1976, Section 18.023, Subdivision 3a, is amended to read:

Subd. 3a. [GRANTS TO MUNICIPALITIES.] (a) The commissioner may, in the name of the state and within the limit of appropriations provided, make grants-in-aid to a municipality with an approved (SHADE TREE) disease control program for the partial funding of municipal (SUBSIDY PROGRAMS FOR THE REMOVAL OF DISEASED SHADE TREES BY OWNERS OF RESIDENTIAL PROPERTY PURSUANT TO SUBDIVISION 4) *sanitation and reforestation programs.* The commissioner may make grants-in-aid to any (CITY OF MORE THAN 80,000 POPULATION OR ANY SPECIAL PURPOSE

PARK DISTRICT ORGANIZED UNDER THE CHARTER OF A CITY OF THE FIRST CLASS OR ANY NON-PROFIT CORPORATION SERVING A CITY OF THE FIRST CLASS OR ANY COUNTY HAVING A DISEASE CONTROL PROGRAM APPROVED BY THE COMMISSIONER) *home rule charter or statutory city of more than 40,000 population or any special purpose park and recreation board organized under a charter of a city of the first class or any non-profit corporation serving a city of the first class or any county having an approved disease control program for the acquisition or implementation of a wood utilization or disposal (FACILITIES OR EQUIPMENT OR THE IMPLEMENTATION OF WOOD UTILIZATION OR DISPOSAL SYSTEMS) system.*

(b) The commissioner shall promulgate rules for the administration of grants authorized by this subdivision. The rules shall establish and contain as a minimum:

- (1) Procedures for grant applications;
- (2) Conditions and procedures for the administration of grants;
- (3) Criteria of eligibility for grants including, but not limited to, those specified in this subdivision; and
- (4) Such other matters as the commissioner may find necessary to the proper administration of the grant program.

(c) Grants-in-aid payments for wood utilization and disposal (FACILITIES, EQUIPMENT AND) systems (AND GRANTS FOR PUBLIC SUBSIDY PROGRAMS) made by the commissioner pursuant to this subdivision shall not exceed 50 percent of the total cost of the (FACILITY EQUIPMENT OR) system (OR MUNICIPAL SUBSIDY PROGRAM, OR BOTH). *Grants to any municipality for sanitation shall not exceed 45 percent of sanitation costs approved by the commissioner. The municipal share of sanitation costs may include in kind contributions at the option of the municipality. Grants to municipalities for reforestation shall not exceed the lesser of 50 percent of the cost or \$40 multiplied by the number of trees planted pursuant to the reforestation program and shall be limited to the planting of trees on public property; provided that notwithstanding any other limitation a reforestation grant to any home rule charter or statutory city or town of not more than 1,000 population according to the 1970 census may include up to 90 percent of the cost of the first 50 trees planted on public property as replacement trees. For the purposes of this subdivision, "cost" shall include any amount assessed as a special assessment, but shall not include the value of a gift or dedication of trees required by a municipal ordinance.*

(d) *Based upon estimates submitted by the municipality to the commissioner, which shall state the estimated costs of sani-*

tation and reforestation in the succeeding quarter under an approved program, the commissioner shall direct quarterly advance payments to be made by the state to the municipality commencing March 1, 1977. The commissioner shall direct adjustment of any overestimate in a succeeding quarter. A municipality may elect to receive the proceeds of its sanitation and reforestation grants on a periodic cost reimbursement basis.

((D)) (e) A (MUNICIPALITY) city, or county outside the metropolitan area or any municipality, as defined in subdivision 1, (WHICH HAS RECEIVED THE CONSENT OF THE COMMISSIONER TO COME WITHIN THE PROVISIONS OF LAWS 1975, CHAPTER 253 MAY RECEIVE GRANTS AUTHORIZED BY THIS SUBDIVISION, AND) may submit an application for a grant authorized by this subdivision concurrently with its request for (INCLUSION) approval of a disease control program.

Sec. 5. Minnesota Statutes 1976, Section 18.023, Subdivision 4, is amended to read:

Subd. 4. [SUBSIDIES TO PRIVATE PROPERTY OWNERS.] **((A)) A municipality may provide subsidies to owners of private residential property (OWNERS) and to nonprofit cemeteries, however organized, for the approved treatment or removal of diseased shade trees (PROVIDED, HOWEVER, THAT THE COST TO THE MUNICIPALITY FOR PROVIDING SUCH SUBSIDIES SHALL BE WITHIN THE LIMITATIONS SET FORTH IN SECTIONS 275.50 TO 275.56).**

((B)) Notwithstanding any law to the contrary, an owner of property on which shade trees are located may contract with a municipality to provide protection against the cost of approved treatment or removal of diseased shade trees or shade trees that will contribute to the spread of shade tree diseases. Under such contracts, the municipality shall pay for the removal or approved treatment under such terms and conditions as may be determined by the governing body of the municipality.

Sec. 6. Minnesota Statutes 1976, Section 18.023, Subdivision 7, is amended to read:

Subd. 7. [FINANCING.] **(a) A municipality may collect the amount assessed against the property under subdivision 2 as a special assessment and may issue obligations as provided in section 429.101, subdivision 1, provided that a municipality as its option make any assessment levied payable with interest in installments not to exceed five years from the date of the assessment.**

(b) After a contract for the (REMOVAL OR) sanitation or approved treatment of trees on private property has been let, or the work commenced, the municipality may issue obligations

to defray the expense of any such work financed by special assessments imposed upon private property. Section 429.091 shall apply to such obligations with the following modifications:

(1) Such obligations shall be payable not more than five years from the date of issuance; and

(2) No election shall be required.

Obligations issued under the provisions of this clause shall not be considered bonded indebtedness for the purposes of section 273.13, subdivisions 6 and 7. The certificates shall not be included in the net debt of the issuing municipality.

Sec. 7. Minnesota Statutes 1976, Section 18.023, Subdivision 8, is amended to read:

Subd. 8. [DEPOSIT OF PROCEEDS IN SEPARATE FUND.] The proceeds of any tax levied, assessments and interest collected, or any *bonds or certificates of indebtedness issued under (SUBDIVISIONS 6 AND) subdivision 7 and section 10 of this act, and any grants received under subdivision 3a,* shall be deposited in the municipal treasury in a separate fund and expended only for the purposes authorized by this section.

Sec. 8. Minnesota Statutes 1976, Section 18.023, is amended by adding a subdivision to read:

Subd. 10a. The commissioner may establish experimental programs for sanitation or treatment of shade tree diseases. The commissioner may make grants to municipalities, or enter into contracts with municipal, state or federal agencies in connection with experimental shade tree programs including research to assist municipalities in establishing priority designation areas in an approved disease control program.

Sec. 9. Minnesota Statutes 1976, Section 18.023, Subdivision 11, is amended to read:

Subd. 11. [REPORT TO THE LEGISLATURE.] On or before January 31 of each (SUCCEEDING) year, the commissioner shall report to the legislature on the preceding year's (PLANS AND) *approved disease control programs (WHICH HAVE BEEN IMPLEMENTED FOR SHADE TREE DISEASES IN THE METROPOLITAN AREA) and any experimental programs conducted pursuant to subdivision 10a.*

Sec. 10. Minnesota Statutes 1976, Section 275.50, is amended by adding a subdivision to read:

Subd. 6. The cost to a governmental unit of implementing section 18.023, including sanitation, as defined in section 18.023,

subdivision 1, clause (h), but not including reforestation as defined in section 18.023, subdivision 1, clause (i), is a special levy and is not subject to tax levy limitations including those contained in sections 275.50 to 275.56 and in Laws 1969, Chapter 593, as amended by Laws 1974, Chapter 108, commencing with the levy made in 1976, payable in 1977. A governmental subdivision may make a supplementary levy in 1977, payable in 1978, for all costs of implementing section 18.023 incurred in calendar year 1977 for which a levy was not made in 1976, payable in 1977. For the purpose of calculating the tax levy limit base under section 275.51, for levy year 1977, taxes payable in 1978, there shall be subtracted from the levy limit base of any governmental subdivision an amount equal to 112 percent of the amount levied under section 18.023 in levy year 1974, taxes payable 1975, and included in the levy limit base of the governmental subdivision as a result of Laws 1975, Chapter 437.

Sec. 11. Notwithstanding any other law to the contrary, the procedures and rules set forth in the order of the commissioner of agriculture dated and, filed with the secretary of state, by and given a document number by the secretary of state, shall be valid and enforceable rules of the commissioner of agriculture for purposes of Minnesota Statutes, Sections 15.0411 to 15.0422, without further act or deed of the commissioner, with respect to grants to municipalities for reforestation and sanitation during the period between the day following final enactment of this act and either September 1, 1977, or the effective date of the amended rules to be promulgated pursuant to section 3 of this act, whichever occurs first.

Sec. 12. The commissioner may employ and prescribe the duties of permanent or temporary employees in the unclassified service as may be necessary to administer the provisions of section 18.023, subject to appropriation.

Sec. 13. [APPROPRIATIONS.] Subdivision 1. There is appropriated from the general fund to the commissioner of agriculture the following amounts for the following purposes, for the period from January 1, 1977 to December 31, 1979. The sum of \$27,320,000 shall be available for expenditure from January 1, 1977 to December 31, 1979 and \$6,830,000 shall be available for expenditure from July 1, 1979 to December 31, 1979:

(a) For grants for sanitation programs pursuant to Minnesota Statutes, Section 18.023, Subdivision 3a, \$24,687,500

(b) For grants for reforestation programs pursuant to Minnesota Statutes, Section 18.023, Subdivision 3a, \$ 7,312,500

(c) For grants-in-aid for wood utilization and disposal systems pursuant to Minnesota Statutes, Section 18.023, Subdivision 3a,	\$ 700,000
(d) For public information,	\$ 250,000
(e) For experimental programs pursuant to Minnesota Statutes, Section 18.023, Subdivision 10a,	\$ 600,000
(f) For administration	\$ 300,000

Subd. 2. There is appropriated from the general fund to the university of Minnesota the following amounts for the following purposes, for the period from January 1, 1977, to June 30, 1979:

(a) For research by the agricultural experimental station, pursuant to Minnesota Statutes, Section 18.023, Subdivision 10,	\$ 120,000
(b) For continuing education and training by the agricultural extension service, pursuant to Minnesota Statutes, Section 18.023, Subdivision 10,	\$ 300,000

Subd. 3. The department of natural resources shall be responsible for the expenses of sanitation of diseased shade trees on lands which the commissioner administers within 1,000 feet of any municipality with an approved disease control program and within camp sites, picnic areas, waysides and parking areas.

Subd. 4. The appropriations in this section shall expire December 31, 1979, notwithstanding section 16A.28 or other law.

Sec. 14. [REPEALER.] Minnesota Statutes 1976, Section 18.023, Subdivision 6, is repealed.

Sec. 15. [EFFECTIVE DATE.] This act is effective January 1, 1977."

Further amend the title as follows:

Line 8, delete "116.07,".

Line 9, delete "Subdivision 4;".

With the recommendation that when so amended the bill pass.

The report was adopted.

Hanson from the Committee on Commerce and Economic Development to which was referred:

H. F. No. 721, A bill for an act relating to public utilities; allowing the public service commission to determine how rates should be spread among different classes of customers; amending Minnesota Statutes 1976, Chapters 216B and 237, by adding sections.

Reported the same back with the following amendments:

Page 1, line 23, after "service," insert "*the need to encourage energy conservation.*"

Page 2, line 11, delete "*absent a showing that it has no rational basis*" and insert "*unless shown to be in excess of statutory authority or resulting in unjust, unreasonable or discriminatory rates by clear and convincing evidence*".

Page 3, line 5, delete "*rational*" and insert "*reasonable*".

With the recommendation that when so amended the bill pass.

The report was adopted.

Hanson from the Committee on Commerce and Economic Development to which was referred:

H. F. No. 1015, A bill for an act relating to human rights; clarifying the scope of sex discrimination; providing for an appeal by the commissioner; providing for a civil action without filing with the department; amending Minnesota Statutes 1976, Sections 363.01, by adding a subdivision; 363.05, Subdivision 1; 363.072, Subdivision 1; and 363.14, by adding a subdivision.

Reported the same back with the following amendments:

Page 1, line 14, after "(SEX.)", delete the remainder of the line.

Page 1, delete lines 15 to 19.

Page 1, line 20, delete "*inability to work*" and insert "*“Sex” includes, but is not limited to, pregnancy, childbirth, and disabilities related to pregnancy or childbirth. Women affected by pregnancy, childbirth, or disabilities related to pregnancy or childbirth shall be treated the same for all employment-related purposes, including receipt of benefits under fringe benefit programs, as other persons not so affected but similar in their ability or inability to work*".

Page 1, after line 20, add a new section to read:

"Sec. 2. Minnesota Statutes 1976, Section 363.02, Subdivision 1, is amended to read:

363.02 [EXEMPTIONS.] Subdivision 1. [Employment.]
The provisions of section 363.03, subdivision 1, shall not apply to:

- (1) The employment of any individual
 - (a) by his parent, grandparent, spouse, child, or grandchild, or
 - (b) in the domestic service of any person.
- (2) A religious or fraternal corporation, association, or society, with respect to qualifications based on religion, when religion shall be a bona fide occupational qualification for employment.
- (3) The employment of one person in place of another, standing by itself, shall not be evidence of an unfair discriminatory practice.

It is not an unfair employment practice for an employer, employment agency or labor organization:

- (i) to require a person to undergo physical examination for purpose of determining the person's capability to perform available employment; (OR)
- (ii) to conduct an investigation as to the person's medical history for the purpose of determining the person's capability to perform available employment; or
- (iii) *to provide special safety considerations for pregnant women involved in tasks which are potentially hazardous to the health of the unborn child, as determined by medical criteria."*

Renumber the remaining sections in sequence.

Page 2, line 12, reinstate the stricken "serve the needs of Indians".

Page 2, line 14, before "*fulfill*" insert "*, assist women and*".

Page 4, lines 24 to 28 restore the stricken language.

Page 4, lines 28 and 29, delete "*for programs created pursuant to clause (2)*".

Page 5, line 1, delete "*, the respondent,*".

Page 5, line 12, after "*district*" insert "*, county or municipal*".

Page 5, line 15, delete "*his principle*" and insert "*a principal*".

Further amend the title as follows:

Page 1, line 7, after "subdivision;" insert "363.02, Subdivision 1;"

With the recommendation that when so amended the bill pass.

The report was adopted.

Moe from the Committee on Criminal Justice to which was referred:

H. F. No. 287, A bill for an act relating to obscenity; prohibiting the showing of obscene motion pictures at drive-in theatres; providing for a hearing in the courts to determine if a motion picture is obscene; prescribing penalties.

Reported the same back with the following amendments:

Page 1, line 20, delete "or excretory" and ", as defined in this section".

Page 2, line 7, delete ", or".

Page 2, delete lines 8 to 28 and insert a period.

Page 2, after line 28, insert:

"Subd. 4. "Sexual conduct" means any of the following depicted sexual conduct:

(a) Sadoomasochistic abuse, meaning flagellation or torture by or upon a person who is nude, or clad in undergarments, a mask or bizarre costume, or the condition of being bound, fettered, or otherwise physically restrained on the part of one who is so clothed as an act of sexual stimulation or gratification;

(b) Human defecation or urination;

(c) The condition of human male or female genitals, or the breasts of the female when in a state of sexual stimulation, or the sensual experience of humans in engaging in or witnessing sexual conduct or nudity; or

(d) Human masturbation, sexual intercourse or sodomy, actual or simulated, or any touching of the genitals, pubic areas or buttocks of a human being, whether alone or between members of the same or opposite sex or between humans or animals in an act of apparent sexual stimulation or gratification."

Page 2, line 31, delete "if it reveals".

Page 2, delete line 32.

Page 3, delete lines 1 to 3.

Page 3, delete line 4 to the period.

With the recommendation that when so amended the bill pass.

The report was adopted.

Moe from the Committee on Criminal Justice to which was referred:

H. F. No. 343, A bill for an act relating to obscenity; prohibiting the dissemination of obscene photographs or other similar visual representations which depict minors involved in scenes of patently offensive sexual conduct; prescribing penalties; amending Minnesota Statutes 1976, Chapter 617, by adding a section.

Reported the same back with the following amendments:

Page 1, line 19, after "*picture*" insert "*, film*".

Page 1, line 21, after "*sex*" insert "*of the average person or pedophiles*".

Page 2, line 5, after "*interest*" insert "*in sex or that the work taken as a whole appeals to the prurient interest in sex of pedophiles*".

Page 2, line 21, after "*clothed*" insert "*as an act of sexual stimulation or gratification*".

Page 2, delete line 32.

Page 3, delete lines 1 to 5.

Page 3, line 9, after "*work*" insert "*or who knowingly owns or operates a store which disseminates an obscene work as defined herein*".

With the recommendation that when so amended the bill pass.

The report was adopted.

Moe from the Committee on Criminal Justice to which was referred:

H. F. No. 801, A bill for an act relating to crimes; specifying certain acts which constitute theft in relation to cable television services and systems; providing penalties; amending Minnesota Statutes 1976, Section 609.52, Subdivision 2.

Reported the same back with the following amendments:

Page 5, line 3, delete "(a)".

Page 5, line 11, delete "; or" and insert a period.

Page 5, after line 11, insert a section to read:

"Sec. 2. Minnesota Statutes 1976, Chapter 609, is amended by adding a section to read:

[609.80] [INTERFERING WITH CABLE COMMUNICATIONS SYSTEMS.] *Whoever does the following is guilty of a misdemeanor:"*.

Page 5, line 12, delete "(b)".

Page 5, line 15, delete "or advertises".

Page 5, line 16, after "equipment" delete the comma and insert "or" and delete "or plan,".

Page 5, line 17, delete "specification or instruction".

Page 5, line 18, delete "; or".

Page 5, delete lines 19 to 24 and insert a period.

Further amend the title:

Page 1, line 6, after "2" insert "; and Chapter 609, by adding a section".

With the recommendation that when so amended the bill pass.

The report was adopted.

Johnson from the Committee on Education to which was referred:

H. F. No. 550, A bill for an act relating to education; school districts; revising financing systems and accounting procedures for certain district funds; amending Minnesota Statutes 1976, Sections 121.902; 121.914, Subdivisions 1, 2, 3 and 4; 121.917, Subdivision 1; 123.335, Subdivision 2; 123.71, Subdivisions 1 and 2; 275.125, Subdivision 8; and 475.61, Subdivision 4.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

“ARTICLE I

FOUNDATION AID PROGRAM

Section 1. Minnesota Statutes 1976, Section 124.11, is amended to read:

124.11 [DATES OF AID PAYMENTS.] Except as may be otherwise authorized by the commissioner to accommodate a flexible school year program, ten percent of the estimated elementary and secondary foundation aids shall be paid to districts *based upon information available* in (EACH OF) the months (FROM SEPTEMBER THROUGH MAY BASED UPON INFORMATION AVAILABLE AND) of *August, September, November, December, January, February, March, April and May.* The final distribution shall be made in *October* of the following (AUGUST) *school year.* Estimated post-secondary vocational foundation aid shall be paid to districts in 12 equal monthly payments beginning July 15, 1976. The estimated post-secondary vocational foundation aid shall be paid on the basis of the prior year's average daily membership except that the average daily membership and the payments based thereon may be adjusted in September, December, March and June to reflect any increases or decreases in enrollment. The September payment in each fiscal year shall be increased or decreased to reflect any deficit or excess in post-secondary vocational foundation aid received in the prior fiscal year. If any school district is unable to borrow necessary funds for the operation of its facilities during any fiscal year, due to legal borrowing restrictions or the lack of reasonable credit facilities, the commissioner of finance and state treasurer may, upon certification of such conditions by the commissioner of administration, advance such education aids as may be required to such district, with the condition that such aids be discounted by an amount equal to six percent or the current yield on U.S. treasury bills on the date of such payment to a maturity approximating the date on which aids are to be paid, whichever rate is higher, pursuant to the terms of this section. The amount of such discount shall be determined by the commissioner of finance, with the six percent discount or the "bid" price quoted on treasury bills of an appropriate maturity calculated after consultation with the staff of the state board of investment.

Estimated elementary and secondary foundation aids shall be paid out on the basis of the prior year's pupil unit enrollment unless the October 1 enrollment is larger, in which case the October enrollment shall be used. Adjustment for final elementary and secondary final pupil unit figures shall be made in the August payment of aids.

Sec. 2. Minnesota Statutes 1976, Section 124.14, Subdivision 1, is amended to read:

124.14 [DISTRIBUTION OF SCHOOL AIDS; APPROPRIATION.] Subdivision 1. The state board shall supervise distribution of the school aids in accordance with law. It may make rules and regulations consistent with law for such distribution which will enable districts to perform efficiently the services required by law and further education in the state, including reasonable requirements for such reports and accounts to it as will assure accurate and lawful apportionment of aids. It shall require that the *membership and pupil unit* count of a minimum of 25 school districts be audited each fiscal year. The audits shall be conducted at random throughout the state with no prior notice to any district. Disparities between *membership and pupil unit* counts reported by the school districts and those found by the auditors shall be reported to the commissioner who shall order an increase or reduction of foundation aids accordingly. A reduction of foundation aid under this section may be appealed to the state board of education and its decision shall be final. Public schools shall at all times be open to the inspection of the state board, and the accounts and records of any district are open to inspection by the state auditor, or the state board.

Sec. 3. Minnesota Statutes 1976, Section 124.17, Subdivision 1, is amended to read:

124.17 [DEFINITION OF PUPIL UNITS.] Subdivision 1. Pupil units for each resident pupil in average daily membership shall be counted as follows:

(1) In an elementary school, for kindergarten and for handicapped pre-kindergarten pupils as defined in section 120.03, and enrolled in one-half day sessions throughout the school year or the equivalent thereof, approved by the commissioner of education, one-half pupil unit and other elementary pupils, one pupil unit.

(2) In secondary schools, one and four-tenths pupil units. Pupils enrolled in the seventh and eighth grades of any school shall be counted as secondary pupils.

((3) IN AREA VOCATIONAL TECHNICAL SCHOOLS ONE AND ONE-HALF PUPIL UNITS. THIS CLAUSE SHALL EXPIRE JUNE 30, 1976.)

(4) To meet the problems of educational overburden caused by broken homes, poverty and low income, each pupil in clauses (1) and (2) from families receiving aid to families with dependent children or its successor program shall be counted as an additional five-tenths pupil unit. By (MAY) *March* 1 of each year the department of public welfare (IS DIRECTED TO FUR-

NISH) shall certify to the department of education, and to each school district to the extent the information pertains to it, that information concerning children from families with dependent children which is necessary to calculate pupil units, based on the number of these children on the roll of the school as of October 1. Additional aids to a district for such pupils may be distributed on a delayed basis until the department of education publicly certifies that the information needed for paying such aids is available on such a timely basis that such aids may be paid concurrently with other foundation aids.

(5) In every district where the number of pupils from families receiving aid to families with dependent children or its successor program exceeds five percent of the total actual pupil units in the district for the same year, as computed in clauses (1) and (2), each such pupil shall be counted as an additional one-tenth of a pupil unit for each percent of concentration over five percent of such pupils in the district. The percent of concentration shall be rounded down to the nearest whole percent for purposes of this clause, provided that in districts where the percent of concentration is less than six, no additional pupil units shall be counted under this clause for pupils from families receiving aid to dependent children or its successor program and provided further that no such pupil shall be counted as more than one and one-tenth additional pupil units pursuant to clauses (4) and (5). Such weighting shall be in addition to the weighting provided in clauses (1), (2), (3), and (4). School districts are encouraged to allocate a major portion of the aids that they receive on account of clauses (4) and (5) to primary grade programs and services, particularly to programs and services that involve participation of parents. Each district receiving aids on account of both clauses (4) and (5) shall establish and maintain accounts separate from all other district accounts for the receipt and disbursement of all such aids received.

(6) Where the total pupil units of a district are used as a multiplier in determining foundation aids and spending and levy limitations and where the actual number of pupil units has decreased from the prior year, the number of pupil units shall equal the greater of (a) the average of actual pupil units in the district for the two prior years and the current (YEARS IN A DISTRICT WITH BOUNDARIES COTERMINOUS WITH THE BOUNDARIES OF A CITY OF THE FIRST CLASS AND SHALL BE) year or (b) the number of actual pupil units for the current year increased by .6 times the difference between the actual pupil units for the (TWO YEARS IN ANY OTHER DISTRICT) prior year and the current year. Only pupil units as computed in clauses (1) and (2) shall be included for purposes of computations made pursuant to this clause.

(7) In districts maintaining classified secondary schools where the actual number of pupil units has increased from the prior year by two percent or more, the additional pupil units

over the prior year, as computed in clauses (1) and (2), shall be multiplied times one-tenth for each percent of increase over the prior year and a number of pupil units equal to the product shall be added to the other units for the district. The percent of increase shall be rounded up to the next whole percent for purposes of this clause, provided that in districts where the percent of increase is less than two, no additional pupil units shall be added to the other units for the district and provided further that the number of pupil units of increase over the prior year shall under no circumstances be multiplied by more than five-tenths.

(8) Only pupil units in clauses (1) and (2) shall be used in computing adjusted maintenance cost per pupil unit.

Sec. 4. Minnesota Statutes 1976, Section 124.17, Subdivision 2, is amended to read:

Subd. 2. Membership for pupils in grades kindergarten through twelve and for handicapped prekindergarten pupils shall mean the number of pupils on the current roll of the school, counted from the date of entry until withdrawal. The date of withdrawal shall mean the day the pupil permanently leaves the school or the date it is officially known that the pupil has left or has been legally excused; provided that any pupil, regardless of age, who has been absent from school without a legally justifiable excuse for 15 consecutive school days shall be dropped from the roll and classified as withdrawn. Nothing in Extra Session Laws 1971, Chapter 31, shall be construed as waiving the compulsory attendance provisions cited in section 120.10. Average daily membership shall equal the sum for all pupils of the number of days of the school year each pupil is enrolled in the district's schools divided by the number of days said schools are in session. For districts operating 12 months schools, days schools are in session shall mean the number of session days required by section 124.19, subdivision 1. (THE AVERAGE DAILY MEMBERSHIP OF A PUPIL ENROLLED ON A SHARED TIME BASIS SHALL EQUAL THE RATIO OF THE TOTAL MINUTES FOR WHICH SUCH PUPIL IS ENROLLED AND THE MINIMUM MINUTES REQUIRED DURING THE YEAR FOR A REGULARLY ENROLLED PUBLIC SCHOOL PUPIL. FOUNDATION AID FOR SHARED TIME PUPILS SHALL EQUAL THE AMOUNT WHICH WOULD ACCRUE IF SHARED TIME PUPIL UNITS, COUNTED PURSUANT TO SUBDIVISION 1, CLAUSES (1) AND (2), WERE ADDED TO THE DISTRICT'S TOTAL PUPIL UNITS USED IN DETERMINING ITS FOUNDATION AID. FOUNDATION AID FOR SHARED TIME PUPILS SHALL BE IN ADDITION TO ANY OTHER AID TO WHICH THE DISTRICT IS OTHERWISE ENTITLED AND SHARED TIME PUPIL UNITS SHALL NOT BE USED FOR ANY OTHER COMPUTATION UNDER SUBDIVISION 1 OR FOR ANY COMPUTATION UNDER SECTION 124.04. A DISTRICT SHALL NOT BE EN-

TITLED TO TRANSPORTATION AID UNDER SECTION 124.222 FOR PUPILS ENROLLED ON A SHARED TIME BASIS UNLESS THE STATUTES SPECIFICALLY PROVIDE FOR TRANSPORTATION AID TO SUCH STUDENT. THIS SUBDIVISION SHALL BE EFFECTIVE JULY 1, 1975 AS APPLIED TO SHARED TIME FOUNDATION AID AND JULY 1, 1976 AS APPLIED TO PUPILS IN AREA VOCATIONAL TECHNICAL SCHOOLS.)

Sec. 5. Minnesota Statutes 1976, Section 124.17, is amended by adding a subdivision to read:

Subd. 2b. Notwithstanding subdivision 2, pupils enrolled in the Minnesota National Guard program shall be construed to be in attendance for purposes of computing average daily membership during any period of the regular school year, but not to include summer school, during which the pupil is attending military active duty training pursuant to that program. During that period of military active duty training, the pupil shall earn all aid for the district of residence or attendance which would be otherwise earned by his presence.

Sec. 6. Minnesota Statutes 1976, Section 124.19, Subdivision 1, is amended to read:

124.19 [REQUIREMENTS FOR AID GENERALLY.] Subdivision 1. Every district which receives special state aid shall maintain school or provide instruction in other districts, in state university laboratory school or in the university laboratory school, at least a minimum term as defined by the state board. The normal school year when school is in session shall be not less than 175 days or their equivalent. A district which holds school for that period and is otherwise qualified is entitled to special state aid as by law provided. If school is held a less period such special state aid shall be reduced (IN THE PROPORTION THAT) *by the ratio that the difference between 175 days and the number of days school is held bears to 175 days (EFFECTIVE THE 1970-71 SCHOOL YEAR AND THEREAFTER), multiplied by 60 percent of the product of the district's foundation aid formula allowance times its pupil units for that year;* but districts maintaining less than the required minimum number of days of school in session do not lose special state aid if the circumstances causing such loss of school time below the required minimum number of days were beyond the control of the board and provided proper evidence has been submitted and a good faith attempt made to make up time lost on account of these circumstances; provided further, that days devoted to teachers' institutes or other meetings authorized or called by the commissioner may not be included as part of the required minimum number of days of school in session.

Sec. 7. Minnesota Statutes 1976, Section 124.20, is amended to read:

124.20. [EDUCATION; STATE AID; SUMMER SCHOOL AND FLEXIBLE SCHOOL YEAR CLASSES.] Foundation aid for (1) summer school classes which are not a part of the regular school term in hospitals, sanatoriums, and home instruction programs, (2) inter-session classes of flexible school year programs and summer school classes in elementary and secondary schools, and (3) summer school instruction in teachers college laboratory schools or in the university laboratory school, shall be paid at a proportionate rate for foundation aids paid for the preceding regular school year, provided that no district shall receive aid for programs under this section in an amount greater than its actual expenditures for these programs. (PAYMENTS OF AID FOR SUMMER CLASSES AT A PROPORTIONATE RATE TO FOUNDATION AID PURSUANT TO THIS SECTION IN 1972 AND PRECEDING YEARS ARE HEREBY SANCTIONED. THE PROVISION IN THIS SECTION FOR PAYMENT OF AID FOR SUMMER CLASSES AT A PROPORTIONATE RATE TO FOUNDATION AID FOR THE PRECEDING SCHOOL YEAR SHALL APPLY TO SUMMER CLASSES IN 1973 AND SUBSEQUENT YEARS.) *Beginning in the summer of 1978, no aid shall be paid pursuant to this section except for summer programs for handicapped children as provided in section 120.17, subdivision 5a.*

Sec. 8. Minnesota Statutes 1976, Section 124.212, Subdivision 1, is amended to read:

124.212 [FOUNDATION AID.] Subdivision 1. The foundation aid program for school districts for school years (1975-1976) 1977-1978 and (1976-1977) 1978-1979 shall be governed by the terms and provisions of this section.

Sec. 9. Minnesota Statutes 1976, Section 124.212, Subdivision 3a, is amended to read:

Subd. 3a. Notwithstanding any of the other provisions of this section, for the (1975-1976) 1977-1978 school year neither the sum nor the sum per pupil unit of the aggregate foundation aid earned by a district maintaining a classified secondary school and the amount raised by the maximum levy authorized by Minnesota Statutes (1974) 1976, Section 275.125, Subdivision 2a, Clause (2) and for the (1976-1977) 1978-1979 school year neither the sum nor the sum per pupil unit of the aggregate foundation aid earned by such district and the amount raised by the maximum levy authorized (FOR 1975) in 1977 by section 275.125, subdivision 2a, clause (1), shall be less than the sum or the sum per pupil unit respectively of the aggregate foundation aid earned for the 1972-1973 school year, any payments earned for 1972-1973 which but for the operation of Minnesota Statutes 1971, Section 124.212, Subdivision 3, would not have been earned, and the amount raised by the levy authorized by Minnesota Statutes 1971, Section 275.125, Subdivision 2, Clause (1). Aggregate foundation aid includes foundation aid for all

pupil units, except units computed in section 124.17, subdivision 1, clause (3). For purposes of this computation pupil units used as a divisor shall include only those units identified in section 124.17, subdivision 1, clauses (1) and (2).

Sec. 10. Minnesota Statutes 1976, Section 124.212, Subdivision 6b, is amended to read:

Subd. 6b. For the (1975-1976) *1977-1978* school year a district shall receive in foundation aid the lesser of (1) (\$900) *\$1,025* per pupil unit less (30) *29* mills times the (1973) *1975* adjusted assessed valuation of the district, or (2) the amount that bears the same relation to the difference in (1) as the sum of the greater sum computed pursuant to Minnesota Statutes (1974) *1976*, Section 124.212, Subdivision (7a) *7b*, Clause (2), and the greater of (a) (ONE-HALF) *five-sixths* of the difference that results when such greater sum is subtracted from (\$900) *\$1,025*, or (b) (\$75) *\$65*, bears to (\$900) *\$1,025*.

Sec. 11. Minnesota Statutes 1976, Section 124.212, Subdivision 7b, is amended to read:

Subd. 7b. For the (1976-1977) *1978-1979* school year a district shall receive in foundation aid (THE LESSER OF (1) \$960) *\$1,105* per pupil unit less 29 mills times the (1974) *1976* adjusted assessed valuation of the district, (OR (2) THE AMOUNT THAT BEARS THE SAME RELATION TO THE DIFFERENCE IN (1) AS THE SUM OF THE GREATER SUM COMPUTED PURSUANT TO SUBDIVISION 6B, CLAUSE (2), AND THE GREATER OF (A) TWO-THIRDS OF THE DIFFERENCE THAT RESULTS WHEN SUCH GREATER SUM IS SUBTRACTED FROM \$960, OR (B) \$60, BEARS TO \$960) *plus the amount of the agricultural tax credit by which 1977 payable 1978 property taxes in the district are reduced pursuant to section 273.132.*

Sec. 12. Minnesota Statutes 1976, Section 124.212, Subdivision 8a, is amended to read:

Subd. 8a. (1) Notwithstanding any provisions of any other law to the contrary, the adjusted assessed valuation used in calculating foundation aid shall include only that property which is currently taxable in the district. For districts which received payments under sections 124.215, subdivision 2a; 124.25; 124.28; 124.30; 473.633 and 473.635; the foundation aid shall be reduced by: The previous year's payment to the district pursuant to said sections times the ratio of the maximum levy allowed the district under section 275.125, subdivision 2a, to the total levy allowed by section 275.125, but not to exceed (45 PERCENT IN 1975-1976 AND) 50 percent (IN 1976-1977) of the previous year's payment.

(2) For districts which received payments under sections 294.21 to 294.28; 298.23 to 298.28; 298.32; 298.34 to 298.39; 298.391 to 298.396; 298.405; 298.51 to 298.67; any law imposing a tax upon severed mineral values, or under any other law distributing proceeds in lieu of ad valorem tax assessments on copper or nickel properties; the foundation aid shall be reduced in the (AUGUST) October adjustment payment or the next fiscal year's foundation aid payment, if necessary, by the previous fiscal year's payment to the district pursuant to said sections times the ratio of the maximum levy allowed the district under section 275.125, subdivision 2a, to the total levy allowed by section 275.125 for collection in the calendar year ending during the aforementioned fiscal year, but not to exceed (40 PERCENT IN THE AUGUST 1975 ADJUSTMENT, 45 PERCENT IN THE AUGUST 1976 ADJUSTMENT, AND) 50 percent in the (AUGUST) October 1977 adjustment, and 50 percent in each October adjustment thereafter, of the previous fiscal year's payment.

Sec. 13. Minnesota Statutes 1976, Section 124.212, is amended by adding a subdivision to read:

Subd. 9a. Shared time pupils are defined as those pupils who attend public schools for part of the regular school day and who otherwise fulfill the requirements of section 120.10 by attendance at a private school.

(a) The average daily membership of a pupil enrolled on a shared time basis shall equal the ratio of the total minutes for which the pupil is enrolled and the minimum minutes required during the year for a regularly enrolled public school pupil.

(b) Foundation aid for shared time pupils shall equal the amount which would accrue if shared time pupil units, counted pursuant to section 124.17, subdivision 1, clauses (1) and (2), were added to the district's total pupil units used in determining its foundation aid. Foundation aid for shared time pupils shall be in addition to any other aid to which the district is otherwise entitled and shared time average daily membership shall not be used in the computation of pupil units under section 124.17, subdivision 1, for any purpose other than the computation of shared time foundation aid pursuant to this subdivision.

(c) Foundation aid for shared time pupils shall be paid to the district of the pupil's residence. If a pupil attends shared time classes in another district, the resident district shall pay to the district of attendance an amount of tuition equal to the ratio in clause (a) times the amount of tuition which would be charged and paid for a nonresident public school pupil in a similar circumstance. The district of residence shall not be obligated for tuition except by previous agreement.

(d) *Notwithstanding the provisions of clause (c), the resident district of a shared time pupil attending shared time classes in another district may grant the district of attendance, upon its request, permission to claim the pupil as a resident for state aid purposes. In this case, state aid shall be paid to the district of attendance.*

Sec. 14. Minnesota Statutes 1976, Section 124.213, is amended to read:

124.213 [AID RECAPTURE.] In any year when the amount of the maximum levy allowed for any district by section 275.125, subdivision 2a, clause (1) or (2), exceeds the product of (a) the district's foundation aid formula allowance for the corresponding school year under section 124.212 and (b) the number of pupil units computed for the district under section 124.17 for that school year, an amount equal to the difference between the levy as certified and the specified product shall be deducted in the following order from the aids for the purposes specified receivable during the same school year pursuant to the following sections: (1) transportation aid pursuant to section 124.222; (2) secondary vocational aid pursuant to section 124.57 or 124.573; (3) special educational aid pursuant to section 124.32. For the 1977-1978 school year, the foundation aid formula allowance shall equal the lesser of (\$1,015) \$1,025 or the sum of the greater sum computed pursuant to section 124.212, subdivision 7b, clause (2), and the greater of (a) five-sixths of the difference that results when such greater sum is subtracted from the (\$1,015) \$1,025, or (b) (\$55) \$65. *For the 1978-1979 school year, the foundation aid formula allowance shall be \$1,105.* This section shall apply to school years commencing with the 1977-1978 school year; provided, deductions pursuant to this section shall be limited to the following percentages of the difference between the specified product and the certified levy in the school years indicated: 20 percent of the difference in the 1977-1978 school year; 60 percent of the difference in the 1978-1979 school year; and 100 percent of the difference in the 1979-1980 school year and each school year thereafter.

Sec. 15. Minnesota Statutes 1976, Section 273.132, is amended to read:

273.132 [STATE PAID AGRICULTURAL CREDIT.] The county auditor shall reduce the tax on all property receiving the homestead credit pursuant to section 273.13, subdivision 6, by an amount equal to the tax levy that would be produced by applying a rate of 12 mills on the property. The county auditor shall reduce the tax on all other agricultural lands and all real estate devoted to temporary and seasonal residential occupancy for recreational purposes, but not devoted to commercial purposes, by an amount that would be produced by applying a rate of ten mills on the property. The amounts so computed by the county auditor shall be submitted to the commissioner of revenue as part of the

abstracts of tax lists required to be filed with the commissioner under the provisions of section 275.29. Any prior year adjustments shall also be certified in the abstracts of tax lists. The commissioner of revenue shall review such certifications to determine their accuracy. He may make such changes in the certification as he may deem necessary or return a certification to the county auditor for corrections.

(PAYMENT SHALL BE MADE ACCORDING TO THE PROCEDURE PROVIDED IN SECTION 273.13, SUBDIVISION 15A, FOR THE PURPOSE OF REPLACING REVENUE LOST AS A RESULT OF THE REDUCTION OF PROPERTY TAXES PROVIDED IN THIS SECTION.) There is appropriated from the general fund in the state treasury to the (COMMISSIONER) *department* of (REVENUE) *education* the amount necessary to make these payments.

Sec. 16. Minnesota Statutes 1976, Section 275.125, Subdivision 2a, is amended to read:

Subd. 2a. (1) In (1975) 1977, a school district may levy for all general and special school purposes, an amount equal to the amount raised by *29 mills times* the (1974) 1976 adjusted assessed valuation of the district (TIMES THE NUMBER OF MILLS, NOT TO EXCEED 29, THAT BEARS THE SAME RELATION TO 29, AS THE GREATER SUM COMPUTED PURSUANT TO SECTION 124.212, SUBDIVISION 7B, CLAUSE (2), BEARS TO \$960).

(2) In (1976) 1978, a school district may levy for all general and special school purposes, an amount equal to the amount raised by *29 mills times* the (1975) 1977 adjusted assessed valuation of the district (TIMES THE NUMBER OF MILLS, NOT TO EXCEED 29, THAT BEARS THE SAME RELATION TO 29, AS THE SUM OF THE GREATER SUM COMPUTED PURSUANT TO SECTION 124.212, SUBDIVISION 7B, CLAUSE (2), AND THE GREATER OF (A) FIVE-SIXTHS OF THE DIFFERENCE THAT RESULTS WHEN SUCH GREATER SUM IS SUBTRACTED FROM \$1,015, OR (B) \$55, BEARS TO \$1,015).

(3) For any district levying less than 95 percent of the maximum levy allowable in clauses (1) and (2), beginning with the levy certified in 1976, payable in 1977, the foundation aid to the district for the 1977-1978 school year, and for subsequent levies, foundation aid for subsequent school years, calculated pursuant to section 124.212, shall be reduced by 50 percent of the amount of the difference between the actual levy and the maximum levy allowable under clauses (1) and (2). In the application of this clause, the maximum levy allowable under clauses (1) and (2) shall be reduced by any reduction of this levy which is required by section 275.125, subdivision 9 or any other law.

(4) The levy authorized by clauses (1) or (2) may be increased in any amount which is approved by the voters of the district at a referendum called for the purpose. Such a referendum may be called by the school board or shall be called by the school board upon written petition of qualified voters of the district. The referendum shall be held on a date set by the school board. Only one such election may be held in a single school year. The question on the ballot shall be whether a specific millage which will yield a specific amount based on the most recent assessed valuation may be added to that authorized by clauses (1) or (2). If approved, the amount provided by the millage applied to each year's assessed valuation shall be authorized for certification until revoked by the voters of the district at a subsequent referendum, which may be called by the school board and which shall be called by the school board upon the written petition of qualified voters of the district unless the petition for revocation is submitted in the same year in which a levy has been increased by the voters pursuant to this clause. A petition authorized by this clause shall be effective if signed by a number of qualified voters in excess of 15 percent, or 10 percent if the school board election is held in conjunction with a general election, of the average number of voters at the two most recent district wide school elections. A referendum invoked by petition shall be held within three months of submission of the petition to the school board unless the petition for revocation is submitted in the same year in which a levy has been increased by the voters pursuant to this clause. Notwithstanding any law to the contrary, the approval of 50 percent plus one of those voting on the question is required to pass a referendum. *Within 30 days after the district holds a referendum pursuant to this clause, the district shall notify the commissioner of education of the results of the referendum.*

Sec. 17. Minnesota Statutes 1976, Section 275.125, Subdivision 9, is amended to read:

Subd. 9. (1) Districts which receive payments which result in deductions from foundation aid pursuant to section 124.212, subdivision 8a, clause (1), shall reduce the permissible levies authorized by subdivisions 3 to 14 by that portion of the previous year's payment not deducted from foundation aid on account of the payment. The levy reductions shall be made in the proportions that each permissible levy bears to the sum of the permissible levies. Reductions in levies pursuant to this clause, subdivision 10 of this section, and section 273.138, shall be made prior to the reductions in clause (2).

(2) Notwithstanding any other law to the contrary, districts which received payments pursuant to sections 294.21 to 294.28; 298.23 to 298.28; 298.32; 298.34 to 298.39; 298.391 to 298.396; 298.405; 298.51 to 298.67; and any law imposing a tax upon severed mineral values, or under any other law distributing proceeds in lieu of ad valorem tax assessments on copper or nickel properties; shall not include a portion of these aids in their permis-

sible levies pursuant to those sections, but instead shall reduce the permissible levies authorized by this section to be certified in the calendar year in which the deduction from foundation aid is made pursuant to section 124.212, subdivision 8a, by the portion of the previous fiscal year's payment which was not deducted from foundation aid in that calendar year pursuant to section 124.212, subdivision 8a.

(3) No reduction pursuant to this subdivision shall reduce the levy made by the district pursuant to subdivision 2a, clause 1 or 2, to an amount less than the amount raised by a levy of 10 mills times the adjusted assessed valuation of that district for the preceding year as determined by the equalization aid review committee. The amount of any increased levy authorized by referendum pursuant to subdivision 2a, clause (4) shall not be reduced pursuant to this subdivision. The amount of any levy authorized by subdivision 4, to make payments for bonds issued and for interest thereon, shall not be reduced pursuant to this subdivision.

(4) *Before computing the reduction pursuant to this subdivision of the capital expenditure levy authorized by section 124.04 and subdivision 4, the commissioner shall ascertain from each affected school district the amount it proposes to levy for capital expenditures pursuant to section 124.04. The reduction of the capital expenditure levy shall be computed on the basis of the amount so ascertained.*

(5) Notwithstanding any law to the contrary, any amounts received by districts in any fiscal year after fiscal year 1975 pursuant to sections 294.21 to 294.28; 298.23 to 298.28; 298.34 to 298.39; 298.391 to 298.396; 298.405; 298.51 to 298.67; or any law imposing a tax on severed mineral values, or under any other law distributing proceeds in lieu of ad valorem tax assessments on copper or nickel properties; and not deducted from foundation aid pursuant to section 124.212, subdivision 8a, clause (2), and not applied to reduce levies pursuant to this subdivision shall be paid by the district to the commissioner of finance in the following amounts pursuant to this clause on the designated dates: on or before March 15, 1977, 20 percent of the amounts received in fiscal 1976 and not deducted from foundation aid in August 1976 and not applied to reduce 1976 payable 1977 levies; on or before March 15, 1978, 60 percent of the amounts received in fiscal 1977 and not deducted from foundation aid in (AUGUST) *October 1977 or thereafter* and not applied to reduce 1977 payable 1978 levies; on or before March 15, 1979 and March 15 of each year thereafter, 100 percent of the amounts received in the preceding fiscal year and not deducted from foundation aid in the preceding (AUGUST) *October or thereafter* and not applied to reduce levies certified in the preceding October. The commissioner of finance shall deposit any amounts received pursuant to this clause in the taconite property tax relief fund in the state treasury, established pursuant to section 16A.70 for purposes

of paying the taconite homestead credit as provided in section 273.135.

Sec. 18. [FOUNDATION AID; APPROPRIATION.] *Subdivision 1. There is appropriated from the general fund to the department of education the sums indicated in this section for the fiscal years ending June 30 in the years designated.*

Subd. 2. For foundation aid there is appropriated:

\$606,100,000	1978,
\$609,000,000	1979.

(a) The appropriation in this subdivision for fiscal year 1978 includes \$53,711,000 for the payment of the final foundation aid distribution for fiscal year 1977.

(b) The appropriation in this subdivision for fiscal year 1979 includes \$51,749,000 for the payment of the final foundation aid distribution for fiscal year 1978.

Subd. 3. Any unexpended balance remaining from the appropriation in this section for 1978 shall not cancel but shall be available for the second year of the biennium.

Sec. 19. [EFFECTIVE DATE.] *Sections 1 and 2 of this article are effective the day following final enactment. Section 15 of this article is effective July 1, 1978.*

ARTICLE II

TRANSPORTATION AID PROGRAM

Section 1. Minnesota Statutes 1976, Section 124.222, Subdivision 1a, is amended to read:

Subd. 1a. [COMPUTATION.] For the (1975-1976) 1977-1978 school year the state shall pay to each school district for all school transportation and related services for which the district is authorized by law to receive state aid:

(1) The lesser product of either:

(a) The actual net operating cost per eligible pupil transported during the (1976) 1978 fiscal year times the number of eligible pupils transported during the (1976) 1978 fiscal year; or

(b) One hundred (EIGHTEEN) *seventeen* percent of the actual net operating cost per eligible pupil transported during

the (1974) 1976 fiscal year, times the number of eligible pupils transported during the (1976) 1978 fiscal year;

(2) Minus the amount raised by a levy of one mill times the adjusted assessed valuation which is used to compute the transportation levy limitation for the levy collected in calendar year (1975) 1977;

(3) Plus, the amount of depreciation for one year on the school bus fleet computed by the department of education on a straight line basis at the rate of 12 1/2 percent per year of the cost of the fleet. (THE NET COST AFTER SALVAGE OF ALL EQUIPMENT ADDED TO OR INSTALLED IN A SCHOOL BUS SPECIFICALLY TO MEET SPECIAL NEEDS OF HANDICAPPED INDIVIDUALS SHALL BE ADDED TO THE REMAINING UNDEPRECIATED VALUE OF THAT BUS AND DEPRECIATED OVER THE REMAINDER OF THE DEPRECIATION TERM FOR THAT BUS.)

Sec. 2. Minnesota Statutes 1976, Section 124.222, Subdivision 1b, is amended to read:

Subd. 1b. [COMPUTATION.] For the (1976-1977) 1978-1979 school year the state shall pay to each school district for all school transportation and related services for which the district is authorized by law to receive state aid:

(1) The lesser product of either:

(a) The actual net operating cost per eligible pupil transported during the (1977) 1979 fiscal year times the number of eligible pupils transported during the (1977) 1979 fiscal year; or

(b) One hundred (TWENTY-FOUR) *twenty-seven* percent of the actual net operating cost per eligible pupil transported during the (1974) 1976 fiscal year, times the number of eligible pupils transported during the (1977) 1979 fiscal year;

(2) Minus the amount raised by a levy of one mill times the adjusted assessed valuation which is used to compute the transportation levy limitation for the levy collected in calendar year (1976) 1978;

(3) Plus, the amount of depreciation for one year on the school bus fleet computed by the department of education on a straight line basis at the rate of 12 1/2 percent per year of the cost of the fleet. (THE NET COST AFTER SALVAGE OF ALL EQUIPMENT ADDED TO OR INSTALLED IN A SCHOOL BUS SPECIFICALLY TO MEET SPECIAL NEEDS OF HANDICAPPED INDIVIDUALS SHALL BE ADDED TO REMAINING UNDEPRECIATED VALUE OF THAT BUS

AND DEPRECIATED OVER THE REMAINDER OF THE DEPRECIATION TERM FOR THAT BUS.)

Sec. 3. Minnesota Statutes 1976, Section 124.222, Subdivision 2a, is amended to read:

Subd. 2a. [HANDICAPPED PUPIL TRANSPORTATION; COST.] (1) In addition to the amounts authorized in subdivision 1a, if the actual net operating cost per eligible handicapped pupil transported during the (1976) 1978 fiscal year exceeds (128) 117 percent of the actual net operating cost per eligible handicapped pupil transported during the (1974) 1976 fiscal year, the state shall pay to the district 80 percent of the cost for this handicapped transportation in excess of this (128) 117 percent.

(2) In addition to the amounts authorized in subdivision 1b, if the actual net operating cost per eligible handicapped pupil transported during the (1977) 1979 fiscal year exceeds (134) 127 percent of the actual net operating cost per eligible handicapped pupil transported during the (1974) 1976 fiscal year, the state shall pay to the district 80 percent of the costs for this handicapped transportation in excess of this (134) 127 percent.

Sec. 4. Minnesota Statutes 1976, Section 124.222, Subdivision 3, is amended to read:

Subd. 3. [PAYMENT SCHEDULE.] Except as may be otherwise authorized by the commissioner to accommodate a flexible school year program, the state shall pay to each school district 30 percent of its estimated school transportation aid entitlement for the fiscal year on or before each of the following dates: (SEPTEMBER 30) *August 31*, December 31, and March 31. *The amount of transportation aid for school bus fleet depreciation shall be paid on or before September 30.* The (ACTUAL BALANCE DUE) *final aid distribution to the district shall be (PAID) made on or before (AUGUST) October 31 of the following fiscal year.*

Sec. 5. Minnesota Statutes 1976, Section 124.222, Subdivision 6, is amended to read:

Subd. 6. [BOUNDARY MODIFICATIONS, COST CHANGES.] For the purposes of payment of transportation aids (IN THE 1976 FISCAL YEAR AND THEREAFTER,) the commissioner of education may adjust the base cost per eligible pupil transported (DURING THE 1974 FISCAL YEAR) to reflect changes in costs resulting from alterations in school district boundaries.

Sec. 6. Minnesota Statutes 1976, Section 124.222, is amended by adding a subdivision to read:

Subd. 7. [TRANSPORTATION ADJUSTMENTS.] No adjustments in transportation aid for any school year or in the base cost per pupil transported in any school year, which result from omissions in school district reports, shall be made after December 15 of the next school year, unless the adjustments are determined by the legislative auditor.

Sec. 7. Minnesota Statutes 1976, Section 124.223, is amended to read:

124.223 [TRANSPORTATION AID AUTHORIZATION.] (FOR THE 1974-1975 SCHOOL YEAR AND THEREAFTER,) School transportation and related services for which state transportation aid is authorized are:

(1) Transportation or board of resident pupils who reside one mile or more from the public schools which they could attend, or transportation to, from, or between the schools they attend pursuant to a program approved by the commissioner of education, or who reside one mile or more from a private school actually attended, but only to the extent permitted by sections 123.76 to 123.79 with respect to private school pupils;

(2) Transportation to and from or board and lodging in another district, of resident pupils of a district without a secondary school; the pupils may attend a classified secondary school in another district and shall receive board and lodging in or transportation to and from a district having a classified secondary school at the expense of the district of the pupil's residence;

(3) Transportation for residents to and from a state board approved secondary vocational center;

(4) Transportation or board and lodging of a handicapped pupil when he cannot be transported on a regular school bus, and the conveying of handicapped pupils between home and school and within the school plant;

(5) When necessary, board and lodging for nonresident handicapped pupils in a district maintaining special classes;

((6) TRANSPORTATION FOR RESIDENT PUPILS TO AND FROM AN INSTRUCTIONAL COMMUNITY-BASED EMPLOYMENT STATION WHICH IS PART OF AN APPROVED OCCUPATIONAL EXPERIENCE SECONDARY VOCATIONAL PROGRAM;)

(7) Transportation from one educational facility to another within the district for resident pupils enrolled on a shared time basis in educational programs approved by the commissioner of education;

(8) Transportation for residents to and from the Minnesota school for the deaf or the Minnesota braille and sight-saving school;

(9) Services described in clauses (1) to (8) when provided in conjunction with a state board approved summer school program; and

(10) Transportation to, from, or between educational facilities located in any of two or more school districts jointly offering academic classes for resident pupils of any of these districts, if this transportation is provided in conjunction with transportation of resident pupils to a state board approved secondary vocational center.

Sec. 8. [TRANSPORTATION AIDS; APPROPRIATION.]
Subdivision 1. There is appropriated from the general fund to the department of education the sums indicated in this section for the fiscal years ending June 30 in the years designated.

Subd. 2. For transportation aid there is appropriated:

\$75,084,000 1978,

\$78,449,000 1979.

(a) *The appropriation in this subdivision for fiscal year 1978 includes not to exceed \$6,546,400 for the payment of the final transportation aid distributed to each district for fiscal year 1977.*

(b) *The appropriation in this subdivision for fiscal year 1979 includes not to exceed \$6,937,408 for the payment of the final transportation aid distribution to each district for fiscal year 1978.*

(c) *The appropriation in this subdivision also includes not to exceed \$800,000 in 1978 and \$900,000 in 1979 for aid for transportation authorized pursuant to section 3, of this article.*

(d) *The appropriation in this subdivision also includes not to exceed \$200,000 in each year indicated for aid for transportation authorized pursuant to section 7, clause (10) of this article.*

Subd. 3. Any unexpended balance remaining from the appropriation in this section for 1978 shall not cancel but shall be available for the second year of the biennium. None of the amounts appropriated in this section shall be expended for a purpose other than the purpose indicated. If the appropriation amount indicated for either year in subdivision 2, clause (c) or (d) is insufficient for the purpose indicated, the aid for that year for that purpose shall be prorated among all qualifying districts

and the state shall not be obligated for any amount in excess of the appropriation for these purposes.

Sec. 9. [REPEALER.] *Minnesota Statutes 1976, Section 124.222, Subdivisions 4 and 5 are repealed.*

Sec. 10. [EFFECTIVE DATE.] *Section 4 of this article is effective the day following its final enactment.*

ARTICLE III

SPECIAL EDUCATION AID PROGRAM

Section 1. Minnesota Statutes 1976, Section 120.17, Subdivision 1a, is amended to read:

Subd. 1a. School districts may provide special instruction and services through the school year in which the pupil reaches age 25 for trainable mentally retarded pupils as defined in section 120.03, subdivision 4, who have attended public school less than nine years (PRIOR TO SEPTEMBER, 1975).

Any district may provide programs for these trainable mentally retarded pupils living within the district, including non-resident pupils temporarily placed in the district pursuant to section 120.17, subdivision 6 or 7. Prior to October 1 or 30 days after placement, whichever is later in the school year, the providing district shall give notice to the district of residence of any non-resident pupil placed in the district pursuant to subdivision 6 or 7, of its intention to provide these programs and bill the district of residence for the actual unreimbursed costs of providing the program. The unreimbursed actual cost of providing the program for eligible nonresident pupils shall be billed to the district of the pupil's residence and shall be paid by the resident district. The district of residence may claim state aid for these pupils as if the pupils were under 21 years of age.

Sec. 2. Minnesota Statutes 1976, Section 120.17, Subdivision 5a, is amended to read:

Subd. 5a. Every district may provide summer programs for handicapped children living within the district, including non-resident children temporarily placed in the district pursuant to subdivisions 6 or 7. Prior to March 31 or 30 days after the handicapped child is placed in the district, whichever is later, the providing district shall give notice to the district of residence of any nonresident children temporarily placed in the district pursuant to subdivisions 6 or 7, of its intention to provide these programs. Notwithstanding any contrary provisions in subdivisions 6 and 7, the school district providing the special instruction and services shall apply for all state aid for the summer program, including special state aid pursuant to section 124.32, foundation

aid and transportation aid. For the purposes of computing foundation aid for these programs, all pupils enrolled in these programs shall be construed to be residents of the district providing the programs. The unreimbursed actual cost of providing the program for nonresident handicapped children may be billed to the district of the child's residence and shall be paid by the resident district. (THIS SUBDIVISION SHALL BE EFFECTIVE MARCH 1, 1976.)

Sec. 3. Minnesota Statutes 1976, Section 123.581, Subdivision 1, is amended to read:

123.581 [PROGRAMS FOR IN-SERVICE TRAINING FOR REGULAR CLASSROOM TEACHERS IN TECHNIQUES OF EDUCATION OF HANDICAPPED PUPILS.] Subdivision 1. [ESTABLISHMENT.] (PILOT) Programs for in-service training for regular classroom teachers, *assistant principals and principals* in techniques of education of (MILDLY LEARNING DISABLED AND RETARDED) *handicapped* pupils shall be established in school districts designated by the state board of education. Funds for these (PILOT) programs shall be granted by the state board upon the recommendation of the advisory council for (SPECIAL EDUCATION OF MILDLY LEARNING DISABLED PUPILS AND MILDLY RETARDED PUPILS) *in-service training for regular classroom teachers, assistant principals and principals in techniques of education of handicapped pupils. Handicapped pupils for the purposes of section 123.581, are those defined in section 120.03.*

Sec. 4. Minnesota Statutes 1976, Section 123.581, Subdivision 2, is amended to read:

Subd. 2. [ADVISORY COUNCIL.] There is hereby established the advisory council for (SPECIAL EDUCATION OF MILDLY LEARNING DISABLED PUPILS AND MILDLY RETARDED) *in-service training for regular classroom teachers, assistant principals and principals in techniques of education of handicapped pupils*, which *council* shall be responsible for recommending grants for and assisting the districts in developing the (PILOT) programs of in-service teacher training.

Sec. 5. Minnesota Statutes 1976, Section 123.581, Subdivision 3, is amended to read:

Subd. 3. [MEMBERSHIP.] The advisory council shall consist of (12) 15 members who shall be appointed by the commissioner of education. (NINE) *Ten* members shall be professionally qualified in the fields of special or general education, and (THREE) *five* shall be public members. The professionally qualified members shall be representative of teacher training departments or institutions, educators acting as consultants in the field of special learning behavior problems, mental retardation, and other educational handicaps, *classroom teachers, princi-*

pals or assistant principals and the department of education. The public members shall be representative of associations and organizations concerned with the problems of (LEARNING DISABLED PUPILS AND RETARDED) *handicapped* pupils.

Sec. 6. Minnesota Statutes 1976, Section 123.581, Subdivision 6, is amended to read:

Subd. 6. [REQUIREMENTS FOR PROGRAMS.] A grant received by the district shall be used solely for costs incurred in the in-service training of the teachers and shall not be used for any other general education or special education functions. Applications for grants may be considered from districts initiating an in-service training program or continuing an existing program. A single district may initiate or continue a program or may join with another district or other districts. A district may cooperate with other districts in a special educational regional council, educational service area, or educational cooperative service unit wherever such arrangement is available. Distribution of funds between or among the (PILOT) programs shall depend upon the needs of the district, its population, and the number of teachers to be trained in the program. There is no requirement that funds be equally distributed.

Sec. 7. Minnesota Statutes 1976, Section 124.32, is amended to read:

124.32 [HANDICAPPED CHILDREN.] Subdivision 1. The state shall pay to any district: (a) for the employment in its educational program for handicapped children, no less than 55 and nor more than 75 percent of the salary of essential personnel, but this amount shall not exceed \$11,000 for the normal school year for each full time person employed, or a pro rata amount for a part time person or a person employed for a limited time, whether the essential personnel are employed by a district alone or jointly with another district;

(b) plus (10) *five* percent of the salaries of essential personnel employed in its educational program for handicapped children, for the purpose of recognizing additional support costs of educational programs for handicapped children (;)

((C) LESS 25 PERCENT OF THE FOUNDATION AID FORMULA ALLOWANCE FOR EACH HANDICAPPED CHILD IN AVERAGE DAILY MEMBERSHIP WHO RECEIVES SPECIAL INSTRUCTION AND SERVICES FOR MORE THAN 50 PERCENT OF THE TIME SCHOOL IS IN SESSION, EXCEPT THAT NO PORTION OF THE FOUNDATION AID FORMULA ALLOWANCE SHALL BE DEDUCTED FOR PRE-SCHOOL HANDICAPPED CHILDREN.)

(THE STATE BOARD SHALL PROMULGATE RULES ESTABLISHING THE METHOD AND CRITERIA BY WHICH

DISTRICTS SHALL DETERMINE THE PERCENTAGE OF TIME THAT HANDICAPPED CHILDREN RECEIVE SPECIAL INSTRUCTION AND SERVICES). The actual percent of the salaries of essential personnel to be applied by the state pursuant to clause (a) shall be determined by the commissioner within the limits of the appropriation for special education for the school year and shall be the same for all school districts in the state.

Subd. 1a. For purposes of this section, for the (1976-1977) 1977-1978 school year, the foundation aid formula allowance per pupil unit shall be the lesser of (\$960) \$1,025 or the greater sum computed pursuant to section 124.212, subdivision (7B) 6b, clause (2). For the 1978-1979 school year, the foundation aid formula allowance per pupil unit shall be \$1,105. Computations of foundation aid formula allowances pursuant to this section shall be based on the foundation aid formula allowance per pupil unit in the child's district of residence. For the purposes of computing foundation aid formula allowances pursuant to this section, each handicapped child shall be counted as prescribed in section 124.17, subdivision 1, clause (1) or (2).

Subd. 1b. For special instruction or training and services provided for any pupil pursuant to section 120.17, subdivision 2, clause (h), by contract with public, private or voluntary agencies other than Minnesota school districts, the state shall pay each district:

(1) the percent of the amount of the contract which is equal to the actual percent of the salaries of essential personnel (PAID) applied by the state pursuant to subdivision 1, clause (a);

(2) less 25 percent of the foundation aid formula allowance of the district for that pupil.

Subd. 2. The state shall pay each district for supplies and equipment purchased or rented for use in the instruction of handicapped children an amount equal to one-half of the sum actually expended by the district but not to exceed an average of \$50 in any one school year for each handicapped child receiving instruction.

Subd. 3a. (THE PURPOSE OF THIS SUBDIVISION IS TO CHANGE THE METHOD OF FUNDING OF EDUCATIONAL PROGRAMS FOR HANDICAPPED CHILDREN FROM REIMBURSEMENT BASED ON PAST EXPENDITURES TO A CURRENT FUNDING BASIS. BEGINNING JULY 1, 1976, THE STATE SHALL NOT REIMBURSE EXPENDITURES FROM THE 1975-1976 SCHOOL YEAR PROGRAMS, INCLUDING 1976 SUMMER SCHOOL PROGRAMS, BUT SHALL PAY AIDS FOR THE 1976-1977 SCHOOL YEAR PROGRAMS AND

FOR EACH YEAR THEREAFTER ON A CURRENT FUNDING BASIS) *The aids provided for educational programs for handicapped children shall be paid on a current funding basis.*

Subd. 4. The aids provided for handicapped children shall be paid to the district providing the special instruction and services. Foundation aid shall be paid to the district of the pupils' residence. The total amount of aid paid may not exceed the amount expended for handicapped children in the school year for which the aid is paid.

Subd. 5. When a handicapped child is placed in a residential facility approved by the commissioner and established primarily to serve handicapped children and when the child's educational program is approved by the commissioner, the state shall pay to the resident district not to exceed the percent of instructional costs charged to the resident district which is equal to the actual percent of the salaries of essential personnel (PAID) *applied* by the state pursuant to subdivision 1, clause (a), less the foundation aid formula allowance in the resident district for each handicapped child placed in a residential facility. (NOT MORE THAN \$400,000 SHALL BE SPENT ANNUALLY) For purposes of implementing this subdivision, *there shall be spent not more than \$500,000 for the 1977-1978 school year and \$600,000 for the 1978-1979 school year.* If that amount does not suffice, the aid shall be prorated among all qualifying districts.

The following types of facilities may be approved by the commissioner:

(a) A residential facility operated by a public school district and designed to serve the low incidence handicapped, the multiple handicapped, or the most severely handicapped children, either within or outside of the state, or, a state residential school outside of the state.

(b) A private, nonsectarian residential facility designed to provide educational services for handicapped children either within or outside of the state.

(c) A state hospital or private nonsectarian residential center designed to provide care and treatment for handicapped children.

Subd. 6. The state shall pay each district the actual cost incurred in providing instruction and services for a handicapped child whose district of residence has been determined by section 120.17, subdivision 8a, and who is temporarily placed in a state institution or a licensed residential facility for care and treatment. This section does not apply for a child placed in a foster home or a foster group home.

Upon following such procedure as requested by the commissioner of education a district providing instruction and services for such handicapped child may bill the state the actual cost incurred in providing said services including transportation costs and a proportionate amount of capital outlay and debt service, minus the amount of the foundation aid formula allowance for the child and the special education aid, transportation aid, and any other aid earned in behalf of such child, such action pursuant to limits set forth in subdivision 4.

Subd. 7. Before (JUNE 1, 1976 AND BEFORE) May 1 of each year (THEREAFTER), each district providing special instruction and services to handicapped children shall submit to the commissioner an application for approval of these programs and their budgets for the next school year. The application shall include an enumeration of the costs eligible for state aid pursuant to this section and of the estimated number and grade level of handicapped children (IN AVERAGE DAILY MEMBERSHIP) in the district who will receive special instruction and services (FOR MORE THAN 50 PERCENT OF THE TIME SCHOOL IS IN SESSION) during the next school year. The application shall also include any other information deemed necessary by the commissioner for the calculation of state aid and the evaluation of *the necessity of the program and the program's compliance with the rules and standards of the state board.* On or before (AUGUST 1, 1976 AND BEFORE) July 1 of each year (THEREAFTER), the commissioner shall approve, disapprove or modify each application, and notify each applying district of his action and of the estimated level of aid for the programs determined pursuant to subdivision 1. The commissioner shall provide procedures for districts to submit additional applications for program and budget approval during the school year, for programs needed to meet *any substantial* changes in the needs of handicapped children in the district.

Subd. 8. When planning programs for the education of handicapped children in the regular classroom, school districts are encouraged to consider the size of the regular class and to provide the support services necessary to insure successful mainstreaming.

Subd. 9. Except as may be otherwise authorized by the commissioner to accommodate a flexible school year program the state shall pay to each school district 30 percent of its estimated special education aid for the school year on or before each of the following dates: September 30, December (30) 31 and March 31. The final aid distribution to the district shall be made on or before (AUGUST 31) *October 31* of the following year.

Subd. 10. *The state shall pay aid for 1977 summer school programs for handicapped children on the basis of the formula applicable to the 1977-78 school year.* Beginning with the summer of (1977) 1978, the state shall pay aid for summer school pro-

grams for handicapped children on the basis of the sections of Minnesota Statutes providing aid for handicapped children for the preceding school year. On or before (MARCH 15, 1977, AND) March 15 of each year (THEREAFTER), districts shall submit separate applications for program and budget approval for summer school programs. By (MAY 1, 1977, AND) May 1 of each year (THEREAFTER), the commissioner shall approve, disapprove or modify the applications and notify the districts of his action and of the estimated level of aid for the summer school programs. Aid for these programs shall be paid on or before the October 1 after the summer when the programs are conducted.

Subd. 11. ((1) NOTWITHSTANDING THE PROVISIONS OF SUBDIVISION 3A, SPECIAL SCHOOL DISTRICT NO. 1 SHALL IMPLEMENT THE CHANGE FROM REIMBURSEMENT TO CURRENT FUNDING FOR AID TO HANDICAPPED CHILDREN AS FOLLOWS:)

((A) THE TOTAL AMOUNT OF AID TO HANDICAPPED CHILDREN PAID TO THE DISTRICT EACH YEAR SHALL BE EQUAL TO THE AMOUNT COMPUTED ACCORDING TO THE CURRENT FUNDING PROVISIONS OF THIS SECTION.)

((B) THE DISTRICT MAY ACCOUNT FOR \$4,700,000 OF THE AMOUNT IN CLAUSE (A) ON A REIMBURSEMENT BASIS UNTIL SUCH TIME AS THE DISTRICT IS REQUIRED TO ACCOUNT FOR AID TO HANDICAPPED CHILDREN ON A CURRENT BASIS PURSUANT TO CLAUSE (3).)

((C) FOR PURPOSES OF REVENUE RECOGNITION THE \$4,700,000 DESIGNATED IN CLAUSE (B) SHALL BE RECOGNIZED AS REVENUE OF THE FISCAL YEAR PRECEDING THE FISCAL YEAR OF RECEIPT. THE AMOUNT CALCULATED PURSUANT TO CLAUSE (A) LESS THE \$4,700,000 DESIGNATED IN CLAUSE (B) SHALL BE RECOGNIZED AS REVENUE OF THE FISCAL YEAR OF RECEIPT.)

((2) (A) SPECIAL SCHOOL DISTRICT NO. 1 SHALL ESTABLISH AN "ACCOUNT FOR SPECIAL EDUCATION STATUTORY OPERATING DEBT" AND A "RESERVE ACCOUNT FOR CURRENT FINANCING OF SPECIAL EDUCATION". THESE ACCOUNTS SHALL BE ESTABLISHED IMMEDIATELY FOLLOWING APRIL 14, 1976.)

((B) THE "ACCOUNT FOR SPECIAL EDUCATION STATUTORY OPERATING DEBT" SHALL REFLECT THE \$4,700,000 ACCOUNTED FOR ON A REIMBURSEMENT BASIS PURSUANT TO CLAUSE (1) (B). THE SPECIAL EDUCATION STATUTORY OPERATING DEBT RE-

FLECTED IN THIS ACCOUNT SHALL BE IN ADDITION TO THE STATUTORY OPERATING DEBT OF THE DISTRICT DETERMINED PURSUANT TO SECTION 121.914.)

((C) NOTWITHSTANDING THE PROVISIONS OF SECTION 275.125, SUBDIVISION 9A, CLAUSE (2) THE "RESERVE ACCOUNT FOR CURRENT FINANCING OF SPECIAL EDUCATION" RATHER THAN THE "RESERVE ACCOUNT FOR PURPOSES OF REDUCING STATUTORY OPERATING DEBT" SHALL REFLECT THE PROCEEDS OF THE LEVY AUTHORIZED PURSUANT TO SECTION 275.125 AND THE AMOUNT DEPOSITED PURSUANT TO LAWS 1976, CHAPTER 271, SECTION 94 UNTIL SUCH TIME AS THE AMOUNT REFLECTED IN THE "RESERVE ACCOUNT FOR CURRENT FINANCING OF SPECIAL EDUCATION" EQUALS THE AMOUNT REFLECTED IN THE "ACCOUNT FOR SPECIAL EDUCATION STATUTORY OPERATING DEBT". THEREAFTER, THE PROCEEDS OF THE LEVY AUTHORIZED PURSUANT TO SECTION 275.125, SUBDIVISION 9A SHALL BE REFLECTED IN THE "RESERVE ACCOUNT FOR PURPOSES OF REDUCING STATUTORY OPERATING DEBT".)

((D) UNTIL SUCH TIME AS THE AMOUNT REFLECTED IN THE "RESERVE ACCOUNT FOR CURRENT FINANCING OF SPECIAL EDUCATION" EQUALS THE AMOUNT REFLECTED IN THE "ACCOUNT FOR SPECIAL EDUCATION STATUTORY OPERATING DEBT", THE AMOUNT REFLECTED IN THE "RESERVE ACCOUNT FOR CURRENT FINANCING OF SPECIAL EDUCATION" SHALL BE USED FOR THE PURPOSES FOR WHICH SPECIAL EDUCATION AID MAY BE USED; HOWEVER THE AMOUNT REFLECTED IN THIS ACCOUNT SHALL BE USED ONLY FOR CASH FLOW REQUIREMENTS AND SHALL NOT BE USED TO SUPPLEMENT DISTRICT REVENUES OR INCOME FOR THE PURPOSES OF INCREASING THE DISTRICT'S SPECIAL EDUCATION EXPENDITURES OR BUDGETS.)

((E) UNTIL SUCH TIME AS THE AMOUNT REFLECTED IN THE "RESERVE ACCOUNT FOR CURRENT FINANCING OF SPECIAL EDUCATION" EQUALS THE AMOUNT REFLECTED IN THE "ACCOUNT FOR SPECIAL EDUCATION STATUTORY OPERATING DEBT", SPECIAL SCHOOL DISTRICT NO. 1 MAY, IN EACH YEAR, ISSUE CERTIFICATES OF INDEBTEDNESS IN ANTICIPATION OF RECEIPT OF AID TO HANDICAPPED CHILDREN IN AN AMOUNT NOT TO EXCEED \$4,700,000 LESS AN AMOUNT EQUAL TO THE AMOUNT REFLECTED IN THE "RESERVE ACCOUNT FOR CURRENT FINANCING OF SPECIAL EDUCATION".)

((3) WHEN THE AMOUNT REFLECTED IN THE "ACCOUNT FOR SPECIAL EDUCATION STATUTORY OPER-

ATING DEBT" EQUALS THE AMOUNT REFLECTED IN THE "RESERVE ACCOUNT FOR CURRENT FINANCING OF SPECIAL EDUCATION" THE DISTRICT SHALL THEREAFTER RECEIVE AND ACCOUNT FOR AID TO HANDICAPPED CHILDREN ON A CURRENT FUNDING BASIS.) *Special school district No. 1 shall be allowed to maintain as an appropriated fund balance in its general fund on June 30, 1977 the unexpended balance of the \$4,700,000 deficit financing authorized by Minnesota Statutes 1976, Section 124.32, Subdivision 11. This appropriated fund balance amount shall be treated by the commissioner the same as he would treat any appropriated fund balance amount for the purpose of calculating operating debt pursuant to section 121.914. Moreover, this amount shall only be available to finance the 1977-1978 special education budget of the district.*

This subdivision shall expire on July 1, 1978.

Sec. 8. Minnesota Statutes 1976, Section 128A.02, Subdivision 2, is amended to read:

Subd. 2. The state board (SHALL) *may* promulgate rules regarding the (MAINTENANCE AND CONDUCT) *operation* of both schools and the individuals in attendance, and shall perform all duties necessary to provide the most beneficial and least restrictive program of education for each child handicapped by visual disability or hearing impairment.

Sec. 9. Minnesota Statutes 1976, Section 128A.02, Subdivision 3, is amended to read:

Subd. 3. The state board may employ central administrative staffs and other personnel as necessary to provide and support programs and services in each school. These schools shall be deemed to be public schools for the purposes of sections 125.03 and 125.04, and all teachers as defined in those sections who are employed at these schools shall be subject to the standards of the board of teaching and the state board of education; provided that any teacher who does not meet these standards as of July 1, (1977) 1979 shall be required to meet these standards by September 15, (1978) 1980 in order to continue in employment.

Sec. 10. Minnesota Statutes 1976, Section 128A.06, is amended to read:

128A.06 [ADMITTANCE AND DISCHARGE.] Subdivision 1. The admissions and discharge committee of each school shall include (THE FIELD CONSULTANT OF THE APPLICABLE SCHOOL AND FOUR) *five* members who are knowledgeable in the fields of hearing impairment or visual disability, as applicable, to be appointed by the state board.

Subd. 2. (PRELIMINARY) Application for admission shall be made by the district of the child's residence to the admissions and discharge committee (BY JUNE 1) upon the appropriate forms provided by the (FIELD CONSULTANT OR THE DISTRICT SUPERINTENDENT) *commissioner of education*. The admissions and discharge committee shall (MAKE ITS DECISIONS BY JULY 1) *decide whether to admit a child on the basis of a review of the educational record and needs of the child, including the record of the decision by the child's district of residence pursuant to sections 120.17 and 128A.05, subdivision 1 or 2, to apply for the child's admission.* (AN ADMITTANCE SHALL BE PROVISIONAL UNTIL IT IS DETERMINED THAT THAT INDIVIDUAL COMES WITHIN THE PROVISIONS OF SECTION 128A.05, SUBDIVISIONS 1 OR 2.)

Subd. 3. An individual in attendance at either school prior to July 1, 1977, shall be entitled to continue in attendance without reapplication provided that it is determined by (SEPTEMBER 1, 1977) *July 1, 1978* that that individual comes within the provisions of section 128A.05, subdivision 1 or 2.

Subd. 4. The admissions and discharge committee shall determine whether any child in attendance at the applicable school can also benefit from public school enrollment. This decision shall be subject to (THE PROVISIONS OF SECTION 120.17, AND SHALL BE MADE ONLY AFTER CONSULTATION WITH THE PARENTS AND THE SCHOOL DISTRICT OF RESIDENCE) *procedural safeguards contained in the rules of the state board.*

Subd. 5. The progress of an individual in attendance at either school shall be *periodically* evaluated by the professional staff of that school as provided by the rules of the state board. The individual shall be returned to the district of residence when deemed appropriate by the admissions and discharge committee.

Subd. 6. *The actions and decisions of the admissions and discharge committee shall be subject to state board rules. Decisions concerning admittance (AND), discharge and an individual's educational program shall be subject to appeal to the commissioner by the child's parent or guardian or school district of residence pursuant to rules promulgated by the state board (, AND SHALL BE MADE ONLY AFTER CONSULTATION WITH THE PARENTS AND THE SCHOOL DISTRICT OF RESIDENCE).*

Sec. 11. Laws 1976, Chapter 271, Section 94, is amended to read:

Sec. 94. Notwithstanding the provisions of section 90 of this act, Special School District No. 1 may retain the amount of \$1,100,000 received in settlement of a proceeding before the tax court regarding the determination of the 1973 and 1974 adjusted

assessed valuation of the property in the district by the equalization aid review committee. The amount retained pursuant to this section shall be deposited in the ("RESERVE ACCOUNT FOR CURRENT FINANCING OF SPECIAL EDUCATION" ESTABLISHED PURSUANT TO SECTION 52, SUBDIVISION 11, OF THIS ACT) "*appropriated fund balance reserve account for purposes of reducing statutory operating debt*" established pursuant to Minnesota Statutes, Section 275.125, Subdivision 9a.

Sec. 12. [SPECIAL EDUCATION AID; APPROPRIATIONS.] *Subdivision 1. There is appropriated from the general fund to the department of education the sums indicated in this section for the fiscal years ending June 30 in the years designated.*

Subd. 2. For special education aid there is appropriated:

\$66,159,300 1978,

\$77,294,300 1979.

(a) The appropriation in this subdivision for fiscal year 1978 includes not to exceed \$7,893,468 for the payment of the final special education aid distribution to each district for fiscal year 1977, of which not to exceed \$2,541,829 is for special education aid for 1977 summer school programs.

(b) The appropriation in this subdivision for fiscal year 1979 includes not to exceed \$10,609,503 for the payment of the final special education aid distribution to each school district for fiscal year 1978, of which not to exceed \$3,874,708 is for special education aid for 1978 summer school programs.

Subd. 3. There is appropriated for the purposes of section 123.581:

\$350,000 1978,

\$350,000 1979.

Of this amount, not more than \$5,700 may be spent in each year for additional departmental personnel to implement the programs.

Subd. 4. Any unexpended balance remaining from the appropriation in this section for 1978 shall not cancel but shall be available for the second year of the biennium. None of the amounts appropriated in this section shall be expended for a purpose other than the purpose indicated.

Sec. 13. [EFFECTIVE DATE.] Sections 2, 3, 4 and 5 and section 7, subdivisions 7, 9 and 10 of this article shall be effective the day following final enactment. Section 1 of this article shall be effective August 15, 1977.

ARTICLE IV

COMMUNITY AND ADULT EDUCATION PROGRAMS

Section 1. Minnesota Statutes 1976, Section 124.26, Subdivision 1, is amended to read:

124.26 [EDUCATION PROGRAMS FOR ADULTS.] Subdivision 1. For evening schools and continuing education programs for adults established for persons over 16 years of age and not in attendance upon regular day schools, the state shall compensate any district maintaining such programs in accordance with requirements established by the state board from funds appropriated for that purpose, or such funds combined with federal funds insofar as federal funds are available. (BEGINNING JULY 1, 1975.) The state shall (NOT REIMBURSE EXPENDITURES FROM THE 1974-1975 SCHOOL YEAR PROGRAMS, BUT SHALL) pay *these* aids (FOR THE 1975-1976 SCHOOL YEAR PROGRAMS AND FOR EACH YEAR THEREAFTER) on a current funding basis. The portion of such compensation from state appropriation shall be 90 percent of the compensation paid each teacher for his services in such programs up to \$8,000 per year based on the costs in that current year. All classes shall be tuition free when taught by teachers subsidized under this section and there shall be no charge for registration, materials and supplies, or G.E.D. tests. Evening school and continuing education programs are defined as those public day or evening school programs which are established for persons over 16 years of age not in attendance at the full time elementary or secondary schools and which qualify such persons for the high school diploma, the high school equivalency certificate or for academic achievement at the secondary level.

Sec. 2. Minnesota Statutes 1976, Section 124.26, Subdivision 4, is amended to read:

Subd. 4. The state shall pay to each school district 30 percent of its estimated adult education aid entitlement for the fiscal year on or before each of the following dates: (SEPTEMBER 30) *August 31*, December 31, and March 31. The actual balance due the district shall be paid on or before (AUGUST) *October 31* of the following fiscal year.

Sec. 3. Minnesota Statutes 1976, Section 124.271, Subdivision 2, is amended to read:

Subd. 2. In fiscal year (1977 AND EACH YEAR THEREAFTER) *1978*, the state shall pay 50 cents per capita to each

school district which is operating a community school program in compliance with the rules established by the state board and which has levied *at least* the lesser of \$1 per capita or the maximum permissible certified levy for community services pursuant to section 275.125, subdivision 8, *clause (1)*, for use in that year.

Sec. 4. Minnesota Statutes 1976, Section 124.271, Subdivision 5, is amended to read:

Subd. 5. All community school programs aid shall be distributed by the state aids, statistics and research section of the state department of education. Aid shall be distributed prior to November 1, (1976 AND EACH YEAR THEREAFTER) 1977.

Sec. 5. Minnesota Statutes 1976, Section 275.125, Subdivision 8, is amended to read:

Subd. 8. (1) In (1975, AND) each year (THEREAFTER), a district with a population of more than 15,000 persons which has established a community school advisory council pursuant to section 121.88 may levy an amount of money raised by the greater of (A) \$1 per capita, or (B) (THE NUMBER OF EARC MILLS NOT TO EXCEED THE NUMBER OF EARC MILLS NECESSARY IN 1973 TO RAISE \$1 PER CAPITA IN 1973) *the dollar amount certified pursuant to this subdivision in 1976*. In (1975, AND) each year (THEREAFTER), a district with a population of fewer than 15,000 persons which has established a community school advisory council pursuant to section 121.88, may levy an amount of money raised by the greater of (A) \$2 per capita, or (B) (THE NUMBER OF EARC MILLS NOT TO EXCEED THE NUMBER OF EARC MILLS NECESSARY IN 1975 TO RAISE \$2 PER CAPITA IN 1975) *the dollar amount certified pursuant to this subdivision in 1976*. These levies shall be used for community services including (SUMMER SCHOOL,) nonvocational adult programs, recreation programs, and programs contemplated by sections 121.85 to 121.88.

(2) A district which provides 95 percent or more of the cost of the recreation program for the municipalities and townships in which the district or any part thereof is located and which levied pursuant to this clause in 1975 may, with the approval of the commissioner, levy an additional amount, not to exceed one mill times the adjusted assessed valuation of the district for the preceding year, to be used for the costs of the recreation program; provided that no district may levy pursuant to this clause an amount greater than its actual cost for providing these programs in the previous September to September period. In 1977 and each year thereafter, only Independent School Districts No. 77 and No. 624 shall be authorized to levy pursuant to this clause. Any district which levied pursuant to this clause in 1975 shall report to the department of education prior to January 15, 1977, on how these funds were expended.

(3) A school district shall be authorized to make a levy pursuant to this subdivision only after it has filed a certificate of compliance with the commissioner of education, certifying that members of the school board have met with members of the governing bodies of the county, municipality or township in which the school district, or any part thereof, is located, in order to discuss methods of increasing mutual cooperation between such bodies.

(4) The population of the district for purposes of this subdivision is the population determined as provided in section 275.14 or as certified by the department of education from the most recent federal census.

Sec. 6. [APPROPRIATIONS.] *Subdivision 1. There is appropriated from the general fund to the department of education the sums indicated in this subdivision for the fiscal years ending June 30 in the years designated.*

Subd. 2. [ADULT EDUCATION AID.] For adult education aid pursuant to section 124.26, there is appropriated:

\$594,000 1978,

\$600,000 1979.

(a) *The appropriation in this subdivision for fiscal year 1978 includes not more than \$54,000 for the payment of the final adult education aid distribution to the districts for fiscal year 1977.*

(b) *The appropriation in this subdivision for fiscal year 1979 includes not more than \$60,000 for the payment of the final adult education aid distribution to the districts for fiscal year 1978.*

Subd. 3. [COMMUNITY EDUCATION AID.] For community education aid pursuant to section 124.271, there is appropriated:

\$2,000,000 1978.

Subd. 4. [G.E.D. REIMBURSEMENT AID.] For G.E.D. reimbursement aid pursuant to section 124.26, subdivision 3, there is appropriated:

\$80,000 1978,

\$80,000 1979.

Subd. 5. Any unexpended balance remaining from the appropriation in this section for 1978 shall not cancel but shall be avail-

able for the second year of the biennium. None of the amounts appropriated in this section shall be expended for a purpose other than the purpose indicated. If the appropriation amount attributable to either year for the purpose indicated is insufficient, the aid for that year shall be prorated among all qualifying districts and the state shall not be obligated for any amount in excess of the appropriations in this section for these purposes.

Sec. 7. [REPEALER.] *Minnesota Statutes 1976, Section 124.271, Subdivision 1, is repealed effective July 1, 1977. Minnesota Statutes 1976, Sections 124.271, Subdivisions 2, 3, 4, and 5 are repealed effective July 1, 1978.*

Sec. 8. [EFFECTIVE DATE.] *Section 2 of this article is effective the day following its final enactment.*

ARTICLE V

VOCATIONAL EDUCATION

Section 1. Minnesota Statutes 1976, Section 123.351, Subdivision 5, is amended to read:

Subd. 5. [FINANCING.] (a) Any center board established pursuant to this section is a public corporation and agency and may receive and disburse federal, state, and local funds made available to it. No participating school district shall have any additional individual liability for the debts or obligations of the center except that assessment which has been certified as its proportionate share in accordance with subdivision 5, clause (b) and subdivision 4, clauses (a) and (c). A member of the center board shall have such liability as is applicable to a member of an independent school district board. Any property, real or personal, acquired or owned by the center board for its purposes shall be exempt from taxation by the state or any of its political subdivisions.

(b) The center board may, in each year, for the purpose of paying any administrative, planning, operating, or capital expenses incurred or to be incurred, assess and certify to each participating school district its proportionate share of any and all expenses. This share shall be based upon an equitable distribution formula agreed upon by the participating districts (AND APPROVED BY THE STATE COMMISSIONER OF EDUCATION WITH APPROVAL BY THE STATE BOARD OF VOCATIONAL EDUCATION). Each participating district shall remit its assessment to the center board within 30 days after receipt. The assessments shall be paid within the maximum levy limitations of each participating district.

Sec. 2. Minnesota Statutes 1976, Section 124.562, Subdivision 1, is amended to read:

124.562 [POST-SECONDARY VOCATIONAL FOUNDATION AID.] Subdivision 1. (FOR THE 1976-1977 SCHOOL YEAR) A district shall receive post-secondary vocational foundation aid in the amount of (\$2,000) \$2,120 for fiscal year 1978 and \$2,240 for fiscal year 1979, times the number of post-secondary vocational-technical pupils in average daily membership, as defined in subdivision 2, less the sum of (1) any amounts received as tuition and fees for post-secondary vocational-technical pupils, (2) the amount raised by the minimum levy required (IN 1975) by section 275.125, subdivision 13, for collection in the calendar year ending in that fiscal year, and (3) any amounts received for post-secondary vocational programs as federal vocational categorical aid and as special grants from state allocations of federal vocational funds, unless these grants are used to fund additional services beyond the normal program.

Sec. 3. Minnesota Statutes 1976, Section 124.565, Subdivision 1, is amended to read:

124.565 [POST-SECONDARY VOCATIONAL EDUCATION TUITION.] Subdivision 1. Any Minnesota resident who is under 21 years of age may attend a post-secondary vocational-technical school (WITHOUT TUITION), provided that the individual meets the entrance requirements for the training course in which enrollment is sought and the school has the room and the facility to receive him.

Sec. 3a. Minnesota Statutes 1976, Section 124.565, Subdivision 3, is amended to read:

Subd. 3. Tuition at a post-secondary vocational-technical school for a Minnesota resident pupil (WHO DOES NOT COME WITHIN THE EXEMPTIONS PROVIDED IN SUBDIVISIONS 1 AND 2,) shall be two dollars per day for each school day the pupil is enrolled.

Sec. 4. Minnesota Statutes 1976, Section 124.57, is amended to read:

124.57 [AID FOR VOCATIONAL EDUCATION.] *Subdivision 1.* Whenever any district shall have established a vocational school, department, or classes in accordance with the rules and regulations established by the state board adopted by that board, (AND THE PLAN FOR VOCATIONAL EDUCATION, AND APPROVED BY THE UNITED STATES OFFICE OF EDUCATION OR OTHER FEDERAL AGENCY TO WHICH ITS FUNCTIONS ARE ASSIGNED,) the state board shall reimburse such district or state tax supported institution for its expenditures for salaries and necessary travel of vocational teachers or other reimbursable expenditures from federal funds and may supplement such federal funds with such state aid as it may deem desirable under such rules as it may adopt, provided,

however, that in the event of such funds not being sufficient to make such reimbursement in full, the state board shall prorate the respective amounts available to the various districts entitled to receive reimbursement. All instruction may be given at the place of the abode of the pupils (, AND ADULTS MAY BE GIVEN INSTRUCTION IN ADJOINING OR NEARBY DISTRICTS.)

(IN LIKE MANNER THE STATE BOARD SHALL HAVE POWER TO REIMBURSE OTHER GOVERNMENTAL AGENCIES FOR EXPENDITURES FOR SALARIES AND NECESSARY TRAVEL EXPENSES OF VOCATIONAL TEACHERS FROM FEDERAL FUNDS, ACCORDING TO RULES AND REGULATIONS ADOPTED BY THE STATE BOARD).

Subd. 2. When local districts desire but cannot provide vocational instruction for the related training required by apprentices and other learners in the trade, industrial, and distributive fields, the state board is empowered upon request of such local district or districts to employ itinerant vocational teachers to provide this service and pay the salary and necessary travel expense from authorized federal and state vocational aid funds under such rules as it may adopt. An itinerant vocational teacher in this section is defined as a vocational teacher employed to give part-time or periodic vocational instruction in one or more districts.

(THIS SECTION) *Subd. 3. Subdivision 1* shall apply only to secondary (AND ADULT) vocational education programs. Sections 124.561 to 124.565 shall not apply to secondary and adult vocational education programs. (LAWS 1975, CHAPTER 432, SECTION 68 SHALL BE EFFECTIVE JULY 1, 1976.)

Sec. 5. Minnesota Statutes 1976, Section 124.572, is amended to read:

124.572 [CURRENT FUNDING FOR ADULT VOCATIONAL EDUCATION.] *Subdivision 1.* The purpose of this section is to change the method of funding adult vocational programs from reimbursement based on past expenditures to a current funding basis. Beginning July 1, 1977, the state shall not reimburse expenditures from the 1976-1977 school year programs, but shall pay aids for the 1977-1978 school year programs and for each year thereafter on a current funding basis.

Subd. 2. In the 1977-1978 school year and thereafter, the state shall pay to any district or cooperative vocational center 75 percent of the salaries paid to essential, certified personnel in that school year for services rendered in that district's or center's adult vocational education programs. In addition, the state shall pay 50 percent of the costs of necessary travel between instructional sites by adult vocational education teachers. The aid

paid by the state for salaries and travel pursuant to this subdivision shall be reduced by any authorized federal vocational aid funds paid by the department to that district or center for adult vocational programs.

Subd. 3. This aid shall be paid only for services rendered or for travel costs incurred in adult vocational education programs approved by the state department of education and operated in accordance with rules promulgated by the state board; provided, in 1977-1978 the department may pay this aid for programs operated in accordance with the state plan for vocational education and current state board rules. By 1978-1979, these rules shall provide minimum student-staff ratios required for an adult vocational education program to qualify for this aid.

Subd. 4. Boards may charge tuition for participation in adult vocational education programs. Nothing in this section shall prohibit the charging of differential tuition rates for residents or nonresidents of a district. If adult vocational education is provided by another district or a cooperative center by contract pursuant to subdivision 5, the contract shall provide for this issue.

Subd. 5. Any board may contract with the board of a district containing a post-secondary vocational-technical school or the board of a cooperative center for the provision of adult vocational education services. The board providing these services may also act as fiscal agent for the other contracting district if so agreed.

Subd. 6. All adult vocational education aid shall be paid to the district or cooperative center providing the services.

Subd. 7. Each district providing adult vocational education shall establish and maintain separate accounts for the receipt and disbursement of all funds related to these adult vocational education programs. All adult vocational education aid received by the district from any source shall be utilized solely for the purposes of adult vocational education programs.

Subd. 8. The state shall pay to each school district 30 percent of its estimated adult vocational education aid for the school year on or before the following dates: August 31, December 31 and March 31. The final aid distribution to the district shall be made on or before October 31 of the following year. All adult vocational education aids shall be computed and distributed by the state aids, statistics, and research section of the state department of education.

Subd. 9. Any individual enrolled in an adult farm management program for longer than six years shall be charged a tuition rate equal to the full cost of the program attributable to that individual.

Sec. 6. Minnesota Statutes 1976, Section 124.573, is amended to read:

124.573 [CURRENT FUNDING FOR SECONDARY VOCATIONAL EDUCATION.] *Subdivision 1.* The purpose of this section is to change the method of funding secondary vocational programs from reimbursement based on past expenditures to a current funding basis. Beginning July 1, 1978, the state shall not reimburse expenditures from the 1977-1978 school year programs, but shall pay aids for the 1978-1979 school year programs and for each year thereafter on a current funding basis.

Subd. 2. In the 1978-1979 school year and thereafter, the state shall pay to any district or cooperative center 50 percent of the salaries paid to essential, certified personnel in that school year for services rendered in that district's or center's secondary vocational education programs. In addition, the state shall pay 50 percent of the costs of necessary travel between instructional sites by secondary vocational education teachers. The aid paid by the state for salaries and travel pursuant to this subdivision shall be reduced by any authorized federal vocational aid funds paid by the department to that district or center for secondary vocational education programs.

Subd. 3. This aid shall be paid only for services rendered or for travel costs incurred in secondary, vocational education programs approved by the state department of education and operated in accordance with rules promulgated by the state board. These rules shall provide minimum student-staff ratios required for a secondary vocational education program in a cooperative center to qualify for this aid, but shall not require any minimum number of hours, program offerings, or administrative staff for a secondary vocational education program to qualify for this aid.

Subd. 4. All secondary vocational education aid shall be paid to the district or cooperative center providing the services. All secondary vocational education aid received by a district or center from any source shall be utilized solely for the purposes of secondary vocational education programs.

Subd. 5. The state shall pay to each school district and center 30 percent of its estimated secondary vocational education aid for salaries and travel for the school year on or before the following dates: August 31, December 31 and March 31. The final aid distribution to the district shall be made on or before October 31 of the following year. All secondary vocational education aids shall be computed and distributed by the state aids, statistics, and research section of the state department of education.

Sec. 7. Minnesota Statutes 1976, Section 275.125, Subdivision 13, is amended to read:

Subd. 13. Districts maintaining a post-secondary vocational-technical school shall levy for post-secondary vocational-technical purposes as follows:

(1) For districts in cities of the first class, (A MINIMUM OF) one-half mill (UP TO A MAXIMUM OF ONE MILL), exclusive of debt service, times the adjusted assessed valuation of the taxable property of the district for the preceding year as determined by the equalization aid review committee.

(2) For districts formed pursuant to Laws 1967, Chapter 822, as amended, and Laws 1969, Chapters 775 and 1060 as amended, (A MINIMUM OF) one-half mill (UP TO A MAXIMUM OF ONE MILL), exclusive of debt service, times the adjusted assessed valuation of the taxable property of the district for the preceding year as determined by the equalization aid review committee.

(3) For other districts maintaining post-secondary vocational schools, (A MINIMUM OF) one mill (UP TO A MAXIMUM OF THREE MILLS), exclusive of debt service, times the adjusted assessed valuation of the taxable property of the district for the preceding year as determined by the equalization aid review committee.

Sec. 8. Minnesota Statutes 1976, Section 275.125, is amended by adding a subdivision to read:

Subd. 13a. (1) Beginning in 1977, each district participating in 1976-1977 in an intermediate district formed pursuant to Laws 1969, Chapter 775, as amended, or in a joint district formed pursuant to Laws 1969, Chapter 1060, as amended, may levy an additional amount per pupil unit which is equal to .5 mills times the 1976 adjusted assessed valuation of the intermediate or joint district, multiplied by the ratio of the number of the participating district's pupils who received secondary vocational education from the intermediate or joint district in 1976-1977 to the total number of pupils in the intermediate or joint district's secondary vocational education program in 1976-1977; divided by the number of pupil units in the participating district in 1976-1977.

(2) Beginning in 1977, each district participating in 1976-1977 in a joint district formed pursuant to Laws 1967, Chapter 822, as amended, may levy an additional amount per pupil unit which is equal to .7 mills times the 1976 adjusted assessed valuation of the joint district, multiplied by the ratio of the number of the participating district's pupils who received secondary vocational education from the joint district in 1976-1977 to the total number of pupils in the joint district's secondary vocational education program in 1976-1977, divided by the number of pupil units in the participating district in 1976-1977.

(3) *The proceeds of these levies shall be used for secondary vocational education.*

(4) *For purposes of computing allowable levies under this subdivision, pupil units shall include only those units identified in section 124.17, subdivision 1, clauses (1), (2), (6) and (7).*

Sec. 9. Laws 1967, Chapter 822, Section 7, as amended by Laws 1969, Chapter 945, Section 2, and Laws 1975, Chapter 432, Section 84, is amended to read:

Sec. 7. [TAX LEVIES.] The joint school board shall each year, for the purpose of paying any administrative, planning, operating, or capital expenses incurred or to be incurred for area vocational-technical schools, certify to each participating school district the tax levy specified in *Minnesota Statutes*, Section (76) 275.125, *Subdivision 13*, Clause (2) (OF THIS ACT). An additional tax (LEVIES) *levy* may be certified which shall not in any year exceed .6 mills on each dollar of adjusted assessed valuation for expenses for special education (AND .7 MILLS ON EACH DOLLAR OF ADJUSTED ASSESSED VALUATION FOR EXPENSES FOR SECONDARY VOCATIONAL EDUCATION). Each participating school district shall include such tax levies in the next tax roll which it shall certify to the county auditor or auditors, and shall remit the collections of such levies to the board promptly when received. Such levies shall not be included in computing the limitations upon the levy of any district under *Minnesota Statutes*, Section 275.125. The board may, any time after such levies have been certified to the participating school districts, issue and sell certificates of indebtedness in anticipation of the collection of such levies, but in aggregate amounts such as will not exceed the portion of the levies which (ARE) *is* then not collected and not delinquent.

Sec. 10. Laws 1969, Chapter 775, Section 4, *Subdivision 2*, as amended by Laws 1971, Chapter 267, Section 3, and Laws 1975, Chapter 432, Section 85, is amended to read:

Subd. 2. The intermediate school board shall in each year for the purpose of paying any administrative, planning, operating, or capital expenses incurred or to be incurred certify to each county auditor of each county in which said intermediate school district shall lie, as a single taxing district, the tax levy specified in *Minnesota Statutes*, Section (76) 275.125, *Subdivision 13*, Clause (2) (OF THIS ACT). An additional tax (LEVIES) *levy* may be certified which shall not in any year exceed .6 mills on each dollar of adjusted assessed valuation for expenses for special education (AND .5 MILLS ON EACH DOLLAR OF ADJUSTED ASSESSED VALUATION FOR EXPENSES FOR SECONDARY VOCATIONAL EDUCATION). Said annual tax levies shall be certified pursuant to *Minnesota Statutes*, Section 124.02. Upon such certification the county auditor or auditors and other

appropriate county officials shall levy and collect such levies and remit the proceeds of collection thereof to the intermediate school district as in the case with independent school districts. Such levies shall not be included in computing the limitations, if any, upon the levy of the intermediate district or any of the participating districts under Minnesota Statutes, Section 275.125. After such levies have been certified to the appropriate county officials the intermediate school board may issue and sell by negotiation or at public sale its certificates of indebtedness in anticipation of the collection of such levies, but in aggregate amount such as will not exceed the portion of such tax levy which is then not collected and not delinquent.

Sec. 11. Laws 1969, Chapter 1060, Section 7, as amended by Laws 1975, Chapter 432, Section 86, is amended to read:

Sec. 7. [TAX LEVIES.] The joint school board shall each year, for the purpose of paying any administrative, planning, operating, or capital expenses incurred or to be incurred for area vocational-technical schools, certify to each participating school district the tax levy specified in *Minnesota Statutes*, Section (76) 275.125, *Subdivision 13*, Clause (2) (OF THIS ACT). An additional tax (LEVIES) levy may be certified which shall not in any year exceed .6 mills on each dollar of adjusted assessed valuation for expenses for special education (AND .5 MILLS ON EACH DOLLAR OF ADJUSTED ASSESSED VALUATION FOR EXPENSES FOR SECONDARY VOCATIONAL EDUCATION). Each participating school district shall include such tax levies in the next tax roll which it shall certify to the county auditor or auditors, and shall remit the collections of such levies to the board promptly when received. Such levies shall not be included in computing the limitations upon the levy of any district under Minnesota Statutes, Section 275.125. The board may, any time after such levies have been certified to the participating school districts, issue and sell certificates of indebtedness in anticipation of the collection of such levies, but in aggregate amounts such as will not exceed the portion of the levies which (ARE) is then not collected and not delinquent.

Sec. 12. [APPROPRIATION.] *Subdivision 1. There is appropriated from the general fund to the department of education the sums indicated in this subdivision for the fiscal years ending June 30 in the years designated.*

Subd. 2. [SECONDARY VOCATIONAL EDUCATION AID.] For secondary vocational education aid there is appropriated:

\$16,400,000 1978,

\$18,500,000 1979.

The appropriation in this subdivision for fiscal year 1978 includes not to exceed \$1,143,000 for aid for equipment for secondary vocational education programs.

Subd. 3. [ADULT VOCATIONAL EDUCATION AID.] For adult vocational education aid there is appropriated:

\$ 4,200,000 1978,

\$ 4,500,000 1979.

Subd. 4. [VETERAN FARMER COOPERATIVE TRAINING PROGRAMS.] For veteran farmer cooperative training programs there is appropriated:

\$ 1,729,660 1978,

\$ 1,218,200 1979.

This amount is for state reimbursement for the veteran farmer cooperative training program established under the Veterans Readjustment Benefits Act of 1966, as amended.

Subd. 5. [POST-SECONDARY VOCATIONAL FOUNDATION AID.] For post-secondary vocational foundation aid there is appropriated:

\$60,000,000 1978,

\$56,144,485 1979.

Subd. 6. [POST-SECONDARY VOCATIONAL CATEGORICAL AID.] For post-secondary vocational categorical aid there is appropriated:

\$ 9,500,000 1978,

\$10,024,000 1979.

Subd. 7. [POST-SECONDARY VOCATIONAL CAPITAL EXPENDITURE AID.] For post-secondary vocational capital expenditure aid there is appropriated:

\$ 6,000,000 1978,

\$ 6,000,000 1979.

Subd. 8. [POST-SECONDARY VOCATIONAL DEBT SERVICE CREDIT.] For the post-secondary vocational debt service credit, there is appropriated:

\$ 7,608,300 1978,

\$ 7,814,864 1979.

Subd. 9. [POST-SECONDARY VOCATIONAL DEFICIT PAYMENT.] For the post-secondary vocational deficit payment, there is appropriated:

\$ 1,188,925 1978.

Subd. 10. Any unexpended balance remaining from the appropriation in this section for 1978 shall not cancel but shall be available for the second year of the biennium. None of the amounts appropriated in this section shall be expended for a purpose other than the purpose indicated. If the appropriation amount attributable to either year for the purpose indicated is insufficient, the aid for that year shall be prorated among all qualifying districts and the state shall not be obligated for any amount in excess of the appropriations in this section for these purposes.

Sec. 13. [REPEALER.] Minnesota Statutes 1976, Sections 124.562, Subdivision 6; and 124.563, Subdivision 4, are repealed.

Sec. 14. [REPEALER.] Minnesota Statutes 1976, Sections 124.565, Subdivision 2; and 124.57, Subdivisions 1 and 3, as added by section 4 of this article, are repealed effective July 1, 1978.

Sec. 15. [EFFECTIVE DATE.] Sections 3, 3a and 6 of this article shall be effective July 1, 1978.

ARTICLE VI

OTHER AID AND LEVY PROGRAMS

Section 1. Minnesota Statutes 1976, Section 123.742, Subdivision 1, is amended to read:

123.742 [ASSISTANCE TO LOCAL SCHOOL DISTRICTS.]
Subdivision 1. Insofar as possible, the state board of education and educational cooperative service units shall make technical assistance for planning and evaluation available to school districts upon request (DURING THE 1976-1977 SCHOOL YEAR). The department shall collect the annual evaluation reports from local districts as provided in section 123.741, subdivision 5, and shall make this data available upon request to any district seeking to use it for purposes of comparisons of student performance.

Sec. 2. Minnesota Statutes 1976, Section 124.30, Subdivision 5, is amended to read:

Subd. 5. In fiscal year 1976, each district shall receive 66 2/3 percent of the amount which it would otherwise be entitled to receive pursuant to this subdivision and in fiscal year 1977, 33

1/3 percent of such amount. (THIS SUBDIVISION) *Section 124.30* shall expire on June 30, 1977.

Sec. 3. Minnesota Statutes 1976, Section 124.38, Subdivision 7, is amended to read:

Subd. 7. "Maximum effort debt service levy" means a levy in a total dollar amount computed as 20 mills on the adjusted assessed value; except that the maximum effort debt service levy of any school district having received a debt service or capital loan from the state before January 1, 1965, shall be computed as 4.10 mills on the market value in each year, unless the district applies or has applied for an additional loan subsequent to January 1, 1965, or issues or has issued bonds on the public market, other than bonds refunding state loans, subsequent to January 1, 1967; and except that the maximum effort debt service levy of any school district granted a debt service or capital loan between January 1, 1965, and July 1, 1969, shall be computed as 5 1/2 mills on the market value in each year, until and unless the district receives an additional loan; and except that the maximum effort debt service levy of any school district granted a debt service or capital loan between July 1, 1969 and July 1, 1975 shall be computed as 6.3 mills on market value in each year until and unless the district has received an additional loan; and except that no district's maximum effort debt service levy shall exceed a total dollar amount computed as 20 mills on the adjusted assessed value.

Sec. 4. Minnesota Statutes 1976, Section 273.138, Subdivision 3, is amended to read:

Subd. 3. Each school district shall receive reimbursement in 1974 and subsequent years in an amount equal to the product of its 1972 assessed value of real property exempted from taxation by (SECTION 272.02, SUBDIVISION 1) *Laws 1973, Chapter 650, Article XXIV, Section 1*, times the sum of its 1972 payable 1973 mill rates for the following levies:

- (1) A levy for capital outlay, pursuant to section 124.04;
- (2) A levy to pay the principal and interest on bonded indebtedness, including the levy to pay the principal and interest on bonds issued pursuant to Minnesota Statutes 1974, Section 275.125, Subdivision 3 (7) (c);
- (3) A levy to pay the principal and interest on debt service loans, pursuant to section 124.42;
- (4) A levy to pay the principal and interest on capital loans, pursuant to section 124.43;
- (5) A levy to pay amounts required in support of a teacher retirement fund, pursuant to section 422A.08;

(6) A levy for additional maintenance cost in excess of 29 mills times the adjusted assessed valuation of the school district, pursuant to *Minnesota Statutes 1971*, Section 275.125, (SUBDIVISIONS 6 OR 7) *Subdivision 3, Clause (4)*.

For the purpose of this subdivision, a school district mill rate for any of the forementioned levies which was not applied to the total taxable value of such school district shall be added to the forementioned sum of mill rates as if it had been applied to the entire taxable value of the school district.

Sec. 5. [EDUCATIONAL AIDS FOR NONPUBLIC SCHOOL CHILDREN.] *Notwithstanding any law to the contrary, the state board shall not, prior to July 1, 1979, enforce or allot funds pursuant to Minnesota Statutes, Sections 123.934 and 123.935 or any rules promulgated under those sections.*

Sec. 6. [APPROPRIATION FOR EDUCATIONAL CO-OPERATIVE SERVICE UNITS.] *There is appropriated to the department of education from the general fund the sum of \$200,000 for the biennium ending June 30, 1979 for the purpose of providing operational educational cooperative service units with funds to assist in meeting the costs of rendering technical assistance to local school districts for planning and evaluation pursuant to Minnesota Statutes, Section 123.742. Each ECSU shall receive up to \$20,000, except that the ECSU whose boundaries coincide with the boundaries of development region 11 shall receive up to \$40,000.*

Sec. 7. [APPROPRIATIONS.] *Subdivision 1. There is appropriated from the general fund to the department of education the sums indicated in this section for the fiscal years ending June 30 in the years designated.*

Subd. 2. [STATE AID FOR EXTRAORDINARY TAX DELINQUENCY.] *For state aid for extraordinary tax delinquency pursuant to section 124.241, there is appropriated:*

\$200,000 1978,

\$200,000 1979.

Subd. 3. [ELIGIBLE TEACHER PROGRAM.] *For eligible teacher program aid, there is appropriated:*

\$112,500 1978,

\$ 60,000 1979.

Subd. 4. [EMERGENCY AID.] *For emergency aid pursuant to sections 124.24 and 124.221, there is appropriated:*

\$500,000 1978,

\$300,000 1979.

Subd. 5. [GROSS EARNINGS AID.] For gross earnings aid pursuant to sections 124.28, 124.281 and 124.29, there is appropriated:

\$300,000 1978,

\$300,000 1979.

Subd. 6. Any unexpended balance remaining from the appropriation in this section for 1978 shall not cancel but shall be available for the second year of the biennium. None of the amounts appropriated in this section shall be expended for a purpose other than the purpose indicated. If the appropriation amount attributable to either year for the purpose indicated is insufficient, the aid for that year shall be prorated among all qualifying districts and the state shall not be obligated for any amount in excess of the appropriations in this section for these purposes.

Sec. 8. [REPEALER.] Minnesota Statutes 1976, Sections 124.215, Subdivision 2a; 124.25; 473.633; and 473.635, are repealed.

Sec. 9. [EFFECTIVE DATE.] Section 4 of this article is effective the day following final enactment.

ARTICLE VII

MISCELLANEOUS PROVISIONS

Section 1. [LEGISLATIVE SCHOOL FINANCE STUDY COMMISSION.] Subdivision 1. [CREATION.] There is hereby created a legislative school finance study commission.

Subd. 2. [MEMBERSHIP.] The commission shall consist of 10 members: five members of the house of representatives appointed by the speaker and five members of the senate appointed by the committee on committees. Any vacancy shall be filled by the appointing authority.

Subd. 3. [PURPOSE.] It is the purpose of the commission to study and consider any and all matters related to school finance, including but not limited to the following: effect of sparsity on school finance, concepts of power equalization as applied to school finance, effect of declining enrollments on school finance, school construction needs and effect of staffing patterns on school finance.

Subd. 4. [POWERS AND DUTIES.] (a) The commission shall elect a chairperson and other officers as it deems necessary from its membership.

(b) The commission shall conduct hearings and make investigations as it deems necessary to accomplish its purpose.

(c) The commission shall review and analyze the budgets of a sample of not less than 25 school districts. The sample of districts shall include districts which vary according to the following characteristics: curriculum offerings; size; enrollment pattern; geographic location; adjusted assessed property valuation; and per pupil expenditure level. When appropriate, the sample may include districts which have been selected for the pupil unit audit pursuant to Minnesota Statutes 1976, Section 124.14.

(d) The commission shall make use of available personnel and facilities of the legislature. In the event additional personnel are needed, the commission may employ such personnel as it deems necessary.

(e) The commission may expend money and do all things reasonably necessary to accomplish its purpose.

(f) The commission shall report its findings and recommendations to the governor, the education committees of each house of the legislature, and the state board of education by December 15, 1978.

Subd. 5. [EXPIRATION OF COMMISSION.] The commission's existence shall terminate June 30, 1979.

Subd. 6. [APPROPRIATION.] There is appropriated from the general fund of the state treasury to the legislative school finance study commission for the biennium ending June 30, 1979, the sum of \$80,000. Expenditures of the commission shall be approved as determined by commission resolution.

Sec. 2. [EXTENDED LEAVES OF ABSENCE.] *Subdivision 1. The board of any district may grant an extended leave of absence without salary to any full time elementary or secondary school teacher who has been employed by the district for at least ten but no more than 20 years of allowable service and who has not attained the age of 55 years or over. Extended leaves of absence pursuant to this section shall not exceed five years in duration. An extended leave of absence pursuant to this section shall be taken by mutual consent of the board and the teacher and may be granted only once.*

Subd. 2. A teacher on an extended leave of absence pursuant to this section shall have the right to be reinstated to a position for which he is certified at the beginning of any of the first five

school years after his extended leave of absence begins, unless he is discharged or placed on unrequested leave of absence or his contract is terminated pursuant to section 125.17 or 125.12, while he is on the extended leave. The board shall not be obligated to reinstate any teacher who is on an extended leave of absence pursuant to this section unless the teacher advises the board of his intention to return before February 1 in the school year preceding the school year in which he wishes to return.

Subd. 3. Any teacher who is reinstated to a teaching position after an extended leave of absence pursuant to this section shall retain seniority and continuing contract rights in the employing district as though he had been teaching in the district during the period when he was on the extended leave.

Subd. 4. The years spent by a teacher on an extended leave of absence pursuant to this section shall not be included in the determination of his salary upon his return to teaching in the district. The credits earned by a teacher on an extended leave of absence pursuant to this section shall not be included in the determination of his salary upon his return to teaching in the district for a period equal to the time of the extended leave of absence.

Sec. 3. Minnesota Statutes 1976, Section 120.10, Subdivision 1, is amended to read:

120.10 [COMPULSORY ATTENDANCE.] Subdivision 1. [AGES AND TERM.] Every child between seven and 16 years of age shall attend a public school, or a private school, for **(A MINIMUM TERM, AS DEFINED BY THE STATE BOARD)** *not less than 175 days, or their equivalent,* during any school year. No child shall be required to attend a public school more than **(A MAXIMUM TERM, AS DEFINED BY THE STATE BOARD)** *200 days, or their equivalent,* during any school year.

Sec. 4. Minnesota Statutes 1976, Section 121.11, Subdivision 5, is amended to read:

Subd. 5. [UNIFORM SYSTEM OF RECORDS AND OF ACCOUNTING.] The state board shall prepare a uniform system of records for public schools, require reports from superintendents and principals of schools, teachers, school officers, and the chief officers of public and other educational institutions, to give such facts as it may deem **(OF PUBLIC)** of public value. Beginning in fiscal year 1977, all reports required of school districts by the state board shall be in conformance with the uniform financial accounting and reporting system adopted pursuant to section 121.902. With the cooperation of the **(LEGISLATIVE)** state auditor, the state board shall establish and carry into effect a uniform system of accounting by public school officers and it shall have authority to supervise and examine the accounts and other records of all public schools.

Sec. 5. Minnesota Statutes 1976, Section 121.902, is amended to read:

121.902 [COUNCIL RECOMMENDATIONS.] Subdivision 1. The council shall recommend to the state board uniform financial accounting and reporting standards for school districts. (PRIOR TO OCTOBER 1, 1976,) The state board shall adopt *and maintain* uniform financial accounting and reporting standards which are consistent with sections 121.90 to 121.92 and with generally accepted accounting principles and practices. The standards so adopted shall be known as the uniform financial accounting and reporting system for Minnesota school districts.

Subd. 2. The state board shall meet the requirements of chapter 15 in the initial adoption *and maintenance* of these standards. (IN PERIODICALLY REVISING THESE STANDARDS, THE BOARD NEED NOT MEET THE REQUIREMENTS OF CHAPTER 15, BUT THESE REVISIONS SHALL NOT BE EFFECTIVE UNTIL 20 DAYS AFTER THEIR PUBLICATION IN THE STATE REGISTER. ANY INTERESTED PERSON MAY PETITION THE STATE BOARD FOR REVISION OF THESE STANDARDS. UPON RECEIPT OF SUCH A PETITION, THE STATE BOARD SHALL PROCEED ACCORDING TO SECTION 15.0412.) *Notwithstanding the provisions of section 15.0412 or 121.914, subdivision 2, the state board may promulgate emergency rules relating to standards for the establishment of a uniform auditing or other verification procedure to determine whether a statutory operating debt exists in any Minnesota school district as of June 30, 1977, without compliance with the provisions of section 15.0412, subdivision 4. These rules are to be effective for not longer than 75 days and may be reissued or continued in effect for an additional 75 days, but may not immediately be reissued thereafter without following the procedure of section 15.0412, subdivision 4. These emergency rules shall be published in the state register as soon as practicable.*

Sec. 6. Minnesota Statutes 1976, Section 121.914, Subdivision 1, is amended to read:

121.914 [STATUTORY OPERATING DEBT.] Subdivision 1. The "(STATUTORY) operating debt" of a school district means the net negative *unappropriated* fund balance in all school district funds, other than capital expenditure, building construction, debt service, trust and agency, and post-secondary vocational-technical education funds, calculated as of June 30 of each year in accordance with the uniform financial accounting and reporting system for Minnesota school districts.

Sec. 7. Minnesota Statutes 1976, Section 121.914, Subdivision 4, is amended to read:

Subd. (4) 2. If the amount of the (STATUTORY) operating debt (VERIFIED PURSUANT TO SUBDIVISION 2) is (LESS) *more* than two and one-half percent of the most recent fiscal year's expenditure amount for the funds considered under subdivision 1, the net negative *unappropriated* fund balance shall (NOT QUALIFY) *be defined* as (STATUTORY OPERATING DEBT) "*statutory operating debt*" for the purposes of this section and sections 121.917 and 275.125, subdivision 9a.

Sec. 8. Minnesota Statutes 1976, Section 121.914, Subdivision 2, is amended to read:

Subd. (2) 3. The commissioner shall establish a uniform auditing or other verification procedure for school districts to determine whether a statutory operating debt exists in any Minnesota school district as of June 30, 1977. This procedure shall also identify all interfund transfers made during fiscal year 1977 from a fund included in computing statutory operating debt to a fund not included in computing statutory operating debt. The standards for this uniform auditing or verification procedure shall be promulgated by the state board pursuant to chapter 15. If a school district applies to the commissioner for a statutory operating debt verification or if the unaudited financial statement for the school year ending June 30, 1977 reveals that a statutory operating debt might exist, the commissioner shall require a verification of the amount of the statutory operating debt which actually does exist.

Sec. 9. Minnesota Statutes 1976, Section 121.914, Subdivision 3, is amended to read:

Subd. (3) 4. If an audit or other verification procedure conducted pursuant to subdivision (2) 3 determines that a statutory operating debt exists (AND DOES NOT COME WITHIN THE PROVISIONS OF SUBDIVISION 4), a district shall follow the procedures set forth in section 275.125, subdivision 9a to eliminate this *statutory* operating debt.

Sec. 10. Minnesota Statutes 1976, Section 121.917, Subdivision 1, is amended to read:

121.917 [EXPENDITURE LIMITATIONS.] Subdivision 1.
(a) Beginning in fiscal year 1978 and in each year thereafter, a district which had statutory operating debt on June 30, 1977 pursuant to section 121.914 shall limit its expenditures in each fiscal year (TO THE AMOUNT OF REVENUE RECOGNIZED IN THE SAME FISCAL YEAR IN ACCORDANCE WITH THE UNIFORM FINANCIAL ACCOUNTING AND REPORTING SYSTEM FOR MINNESOTA SCHOOL DISTRICTS.)

((B) THE EXPENDITURES OF A DISTRICT FOR EACH FISCAL YEAR SHALL BE LIMITED) so that the amount of its statutory operating debt calculated (FOR) *at the end of that*

fiscal year (PURSUANT TO SECTION 121.914) is not greater than the amount of the district's statutory operating debt as of June 30, 1977, as certified and adjusted by the commissioner (;

((1) REDUCED BY AN AMOUNT EQUAL TO THE CUMULATIVE ENTRIES TO THAT DISTRICT'S "RESERVE ACCOUNT FOR REDUCING OPERATING DEBT";)

((2)) , increased by an amount equal to two and one-half percent of that district's operating expenditures for (THE FISCAL) *that* year (IMMEDIATELY PRECEDING THE FISCAL YEAR FOR WHICH THE STATUTORY OPERATING DEBT CALCULATION IS BEING MADE).

((C)) (b) When a district is no longer required to levy pursuant to section 275.125, subdivision 9a, subdivision 2 of this section shall be applicable.

Sec. 11. Minnesota Statutes 1976, Section 121.917, Subdivision 2, is amended to read:

Subd. 2. Beginning in fiscal year 1978 and each year thereafter, any district not subject to *the provisions of* subdivision 1 shall limit its expenditures so that its (APPROPRIATE) *unappropriated* fund balances shall not constitute statutory operating debt as defined (AND LIMITED) in section 121.914.

Sec. 12. Minnesota Statutes 1976, Section 123.335, Subdivision 2, is amended to read:

Subd. 2. The board may authorize an imprest fund for the purpose of advancing money to officers or employees to pay the actual and necessary expenses of such officer or employee in attending meetings outside of the district. The board shall appoint a custodian of such fund and he shall be responsible for its safekeeping and disbursement according to law. (ATTENDANCE AT SUCH MEETINGS SHALL BE AUTHORIZED IN ADVANCE BY THE BOARD.) At the first regular meeting of the board after such meeting, the (OFFICER OR EMPLOYEE) *custodian* shall submit an itemized claim for the actual and necessary expenses incurred and paid (BY HIM IN ATTENDING SUCH MEETING). The board shall act upon it as in the case of other claims and an order shall be issued to the (OFFICER OR EMPLOYEE) *custodian* for the amount allowed. The (OFFICER OR EMPLOYEE) *custodian* shall use the proceeds of the order to repay the amount advanced from the fund (; AND IF THE AMOUNT APPROVED BY THE BOARD IS INSUFFICIENT TO REPAY THE ADVANCE, HE SHALL BE PERSONALLY RESPONSIBLE FOR THE DIFFERENCE) *and make final settlement with the officer or employee. As an alternative the board may authorize travel advances if control is maintained by*

use of a travel advance account, the balance of which is supported by names of employees to whom money has been advanced.

Sec. 13. Minnesota Statutes 1976, Section 123.39, Subdivision 5, is amended to read:

Subd. 5. The board may provide for the admission to the schools of the district, of non-resident pupils, and those above school age, and fix the rates of tuition for such pupils. In case a person owns land and pays the taxes thereon, in a district other than the one in which he resides, then such person or his tenant shall be admitted to all the benefits of said school the same as residents therein, (IN RESPECT TO ELEMENTARY PUPILS) upon conforming to such reasonable terms for tuition and transportation as the board of education of such school district may have established for non-residents, except that he shall be entitled to have the amount of school taxes which he pays to the support of said district applied in payment of said tuition and transportation fees. (IN THE PAYMENT OF STATE AID, THE DISTRICT IN WHICH THE PUPIL ATTENDS SHALL BE CONSIDERED THE DISTRICT OF HIS RESIDENCE BECAUSE OF THE PROVISIONS OF THIS SUBDIVISION.)

Sec. 14. Minnesota Statutes 1976, Section 123.71, Subdivision 1, is amended to read:

123.71 [PUBLICATION OF SCHOOL DISTRICT DISBURSEMENTS.] Subdivision 1. Every school board shall, within 30 days after its adoption of a budget for the current school year, but in no event later than September 1, publish (A SUMMARY OF THE DISBURSEMENTS OF FUNDS SHOWING THE ACTUAL EXPENDITURES FOR THE PRIOR FISCAL YEAR AND PROPOSED EXPENDITURES FOR THE CURRENT FISCAL YEAR) *the revenue and expenditure budgets submitted to the commissioner of education in accordance with section 121.908, subdivision 4, for the current year and the actual revenues, expenditures, fund balances for the prior year and projected fund balances for the current year in a form prescribed by the state board of education after consultation with the advisory council on uniform financing accounting and reporting standards. The forms prescribed shall be designed so that year to year comparisons of revenue, expenditures and fund balances can be made. These budgets, reports of revenue, expenditures and fund balances shall be published in a newspaper of general circulation and holding a U. S. Post Office Department second class mailing permit or a legal newspaper located in the district, or if there be no such newspaper within the district then in the legal newspaper outside the district which has a general circulation in the district.*

Sec. 15. Minnesota Statutes 1976, Section 123.71, Subdivision 2, is amended to read:

Subd. 2. It shall also publish at the same time a summary of bonds outstanding, paid, and sold (,); a summary of orders not paid for want of funds (, AND); certificates of indebtedness for the year ending June 30; *the statutory operating debt of the district as defined and certified pursuant to section 121.914; and the balance amount of the reserve account for purposes of reducing statutory operating debt established pursuant to section 275.125.*

Sec. 16. Minnesota Statutes 1976, Section 275.125, Subdivision 9a, is amended to read:

Subd. 9a. (1) In (1977) 1978 and each year thereafter in which so required by this subdivision, a district shall make an additional levy to eliminate its statutory operating debt, determined as of June 30, 1977 and certified and adjusted by the commissioner. This levy shall not be made in more than 20 successive years and each year before it is made, it must be approved by the commissioner and the approval shall specify its amount. This levy shall in each year be an amount which is equal to the amount raised by a levy of 1.5 mills times the adjusted assessed valuation of the district for the preceding year as determined by the equalization aid review committee; provided that in the last year in which the district is required to make this levy, it shall levy an amount not to exceed the amount raised by a levy of 1.5 mills times the adjusted assessed valuation of the district for the preceding year as determined by the equalization aid review committee. When the cumulative (PROCEEDS OF THE) *certified* levies made pursuant to this subdivision equal an amount equal to the statutory operating debt of the district, the levy shall be discontinued.

(2) The district shall establish a special account *in the general fund* which shall be designated "*appropriated fund balance reserve account for purposes of reducing statutory operating debt*" on its books and records. This account shall reflect the (PROCEEDS OF THE) *certified* levy authorized pursuant to this subdivision. The proceeds of this levy (, AS REFLECTED IN THIS ACCOUNT,) shall be used only for cash flow requirements and shall not be used to supplement district revenues or income for the purposes of increasing the district's expenditures or budgets.

(3) Any district which is required to levy pursuant to this subdivision shall certify the maximum levy allowable under subdivision 2a, clause (1) or (2) in that same year.

(4) *Each district shall make permanent fund balance transfers so that the total statutory operating debt of the district is reflected in the general fund as of June 30, 1977.*

Sec. 17. Minnesota Statutes 1976, Chapter 354, is amended by adding a section to read:

[354.094] *If a member is granted an extended leave of absence pursuant to section 2 of this article, he may receive allowable service credit toward annuities and other benefits under chapter 354, for each year of his leave by paying into the fund employee contributions during the period of the leave which shall not exceed five years. The employing district shall pay employer contributions into the fund for each year for which a member who is on extended leave pays employee contributions into the fund. The employee and employer contributions shall be based upon the rates of contribution prescribed by section 354.42 for the salary received during the year immediately preceding the extended leave. Payments for the years for which a member is receiving service credit while on extended leave shall be made on or before June 30 of each fiscal year for which service credit is received. Notwithstanding section 354.49, subdivision 4, clause (3), a member on extended leave who pays employee contributions into the fund shall retain membership in the association for as long as he continues to pay employee contributions, under the same terms and conditions as if he had continued to teach in the district. A member on extended leave of absence pursuant to section 2 of this article who does not pay employee contributions into the fund in any year shall be deemed to cease to render teaching services beginning in that year for purposes of chapter 354. If a member who paid employee contributions into the fund for five years while on extended leave does not resume teaching in the sixth school year after the beginning of his extended leave, he shall be deemed to cease to render teaching services beginning in that year for purposes of chapter 354. The provisions of this section shall not apply to a member who is placed on unrequested leave of absence or whose contract is terminated pursuant to section 125.12 while he is on an extended leave of absence pursuant to section 2 of this article.*

Sec. 18. Minnesota Statutes 1976, Chapter 354, is amended by adding a section to read:

[354.66] [QUALIFIED PART TIME TEACHERS; PARTICIPATION IN FUND.] *Subdivision 1. A classroom teacher in the public elementary or secondary schools of the state who has 20 years or more of allowable service may, by agreement with the board of the employing district, be assigned to teaching service within the district in a part time teaching position.*

Subd. 2. For purposes of this section, a part time teaching position shall mean a teaching position within the district in which the teacher is employed for at least 50 full days or a fractional equivalent thereof as prescribed in section 354.091, and for which the teacher is compensated at a rate not exceeding 60 percent of the compensation established by the board for a full time teacher of identical education and experience within the district.

Subd. 3. Notwithstanding any provision of chapter 354 relating to salary for contribution purposes or accrual of service

credit to the contrary, employee and employer contributions to the fund, including the state's obligation therefor, and accrual of allowable service credit toward retirement pursuant to chapter 354 shall be continued during the period of part time employment pursuant to this section upon the same basis and in the same amounts as would be payable or accrued were the teacher to have been employed on a full time basis. A teacher's contributions to the fund and accrual of allowable service credit during part time employment may not be continued pursuant to this subdivision for a period longer than 10 years.

Subd. 4. A board entering into an agreement authorized by this section shall take all steps necessary to assure continuance of any insurance programs furnished or authorized a full time teacher on an identical basis and with identical sharing of costs for a part time teacher pursuant to this section.

Subd. 5. Only teachers who are in the bargaining unit as defined in section 179.63, subdivision 17, during the year preceding the period of part time employment pursuant to this section shall qualify for the continuation of contributions and accrual of service credit pursuant to subdivision 3. This section shall not apply to superintendents, principals, assistant principals or other supervisory employees as defined in section 179.63, subdivision 9. Notwithstanding the provisions of section 179.63, subdivision 7, clauses (e) and (f), teachers who are employed on a part time basis for purposes of this section and who would therefore be disqualified from the bargaining unit by one or both of those provisions, shall continue to be in the bargaining unit during the period of part time employment pursuant to this section for purposes of compensation, fringe benefits and the grievance procedure.

Sec. 19. Minnesota Statutes 1976, Chapter 354, is amended by adding a section to read:

[354.69] *Each school district shall furnish to the appropriate retirement fund association all information and reports deemed necessary by the appropriate board of trustees to administer the provisions of sections 2, 17, 18, 20 and 21 of this article.*

Sec. 20. Minnesota Statutes 1976, Chapter 354A, is amended by adding a section to read:

[354A.091] [TEACHERS ON EXTENDED LEAVE.] *Notwithstanding any provision of chapter 354A or the bylaws of an association relating to salary for contribution purposes or accrual of service credit to the contrary, an elementary or secondary school teacher in the public schools of a city of the first class who is granted an extended leave of absence pursuant to section 2 of this article may receive allowable service credit toward annuities and other benefits under chapter 354A for each year of*

his leave by paying into the fund employee contributions during the period of the leave which shall not exceed five years. The employing district shall pay employer contributions into the fund for each year for which a member who is on extended leave pays employee contributions into the fund. The employee and employer contributions shall be based upon the rates of contribution prescribed by section 354A.12, for the salary received during the year immediately preceding the leave. Payments for the years for which a member is receiving service credit while on extended leave shall be made on or before June 30 of each fiscal year for which service credit is received. A member on extended leave who pays employee contributions into the fund shall retain membership in the association for as long as he continues to pay employee contributions, under the same terms and conditions as if he had continued to teach in the district. A member on extended leave of absence pursuant to section 2 of this article pursuant to who does not pay employee contributions into the fund in any year shall be deemed to cease to render teaching services beginning in that year for purposes of chapter 354A and the bylaws of the retirement association. If a member who paid employee contributions into the fund for five years while on extended leave does not resume teaching in the sixth school year after the beginning of his extended leave, he shall be deemed to cease to render teaching services beginning in that year for purposes of chapter 354A and the bylaws of the retirement association. The provisions of this section shall not apply to a teacher who is discharged pursuant to section 125.17 while he is on an extended leave of absence pursuant to section 2 of this article.

Sec. 21. Minnesota Statutes 1976, Chapter 354A, is amended by adding a section to read:

[354A.22] [QUALIFIED PART TIME TEACHERS; PARTICIPATION IN FUND.] *Subdivision 1.* A teacher in the public schools of a city of the first class who has 20 years or more of allowable service may, by agreement with the board of the employing district, be assigned to teaching service within the district in a part time teaching position.

Subd. 2. For purposes of this section, a part time teaching position shall mean a teaching position within the district in which the teacher is employed for at least 50 full days or a fractional equivalent thereof as prescribed in the appropriate bylaws of the retirement associations covered by chapter 354A, and for which the teacher is compensated at a rate not exceeding 60 percent of the compensation established by the board for a full time teacher of identical education and experience within the district.

Subd. 3. Notwithstanding any provision of chapter 354A or the bylaws of an association relating to salary for contribution purposes or accrual of service credit to the contrary, employee and employer contribution to the fund, including the state's obligation pursuant to section 354A.12, and accrual of allowable ser-

vice credit toward retirement pursuant to chapter 354A shall be continued during the period of part time employment pursuant to this section upon the same basis and in the same amounts as would be payable or accrued were the teacher to have been employed on a full time basis. A teacher's contributions to the fund and accrual of allowable service credit during part time employment may not be continued pursuant to this subdivision for a period longer than 10 years.

Subd. 4. A board entering into an agreement authorized by this section shall take all steps necessary to assure continuance of any insurance programs furnished or authorized a full time teacher on an identical basis and with identical sharing of costs for a part time teacher pursuant to this section.

Subd. 5. Only teachers who are in the bargaining unit as defined in section 179.63, subdivision 17, during the year preceding the period of part time employment pursuant to this section shall qualify for the continuation of contributions and accrual of service credit pursuant to subdivision 3. This section shall not apply to superintendents, principals, assistant principals or other supervisory employees as defined in section 179.63, subdivision 9. Notwithstanding the provisions of section 179.63, subdivision 7, clauses (e) and (f), teachers who are employed on a part time basis for purposes of this section and who would therefore be disqualified from the bargaining unit by one or both of those provisions, shall continue to be in the bargaining unit during the period of part time employment pursuant to this section for purposes of compensation, fringe benefits and the grievance procedure.

Sec. 22. Minnesota Statutes 1976, Section 475.61, Subdivision 4, is amended to read:

Subd. 4. All such taxes shall be collected and remitted to the municipality by the county treasurer as other taxes are collected and remitted, and shall be used only for payment of the obligations on account of which levied or to repay advances from other funds used for such payments, except that any surplus remaining in the debt service fund when the obligations and interest thereon are paid may be appropriated to any other general purpose by (THE) any municipality excluding school districts. The amount of any surplus so appropriated by school districts shall reduce the levy limitation authorized pursuant to section 275.125, subdivision 2a.

Sec. 23. [POWER EQUALIZED AID FOR DECLINING ENROLLMENT.] *Subdivision 1. Each year, beginning in 1978-1979, the state shall pay each district where the actual number of pupil units has decreased from the prior year by one percent or more, an amount equal to (a) the ratio of the decline in the number of actual pupil units in the district between the prior and the current year to the number of actual pupil units in the*

district in the prior year, times the number of actual pupil units in the district in the current year, times two, times the quotient resulting when the current year's foundation aid formula allowance is divided by the maximum number of mills permitted to be levied pursuant to section 275.125, subdivision 2a for collection in the calendar year ending in the current fiscal year, less (b) the amount the district is authorized to levy pursuant to section 24 of this article for collection in the calendar year ending in the current fiscal year.

Subd. 2. The department may calculate this aid on the basis of estimated enrollment figures. Adjustments shall be made as final enrollment figures become available, but no adjustments shall be made later than December 15 following the current school year.

Subd. 3. Districts levying less than the amount authorized in section 24 of this article in any year shall receive aid pursuant to this section equal to the amount of aid authorized in subdivision 1, multiplied by the ratio of the district's actual levy to its authorized levy pursuant to section 24 of this article for collection in the calendar year ending in the current fiscal year.

Sec. 24. Minnesota Statutes 1976, Section 275.125, is amended by adding a subdivision to read:

Subd. 7a. (1) Beginning with levies certified in October 1977, each district which the department of education estimates will experience a decline in actual pupil units of one percent or more between the current and the succeeding year may levy an additional amount equal to .002 times the ratio of the estimated decline in actual pupil units between the current and succeeding year to the number of actual pupil units in the district in the current year, times the most recent adjusted assessed valuation of the district.

(2) The department shall calculate the amount of this permissible levy on the basis of estimated pupil counts. Adjustments shall be made as provided in subdivision 18.

(3) For purposes of computing allowable levies under this subdivision, pupil units shall include only those units identified in section 124.17, subdivision 1, clauses (1) and (2).

Sec. 25. [APPROPRIATION; POWER EQUALIZED AID FOR DECLINING ENROLLMENT.] *There is appropriated from the general fund to the department of education the sum of \$1,200,000 for the year ending June 30, 1979, for the purpose of paying power-equalized aid for declining enrollment pursuant to section 23 of this article. If this appropriation amount for this purpose is insufficient, the aid shall be prorated among all qualifying districts and the state shall not be obligated for any amount in excess of the appropriation in this section for this purpose.*

Sec. 26. [APPROPRIATION; PART-TIME TEACHERS' RETIREMENT.] *To meet the state's obligation prescribed in sections 18 and 21 of this article, there is appropriated from the general fund in the state treasury to the commissioner of finance the sum of \$2,500,000 for the fiscal year ending June 30, 1978, and the sum of \$2,500,000 for the fiscal year ending June 30, 1979.*

(a) Any unexpended balance remaining from the appropriation in this section for fiscal year 1978 shall not cancel but shall be available for the second year of the biennium. None of the amounts appropriated in this section shall be expended for a purpose other than the purpose indicated. If the appropriation amount attributable to either year for the purpose indicated is insufficient, the state shall not be obligated for any amount in excess of the appropriation in this section for this purpose.

(b) Notwithstanding the provisions of sections 354.43 and 354A.12, the state's obligation prescribed in sections 18 and 21 of this article shall not be financed out of standing appropriations for the state's obligations pursuant to chapter 354 or 354A.

(c) In cooperation with the boards of trustees of the affected retirement fund associations, the commissioner of finance shall provide for the equitable allocation of the amounts appropriated in this section among districts seeking the benefits of sections 18 and 21 of this article."

Further, delete the title and insert:

"A bill for an act relating to the operation of government; providing for aids to education, tax levies, and the distribution of tax revenues; providing additional aids and levies for school districts with declining enrollment; eliminating foundation aid for summer programs for non-handicapped children; changing the method of distributing the agricultural tax credit; eliminating state aid for community education; establishing formulas for current funding of adult and secondary vocational education; creating a legislative school finance study commission; providing special retirement privileges for experienced teachers who teach part time or take an extended leave of absence; appropriating money; amending Minnesota Statutes 1976, Sections 120.10, Subdivision 1; 120.17, Subdivisions 1a and 5a; 121.11, Subdivision 5; 121.902; 121.914, Subdivisions 1, 2, 3 and 4; 121.917, Subdivisions 1 and 2; 123.335, Subdivision 2; 123.39, Subdivision 5; 123.351, Subdivision 5; 123.581, Subdivisions 1, 2, 3 and 6; 123.71, Subdivisions 1 and 2; 123.742, Subdivision 1; 124.11; 124.14, Subdivision 1; 124.17, Subdivisions 1, 2, and by adding a subdivision; 124.19, Subdivision 1; 124.20; 124.212, Subdivisions 1, 3a, 6b, 7b and 8a, and by adding a subdivision; 124.213; 124.222, Subdivisions 1a, 1b, 2a, 3, 6, and by adding a subdivision; 124.223; 124.26, Subdivisions 1 and 4; 124.271, Subdivi-

sions 2 and 5; 124.30, Subdivision 5; 124.32; 124.38, Subdivision 7; 124.562, Subdivision 1; 124.565, Subdivisions 1 and 3; 124.57; 124.572; 124.573; 128A.02, Subdivisions 2 and 3; 128A.06; 273.132; 273.138, Subdivision 3; 275.125, Subdivisions 2a, 8, 9, 9a, 13, and by adding a subdivision; and 475.61, Subdivision 4; amending Minnesota Statutes 1976, Chapter 354, by adding sections and Chapter 354A, by adding sections; amending Laws 1967, Chapter 822, Section 7, as amended; Laws 1969, Chapter 775, Section 4, Subdivision 2, as amended; Laws 1969, Chapter 1060, Section 7, as amended; and Laws 1976, Chapter 271, Section 94; repealing Minnesota Statutes 1976, Sections 124.215, Subdivision 2a; 124.222, Subdivisions 4 and 5; 124.25; 124.271, Subdivisions 1, 2, 3, 4 and 5; 124.30; 124.562, Subdivision 6; 124.563, Subdivision 4; 124.565, Subdivision 2; 124.57, Subdivisions 1 and 3, as added; 473.633; and 473.635.”

With the recommendation that when so amended the bill pass and re-referred to the Committee on Appropriations.

The report was adopted.

Johnson from the Committee on Education to which was referred:

H. F. No. 1287, A bill for an act relating to education; revising provisions prescribing duties of school districts and the state department of education; correcting outdated definitions and references; changing certain levy authority; altering the foundation aid computation in certain cases; and providing school lunch aid; amending Minnesota Statutes 1976, Sections 6.62, Subdivision 1; 121.02, Subdivision 1; 123.34, Subdivisions 4 and 8; 123.68; 124.212, by adding a subdivision; 124.66; 127.25, Subdivisions 1 and 2, and by adding a subdivision; 134.03; 275.09, Subdivision 4; 275.125, Subdivisions 4, 15 and 16; Chapters 123, by adding a section; and 124, by adding a section; repealing Minnesota Statutes 1976, Sections 120.02, Subdivisions 11 and 18; 121.11, Subdivision 3; 122.34; 123.14; 123.17; 123.18; 123.20; 124.215, Subdivisions 3, 4, 5, 6, 7 and 8; 124.23; 126.021; 126.022; 126.024; 128.01; 128.02; 128.03; 128.04; 128.05; 128.06; 129.06; 129.07; 129.08; and 129.09.

Reported the same back with the following amendments:

Page 3, line 21, delete “he” and insert “the clerk”.

Page 4, line 25, strike “Any school district classified”.

Page 4, line 26, strike “as a county school district July 1, 1957,” and insert “School districts numbers 166 and 381”.

Page 5, lines 5 to 7, delete the new language and insert:

“Subd. 3. In school district number 166, each county commissioner district, as it from time to time exists, shall constitute an

election district from which one member of the board shall be elected. In school district number 381, the election districts shall be as follows: Two Harbors, from which two members of the board shall be elected at large; Silver Bay, from which two members of the board shall be elected at large; the southern part of Lake county excluding Two Harbors, from which one member of the board shall be elected; the northern part of Lake county excluding Silver Bay, from which one member of the board shall be elected; and St. Louis county, from which one board member shall be elected. The board of school district number 381 for purposes of this subdivision shall designate a southern and northern part of Lake county."

Page 12, line 31, after "128.06;" insert "128.069;"

Amend the title as follows:

Line 20, after "128.06;" insert "128.069;"

With the recommendation that when so amended the bill pass.

The report was adopted.

Sieben, H., from the Committee on Governmental Operations to which was referred:

H. F. No. 492, A bill for an act relating to the city of Winona; placing the chief of police under the public employees police and fire fund.

Reported the same back with the following amendments:

Page 1, line 16, after "353.65" insert ", had the person been a member of the public employees police and fire fund from the commencement of his employment with the police department of the city of Winona, plus interest at the rate of six percent per annum compounded annually from the year the payment would otherwise have been made to the year the payment is made,"

Page 1, line 16, delete "transferred" and insert "paid".

Page 1, line 18, after the period insert "upon the receipt of the payments required under this act".

Page 1, line 18, after the period add the following "An amount equal to the employer contributions plus interest as herein specified shall be transferred from the Winona policemen's relief association to the public employees police and fire fund. An amount equal to the employee contributions plus interest as herein specified shall be paid by the chief of police to the public employees police and fire fund. The chief of police shall be en-

titled to receive, upon making written application, a refund of his accumulated contributions to the Winona policemen's relief association plus interest at the rate actually received by the relief association as determined by the board of trustees of the relief association."

With the recommendation that when so amended the bill pass and be placed on the Consent Calendar.

The report was adopted.

Sieben, H., from the Committee on Governmental Operations to which was referred:

H. F. No. 902, A bill for an act relating to state finance; authorizing payments pursuant to grievance resolutions; amending Minnesota Statutes 1976, Section 16A.17, Subdivision 7.

Reported the same back with the following amendments:

Page 1, line 17, delete "*as provided in*".

Page 1, delete all of line 18.

Page 1, line 19, delete "*subdivision 5,*" and insert "*through the formal steps of a grievance procedure established by law or collective bargaining agreement*".

With the recommendation that when so amended the bill pass and be placed on the Consent Calendar.

The report was adopted.

Sieben, H., from the Committee on Governmental Operations to which was referred:

H. F. No. 1038, A bill for an act relating to state lands; authorizing the commissioner of natural resources to convey the interests of the state in certain lands in Houston county.

Reported the same back with the recommendation that the bill pass and be placed on the Consent Calendar.

The report was adopted.

Sieben, H., from the Committee on Governmental Operations to which was referred:

H. F. No. 1048, A bill for an act relating to libraries; requiring distribution of certain state publications to county and regional libraries; amending Minnesota Statutes 1976, Sections 15.051,

Subdivision 4; 15.047, Subdivision 2; and 648.39, by adding a subdivision.

Reported the same back with the following amendments:

Page 2, line 13, delete "and each".

Page 2, delete line 14 to the period and insert "*or 134.12, except in counties containing cities of the first class. If a county has not established a county library pursuant to section 375.33 or 134.12, the copies shall be provided to a public library designated by the county board after consultation with the regional library, if any, established pursuant to section 375.335 for the region in which the county is located*".

Page 2, line 17, before "Rules" insert "*Copies of*".

Page 2, line 17, strike "and regulations".

Page 2, line 20, delete "*supply*" and insert "*provide*".

Page 2, delete line 23.

Page 2, delete line 24 to the period and insert "*or 134.12, except in counties containing cities of the first class. If a county has not established a county library pursuant to section 375.33 or 134.12, the copies shall be provided to a public library designated by the county board after consultation with the regional library, if any, established pursuant to section 375.335 for the region in which the county is located.*".

Page 2, line 27, delete "*distribute*" and insert "*provide*".

Page 2, delete line 31.

Page 2, delete line 32 to the period and insert "*or 134.12, except in counties containing cities of the first class. If a county has not established a county library pursuant to section 375.33 or 134.12, the copies shall be provided to a public library designated by the county board after consultation with the regional library, if any, established pursuant to section 375.335 for the region in which the county is located.*

Sec. 4. *There is appropriated to the commissioner of administration \$_____ and to the revisor of statutes \$_____ from the general fund for the biennium ending June 30, 1979 to effectuate the purposes of this act*".

Amend the title as follows:

Page 1, line 3, delete "and regional".

Page 1, line 4, after the semicolon, insert "appropriating money;"

With the recommendation that when so amended the bill pass and be re-referred to the Committee on Appropriations.

The report was adopted.

Sieben, H., from the Committee on Governmental Operations to which was referred:

H. F. No. 1099, A bill for an act relating to the city of Excelsior; proportionate service pensions and financing requirements of the firemen's relief association.

Reported the same back with the recommendation that the bill pass and be placed on the Consent Calendar.

The report was adopted.

Sieben, H., from the Committee on Governmental Operations to which was referred:

H. F. No. 1101, A bill for an act authorizing the state office of hearing examiners to issue subpoenas and contract for court reporter services; amending Minnesota Statutes 1976, Section 15.052, Subdivisions 4 and 5.

Reported the same back with the following amendments:

Page 2, line 4, delete "*its or*".

Page 2, line 6, delete "*office of hearing examiners or the*" and insert "*chief*".

Page 2, line 7, delete "*before whom a hearing is held*".

With the recommendation that when so amended the bill pass.

The report was adopted.

Sieben, H., from the Committee on Governmental Operations to which was referred:

H. F. No. 1102, A bill for an act relating to state agencies; purchasing and furnishing goods and services; amending Minnesota Statutes 1976, Sections 16.02, Subdivisions 2, 13, 16, 19, and by adding a subdivision; 16.07, Subdivision 8, and by adding a subdivision; 16.72, Subdivision 2; 16.75, Subdivision 7; 16.80, Subdivision 1; and 327.51, Subdivisions 1 and 3, and by adding a subdivision.

Reported the same back with the following amendments:

Page 1, after line 11, insert new sections:

“Section 1. Minnesota Statutes 1976, Section 15.047, Subdivision 1, is amended to read:

15.047 [MANUAL OF STATE AGENCY RULES, PUBLICATION.] Subdivision 1. The commissioner of administration shall publish a manual of state agency rules, which shall include all agency rules currently in effect. The manual shall be so designed as to allow for economic publication and distribution and efficient use. *The commissioner shall require each agency which has adopted and published rules in the state register to pay its proportionate cost of publishing those rules in the manual.*

Sec. 2. Minnesota Statutes 1976, Chapter 16, is amended by adding a section to read:

[16.015] [REGIONAL SERVICE CENTERS FOR STATE AGENCIES; COMMISSIONER OF ADMINISTRATION, LEASING AUTHORITY.] *Subdivision 1. The commissioner of administration may establish regional service centers for selected state agencies. The state planning agency shall cooperate with the commissioner in establishing the need and location of the service centers. The commissioner shall determine which state agencies shall be included in the service centers. The commissioner may determine equitable methods of sharing space, personnel and equipment for the agencies he selects to participate in the service centers.*

Subd. 2. The commissioner may enter into a rental lease for a base term of five years with a five year leasehold renewal option for the purpose of acquiring suitable space for the service centers.

Subd. 3. The commissioner shall submit a report to the legislature on the progress of the service centers program not later than January 1 of each year.”.

Page 4, line 9, delete “*In recognition of the complex and unique*”.

Page 4, delete all of line 10.

Page 4, line 25, delete “*issued*” and insert “*provided upon request*”.

Page 4, line 25, delete “*and*”.

Page 4, delete line 26.

Page 4, line 27, delete "administration".

Page 8, after line 25, insert a new section as follows:

"Sec. 16. Minnesota Statutes 1976, Section 238.04, Subdivision 2, is amended to read:

Subd. 2. *Each member shall be appointed by the governor, by and with the advice and consent of the senate. No more than four members shall be from the same political party.*"

Renumber the sections in sequence.

Amend the title as follows:

Page 1, line 4, before "Sections" insert "Chapter 16, by adding a section;"

Page 1, line 4, after "Sections" insert "15.047, Subdivision 1;"

Page 1, line 8, after "Subdivision 1;" insert "238.04, Subdivision 2;"

With the recommendation that when so amended the bill pass.

The report was adopted.

Sieben, H., from the Committee on Governmental Operations to which was referred:

H. F. No. 1155, A bill for an act relating to the revisor of statutes; providing for engrossing and enrolling duties; clarifying disclosure of bill drafting records; amending Minnesota Statutes 1976, Sections 482.09; and 482.12, Subdivision 1.

Reported the same back with the recommendation that the bill pass and be placed on the Consent Calendar.

The report was adopted.

Sieben, H., from the Committee on Governmental Operations to which was referred:

H. F. No. 1223, A bill for an act relating to administrative procedures; providing for notice and hearing in various administrative decisions; amending Minnesota Statutes 1976, Sections 10A.20, Subdivision 10; 17A.06, Subdivisions 2 and 3; 27.06; 53.03, Subdivisions 1 and 2; 144.802; 155.11, Subdivisions 1 and 2; 216A.05, Subdivision 5; 218.041, Subdivision 3; 219.46, Sub-

division 7; 219.47; and 219.741; repealing Minnesota Statutes 1976, Section 53.03, Subdivision 3.

Reported the same back with the following amendments:

Page 6, line 21, delete "*in the state register and*".

Page 6, lines 29, 30 and 31, delete the new language.

Page 7, line 2, delete "*the certificate of*".

Page 7, line 3, delete "*authorization shall be granted or denied only after*".

Page 7, line 4, delete "*has been*" and insert "*shall be*".

Page 7, line 5, delete "*If a timely objection is not received and the*".

Page 7, delete lines 6 to 9 and insert "*The department of commerce may without cause order a contested case hearing on the application. Any hearing in connection with this section shall be published once in the form prescribed by the department of commerce, at the expense of the applicant, in the same manner as a notice of application.*".

Page 8, after line 4, insert a new section:

"Sec. 7. Minnesota Statutes 1976, Section 53.03, Subdivision 3, is amended to read:

Subd. 3. [GRANT, OR DENIAL; CERTIFICATE.] If the application be granted *without hearing* the department of commerce shall, not later than (30) 60 days after (SUCH HEARING) *the notice of application has been fully published*, issue a certificate authorizing the corporation to transact business as an industrial loan and thrift company as provided in this chapter. If the application be denied *without hearing* the department of commerce shall, not later than (30) 60 days after (SUCH HEARING) *the notice of application has been fully published*, notify the corporation of the denial *and the reasons for the denial. The applicant may request within 30 days of receiving such notice of denial, and shall be granted, a contested case hearing on the application which shall then be conducted as if no order of denial had been issued. If the application be granted after a hearing the department of commerce shall, not later than 30 days after a hearing, issue a certificate authorizing the corporation to transact business as an industrial loan and thrift company as provided in this chapter. If the application be denied after a hearing the department of commerce shall, not later than 30 days after a hearing, notify the corporation of the denial*".

Page 8, line 18, strike "at a public".

Page 8, line 19, strike "hearing" and insert "*pursuant to the provisions of section 144.802, subdivision 2,*".

Page 9, line 4, delete "*and the certificate is*".

Page 9, delete lines 5 to 6.

Page 9, line 7, delete everything before the period and insert "*the board may grant or deny the requested license based upon the information contained in the license application. If licensure is denied without hearing, the applicant, within 30 days after receiving notice of denial, may request and shall be granted a contested case hearing upon the application, at which hearing all issues will be heard de novo*".

Page 12, line 5, after "*objection*" insert "*and a notice of intent to appear at a hearing to object*".

Page 12, line 9, after "*petition*" insert "*, unless the objection is withdrawn prior to the hearing*".

Pages 14 and 15, delete sections 12 and 13.

Renumber the sections in sequence.

Further amend the title:

Line 6, after "1" insert ", 2".

Line 7, delete the first "2" and insert "3".

Line 9, delete "219.46, Subdivision 7; 219.47;".

With the recommendation that when so amended the bill pass.

The report was adopted.

Sieben, H., from the Committee on Governmental Operations to which was referred:

H. F. No. 1259, A bill for an act relating to the city of Savage; firemen's service pensions.

Reported the same back with the recommendation that the bill pass and be placed on the Consent Calendar.

The report was adopted.

Sieben, H., from the Committee on Governmental Operations to which was referred:

H. F. No. 1305, A bill for an act relating to Minnesota Statutes; providing for the correction of erroneous, ambiguous, omitted and obsolete references and text; reenacting a law; eliminating certain duplicitous and conflicting provisions superseded by or conflicting with other provisions of law; amending Minnesota Statutes 1976, Chapter 15, by adding a section; Sections 3.973; 4.12, Subdivision 2; 10.13; 15.55; 16A.129; 33.13; 38.02, Subdivision 2; 38.13; 41.57, Subdivision 1; 43.051, Subdivisions 1 and 2; 55.095; 83.26, Subdivision 3; 116.36, Subdivision 1; 116A.20, Subdivision 6; 121.02, Subdivision 1; 121.11, Subdivision 5; 125.05, Subdivision 3; 144.01, Subdivision 1; 144A.19, by adding a subdivision; 161.14, Subdivision 19; 168.013, Subdivision 17; 168.12, Subdivision 1; 168.27, Subdivision 22; 176.101, Subdivision 3; 179.65, Subdivision 2; 192.551; 193.149; 202A.25, Subdivision 1; 207.19, Subdivision 1; 222.50, Subdivision 5; 246.02, Subdivision 2; 252.24, Subdivision 1; 256B.04, Subdivisions 10 and 11; 260.171, Subdivision 6; 270.50; 273.13, Subdivisions 6 and 7; 297.13, Subdivision 1; 336.9-104; 336.9-105; 336.9-404; 336.9-501; 340.039; 353.01, Subdivisions 2a and 6; 355.30; 375.18, Subdivision 8; 458.19; 462.364; 462A.04, Subdivision 1; 462A.22, Subdivision 10; 465.58; 485.01; 549.06; 609.556, Subdivision 1; and 645.44, Subdivision 5a; reenacting Laws 1976, Chapter 127; repealing Minnesota Statutes 1976, Sections 15.055; 17B.22, Subdivision 3; 43.37; 136A.02, Subdivision 2; 144.952; 169.132; Laws 1971, Chapter 427, Section 17; Laws 1974, Chapters 22, Section 5; and 256.

Reported the same back with the recommendation that the bill pass and be placed on the Consent Calendar.

The report was adopted.

Sieben, H., from the Committee on Governmental Operations to which was referred:

S. F. No. 72, A bill for an act relating to natural resources; authorizing the conveyance by the state of certain lands known as Battle Point to Todd county; amending Minnesota Statutes 1976, Section 84.163.

Reported the same back with the recommendation that the bill pass and be placed on the Consent Calendar.

The report was adopted.

Fugina from the Committee on Higher Education to which was referred:

H. F. No. 1161, A bill for an act relating to education; correcting and eliminating certain erroneous and obsolete references

and text relating to state universities and community colleges; amending Minnesota Statutes 1976, Sections 136.016, Subdivision 1; 136.60, Subdivision 1, and by adding a subdivision; 136.-603; 136.62; 136.621, Subdivision 1; repealing Minnesota Statutes 1976, Sections 136.016, Subdivisions 2, 3, 4, 5 and 6; 136.60, Subdivision 2; 136.601; 136.602; 136.621, Subdivisions 2 and 3; and 136.66.

Reported the same back with the following amendments:

Page 1, delete section 1.

Page 2, line 7, after "Subd. 3." delete the remainder of the line.

Page 2, delete lines 8 to 25.

Page 2, line 26, delete everything before the period and insert "*The community colleges shall be located at Coon Rapids, Austin, Brainerd, Fergus Falls, Hibbing, Inver Grove Heights, Grand Rapids, White Bear Lake, Virginia, Minneapolis, Bloomington, Brooklyn Park, Thief River Falls, International Falls, Rochester, Ely, Willmar and Worthington.*".

Page 3, line 4, after "136.62," insert "Subdivision 1,".

Page 3, after line 12 insert:

"Sec. 5. Minnesota Statutes 1976, Section 136.62, Subdivision 2, is amended to read:".

Page 3, delete lines 17 to 30.

Page 3, before line 31 insert:

"Sec. 6. Minnesota Statutes 1976, Section 136.62, Subdivision 4, is amended to read:".

Page 4, strike lines 7 to 19.

Page 4, line 20, strike "state board for community colleges".

Page 4, strike lines 22 to 28.

Page 4, delete lines 29 to 32.

Page 5, delete line 1.

Page 5, line 10, delete "*, Subdivisions 2, 3, 4, 5, and 6*".

Page 5, line 11, after "136.602;" insert "136.62, Subdivision 3;".

Renumber the sections accordingly.

Further amend the title as follows:

Page 1, line 6, delete "136.016, Subdivision 1;"

Page 1, line 8, after "136.62" insert ", Subdivisions 1, 2 and 4".

Page 1, line 9, delete the second comma.

Page 1, line 10, delete "Subdivisions 2, 3, 4, 5 and 6".

Page 1, line 11, after "136.602;" insert "136.62, Subdivision 3;"

With the recommendation that when so amended the bill pass and be placed on the Consent Calendar.

The report was adopted.

Fugina from the Committee on Higher Education to which was referred:

H. F. No. 1371, A bill for an act relating to education; higher education coordinating board; work-study program; authorizing work-study students to perform personal services for senior citizens; amending Minnesota Statutes 1976, Section 136A.233, Subdivision 2.

Reported the same back with the following amendments:

Page 2, delete new language on lines 20 to 22.

Page 2, strike lines 23 to 26 and insert:

"(f) Each post-secondary institution receiving funds for state work-study grants shall make a reasonable effort to place work-study students in employment with eligible employers outside the institution."

With the recommendation that when so amended the bill pass and be re-referred to the Committee on Appropriations.

The report was adopted.

Enebo from the Committee on Labor-Management Relations to which was referred:

H. F. No. 1162, A bill for an act relating to labor; providing for extended benefits similar to unemployment compensation benefits to certain workers; providing for tuition subsidies; providing an appropriation.

Reported the same back with the following amendments:

Page 1, line 12, delete "unemployment" and insert "employment".

Page 1, line 18, after "caused" insert "and the individual has exhausted all entitlement to unemployment insurance or any similar program or is ineligible due to lack of availability for work or lack of active search of work because of being enrolled or scheduled to be enrolled in a training course, then".

Page 2, line 3, delete "employment services" and insert "education or accredited by a recognized accreditation organization".

Page 2, line 3, delete "two".

Page 2, line 4, delete "calendar years" and insert "24 academic months".

Page 2, line 6 after the period insert "This subsidy may be provided to an individual undergoing training in a work study program or other training approved pursuant to rules adopted by the department of employment services in subdivision 5."

Page 2, line 20, delete "graduation" and insert "completion".

Page 3, line 3, after the period insert "Rules adopted shall be consistent with the legislative guidelines of this subdivision. These guidelines are: (1) the federal, state or local government law, rule or action shall refer to a consumable natural resource; or (2) the federal, state or local government law, rule or action shall refer to a specific industry or occupation; or (3) the federal, state or local government law shall propose certain specific limits on production, distribution or consumption of a natural resource, product, process or service.

Subd. 6. The total entitlement of any individual under this act shall be offset by the amount of benefits for which that person may be otherwise eligible for and entitled to receive from any source of public funds."

Page 3, line 4, delete "There is appropriated to the".

Page 3, delete lines 5, 6 and 7 and insert "There is established a contingency fund in the amount of \$2,000,000 to carry out the purposes of this act. When the commissioner of employment services determines the amount of funds remaining available would allow for three months or less of additional weekly payments, tuition rebates or relocation expenses based on past performance or predicted performance based on current enrollees or known future shutdowns, the department of employment services shall certify the above facts to the legislative advisory council which shall make an emergency appropriation to allow continuation of payments under this act."

With the recommendation that when so amended the bill pass and be re-referred to the Committee on Appropriations.

The report was adopted.

Berg from the Committee on Local and Urban Affairs to which was referred:

H. F. No. 217, A bill for an act relating to St. Cloud; St. Cloud metropolitan transit commission; authorizing the inclusion of parts of municipalities in the transit area; amending Laws 1969, Chapter 1134, Section 2, Subdivision 1.

Reported the same back with the following amendments:

Page 2, line 4, delete "*or part of a municipality*".

Page 2, line 5, delete "*or included area*".

With the recommendation that when so amended the bill pass.

The report was adopted.

Berg from the Committee on Local and Urban Affairs to which was referred:

H. F. No. 522, A bill for an act relating to energy; extending the application of the state building code to all cities and counties; clarifying state agency rulemaking regarding the building code subject matter; extending and clarifying the expiration of the Minnesota energy agency; requiring promulgation of certain energy conservation standards; revising certain requirements; requiring certain efficiencies for air conditioners; prohibiting certain open flame pilot lights; appropriating money; amending Minnesota Statutes 1976, Sections 16.84; 16.851; 16.86, Subdivision 4; 16.861, Subdivision 4; 116H.02, Subdivision 5; 116H.07, Subdivision 1, and by adding a subdivision; 116H.12, Subdivisions 5 and 10, and by adding subdivisions; 116H.121; 116H.124; 116H.126; 116H.13, Subdivision 4; 126.111; and Chapter 116H, by adding sections; repealing Laws 1974, Chapter 307, Section 19.

Reported the same back with the following amendments:

Page 3, line 11, delete "*1978*" and insert "*1979*".

Page 4, line 26, delete "*January 1, 1978*" and insert "*November 1, 1977*".

Page 12, line 19, after "*a*" insert "*commercial*".

Page 16, line 31, delete "4" and insert "5".

Page 16, line 31, delete "16" and insert "17".

Page 17, line 1, delete "8" and insert "9".

Page 17, line 11, delete "18" and insert "19".

With the recommendation that when so amended the bill pass and be re-referred to the Committee on Appropriations.

The report was adopted.

Berg from the Committee on Local and Urban Affairs to which was referred:

H. F. No. 577, A bill for an act relating to the city of St. Paul; authorizing an on-sale liquor license for the St. Paul Labor Centre, Inc.

Reported the same back with the following amendments:

Page 1, line 14, after the period insert "The license herein authorized is for the exclusive use of the St. Paul Labor Centre, Inc., and shall not be used by any other person, corporation or organization."

With the recommendation that when so amended the bill pass and be placed on the Consent Calendar.

The report was adopted.

Berg from the Committee on Local and Urban Affairs to which was referred:

H. F. No. 646, A bill for an act relating to the establishment of parks, playgrounds and scenic areas by the county of Anoka; amending Laws 1961, Chapter 209, Sections 1 and 2.

Reported the same back with the recommendation that the bill pass.

The report was adopted.

Berg from the Committee on Local and Urban Affairs to which was referred:

H. F. No. 697, A bill for an act relating to the city of Minneapolis; authorizing a rehabilitation loan program for small and medium sized commercial buildings; and providing for the

issuance and security of limited general obligation and revenue bonds to finance the program.

Reported the same back with the following amendments:

Page 3, line 22, before "agency" insert "nonprofit".

Page 4, line 1, after "obligation" insert "bonds".

Page 4, line 2, after "bonds" insert "or obligations".

Page 4, line 5, after "bonds" and before "may" insert "or obligations".

Page 4, line 10, after "bonds" insert "or obligations".

Page 4, line 19, after "obligation" insert "bonds".

Page 4, line 19, after "bonds" insert "or obligations".

Page 4, line 22, after "bonds" insert "or obligations".

Page 4, line 27, after "bonds" insert "or obligations".

Page 4, after line 27, insert the following:

"Subd. 4. [AUTHORITY.] In the making or purchase of loans or other securities in furtherance of the program authorized by this act, and in the issuance of revenue bonds or other obligations the city of Minneapolis may exercise, or may by ordinance authorize an existing agency or an agency created by such ordinance to exercise, within the corporate limits of the city, any and all of the same powers as the Minnesota housing finance agency is authorized to exercise under the provisions of Minnesota Statutes, Chapter 462A.

Subd. 5. [ADDITIONAL SECURITY FOR BONDS.] The city council shall not amend the regulations adopted by ordinance and in effect at the time any bonds or obligations authorized by this act are issued, to the detriment of the holder of such bonds or obligations."

With the recommendation that when so amended the bill pass.

The report was adopted.

Berg from the Committee on Local and Urban Affairs to which was referred:

H. F. No. 1119, A bill for an act relating to Ramsey county; providing for additional membership on its civil service commis-

sion; further prescribing and clarifying the duties of the commission; eliminating per diem payments for library board members; amending Laws 1974, Chapter 435, Section 3.02; repealing Laws 1974, Chapter 435, Section 1.0208.

Reported the same back with the following amendments:

Page 5, line 6, after "*year*" insert "*determined by rule for each class or group of classes*".

With the recommendation that when so amended the bill pass.

The report was adopted.

Fudro from the Committee on Transportation to which was referred:

H. F. No. 869, A bill for an act relating to motor vehicles; registration and taxation; fees for filing applications; appointment and duties of deputy registrars; amending Minnesota Statutes 1976, Section 168.33, Subdivisions 2 and 7.

Reported the same back with following amendments:

Amend the title as follows:

Line 3, delete "filng" and insert "filing".

With the recommendation that when so amended the bill pass.

The report was adopted.

Fudro from the Committee on Transportation to which was referred:

H. F. No. 950, A bill for an act relating to highway safety; providing state reimbursement for safety education and driver training courses; imposing a tax; appropriating money.

Reported the same back with the following amendments:

Page 1, line 10, after "district" insert ", and in the nonpublic schools as defined in section 123.932, subdivision 3, located in the district,".

Page 1, line 10, delete "which shall be devised".

Page 1, line 11, delete "by the state board of education".

Page 1, delete lines 18 to 21.

Page 1, line 22, delete "education; (b)".

Page 2, line 4, delete "(c)" and insert "(b)".

Page 2, line 6, delete "(d)" and insert "(c)".

With the recommendation that when so amended the bill pass and be re-referred to the Committee on Education.

The report was adopted.

Fudro from the Committee on Transportation to which was referred:

H. F. No. 1130, A bill for an act relating to motor vehicle carriers; requiring insurance or bond before the issuance of a certificate or permit to a motor carrier; providing for suspension and revocation of certificate or permit for failure to maintain insurance or other security; amending Minnesota Statutes 1976, Section 221.141, Subdivision 1.

Reported the same back with the following amendments:

Page 2, line 20, delete "*not been*" and insert "*willfully failed to be*".

Page 2, after line 21, insert:

"Sec. 2. Minnesota Statutes 1976, Section 221.64, is amended to read:

221.64 [REGISTRATION FEE; EXEMPTIONS.] Such registration as herein provided shall be granted upon petition, without hearing, upon payment of an initial filing fee in the amount of \$25. Upon petition, and payment of said fee if applicable, the commissioner shall furnish to the registration holder a distinguishing identification stamp for each motor vehicle included in said registration which stamp shall at all times be carried in the registered vehicle of the registration holder. For each identification stamp issued, the commissioner shall *establish and* collect a fee of *no more than* \$5 to be deposited in the state treasury, provided that a lesser fee may be collected pursuant to the terms of reciprocal agreements between the commissioner and the regulatory bodies of other states or provinces of the dominion of Canada."

Amend the title as follows:

Line 7, after "security;" insert "registration fee exemptions;"

Line 8, delete "Section" and insert "Sections".

Line 8, before the period insert "; and 221.64".

With the recommendation that when so amended the bill pass.

The report was adopted.

Fudro from the Committee on Transportation to which was referred:

H. F. No. 1469, A bill for an act relating to transportation; extending the time for submission by the commissioner of certain proposals relating to certain modes of transportation; amending Minnesota Statutes 1976, Section 174.06, Subdivision 7.

Reported the same back with the recommendation that the bill pass and be placed on the Consent Calendar.

The report was adopted.

Fudro from the Committee on Transportation to which was referred:

H. F. No. 1471, A bill for an act relating to aeronautics; requiring boards of adjustment to grant or deny applications for zoning variances within six months; authorizing the commissioner of transportation to develop an air transportation system; amending Minnesota Statutes 1976, Section 360.015, Subdivision 14; 360.017, Subdivision 1; and 360.067, Subdivision 2.

Reported the same back with the recommendation that the bill pass and be placed on the Consent Calendar.

The report was adopted.

Fudro from the Committee on Transportation to which was referred:

S. F. No. 108, A bill for an act relating to highway traffic regulations; specifying minimum property damage accident report requirements; amending Minnesota Statutes 1976, Section 169.09, Subdivision 7.

Reported the same back with the recommendation that the bill pass and be placed on the Consent Calendar.

The report was adopted.

SECOND READING OF HOUSE BILLS

H. F. Nos. 1500, 1510, 1386, 1443, 721, 1015, 287, 343, 801, 1287, 492, 902, 1038, 1099, 1101, 1102, 1155, 1223, 1259, 1305, 1161, 217, 577, 646, 697, 1119, 869, 1130, 1469 and 1471 were read for the second time.

SECOND READING OF SENATE BILLS

S. F. Nos. 32, 72 and 108 were read for the second time.

INTRODUCTION AND FIRST READING
OF HOUSE BILLS

The following House Files were introduced:

Lemke and Jensen introduced:

H. F. No. 1511, A bill for an act relating to real estate; eliminating a provision requiring the county recorder to prepare a list of certain mortgages on real estate in the county; repealing Minnesota Statutes 1976, Section 272.18.

The bill was read for the first time and referred to the Committee on Commerce and Economic Development.

Lemke and Jensen introduced:

H. F. No. 1512, A bill for an act relating to real estate; removing specific charge for copies of instrument filed with registrar; amending Minnesota Statutes 1976, Section 508.38.

The bill was read for the first time and referred to the Committee on Commerce and Economic Development.

Biersdorf, Sarna, Adams, Reding and Nelsen, B., introduced:

H. F. No. 1513, A bill for an act relating to contracts; distributing partial payments to construction subcontractors.

The bill was read for the first time and referred to the Committee on Commerce and Economic Development.

Lemke and Jensen introduced:

H. F. No. 1514, A bill for an act relating to taxation; eliminating duty of county recorder to list judgments affecting real estate titles; eliminating payment to county recorder for making lists; amending Minnesota Statutes 1976, Section 272.17.

The bill was read for the first time and referred to the Committee on Commerce and Economic Development.

Arlandson; Sieben, M.; Moe; Nelson and Albrecht introduced:

H. F. No. 1515, A bill for an act relating to highway traffic regulations; driving under the influence of alcohol, drugs and controlled substances; chemical tests for intoxication, and consent therefor; providing for immediate notice of revocation of a driver license or permit, retention of the license or permit by a court or peace officer and the substitution of temporary permits under certain circumstances; providing for county court jurisdiction over prosecution for certain offenses; prescribing penalties; amending Minnesota Statutes 1976, Sections 169.121; 169.123; 169.127, by adding a subdivision; and Chapter 169, by adding sections; repealing Minnesota Statutes 1976, Section 171.245.

The bill was read for the first time and referred to the Committee on Criminal Justice.

Heinitz introduced:

H. F. No. 1516, A bill for an act relating to crimes and corrections; sentencing and post conviction disposition of criminal offenders; providing for the imposition of presumptive terms of imprisonment; providing for hearings to be held by the sentencing court on early release or continued retention of criminal offenders sentenced to presumptive terms; amending Minnesota Statutes 1976, Sections 242.13; 242.19, Subdivision 1; 242.26; 242.27; 243.05; 243.06; 243.14; 243.18; 609.10; 609.105, Subdivision 1; 609.115, Subdivision 1; 609.12, Subdivision 1; 609.135, Subdivision 1; and Chapter 609, by adding sections; repealing Minnesota Statutes 1976, Sections 609.11; 609.155; 609.16; and 609.346.

The bill was read for the first time and referred to the Committee on Criminal Justice.

Moe, Arlandson, Johnson, Esau and Sherwood introduced:

H. F. No. 1517, A bill for an act relating to highway traffic regulations; providing for mandatory minimum terms of imprisonment for conviction of driving while intoxicated; amending Minnesota Statutes 1976, Section 169.121, Subdivisions 3 and 4.

The bill was read for the first time and referred to the Committee on Criminal Justice.

Pleasant, by request, introduced:

H. F. No. 1518, A bill for an act relating to Independent School District No. 272 (Eden Prairie) and Independent School District No. 271 (Bloomington); providing for the transfer of territory from Independent School District No. 272 to Independent School District No. 271.

The bill was read for the first time and referred to the Committee on Education.

Stoa, St. Onge, Sherwood, Nelsen, B., and Nelsen, M., introduced:

H. F. No. 1519, A bill for an act relating to natural resources; concerning forestry; regulating the maintenance of fires; amending Minnesota Statutes 1976, Sections 88.01, by adding a subdivision; 88.10; 88.16; 88.17; 88.22; 88.73; 88.75, Subdivision 1; 88.76; 88.77; and 88.78.

The bill was read for the first time and referred to the Committee on Environment and Natural Resources.

George introduced:

H. F. No. 1520, A bill for an act relating to financial institutions; changing powers of savings and loan associations; amending Minnesota Statutes 1976, Section 51A.21, Subdivision 16.

The bill was read for the first time and referred to the Committee on Financial Institutions and Insurance.

Skoglund, Munger, Brandl, Jaros and Kaley introduced:

H. F. No. 1521, A bill for an act relating to elections; prohibiting infiltration and sabotage of political campaigns; providing penalties; amending Minnesota Statutes 1976, Chapter 210A, by adding a section.

The bill was read for the first time and referred to the Committee on General Legislation and Veterans Affairs.

Brandl, Wynia, Heinitz, Nelson and Dahl introduced:

H. F. No. 1522, A bill for an act relating to the state council for the handicapped; authorizing appeals by the council from state building code decisions affecting the interests of handicapped persons; granting the council authority to promulgate rules governing display of the international symbol of accessibility; authorizing the council to initiate or intervene in proceedings affecting handicapped persons; amending Minnesota Statutes 1976, Sections 256.482, Subdivision 5, and by adding subdivisions; 299G.12; and Chapter 16, by adding a section.

The bill was read for the first time and referred to the Committee on Governmental Operations.

Nelson, Petrafeso, Wenstrom, Carlson, L., and Heinitz introduced:

H. F. No. 1523, A bill for an act relating to public buildings; providing for the remodeling of the public class of state owned buildings to improve accessibility for disabled and elderly persons.

The bill was read for the first time and referred to the Committee on Governmental Operations.

Jaros, Clark, Wynia, Lehto and Ellingson introduced:

H. F. No. 1524, A bill for an act relating to public health; providing nutritional standards for food and beverages sold through vending machines and at certain restaurants; amending Minnesota Statutes 1976, Chapters 28A, by adding a section; and 157, by adding a section.

The bill was read for the first time and referred to the Committee on Health and Welfare.

Waldorf, Tomlinson, Mangan, Biersdorf and Kempe, R., introduced:

H. F. No. 1525, A bill for an act relating to the blind; retaining the adult regional library for the blind within the department of public welfare; amending Minnesota Statutes 1976, Section 128A.02, Subdivision 1; and Laws 1976, Chapter 271, Section 74, Subdivisions 6, 7 and 8.

The bill was read for the first time and referred to the Committee on Health and Welfare.

McDonald; Reding; Anderson, G.; White and Carlson, A., introduced:

H. F. No. 1526, A bill for an act creating a legislative commission to study regional governments in Minnesota; appropriating money therefor.

The bill was read for the first time and referred to the Committee on Local and Urban Affairs.

Heinitz, Jude, Searles and Mangan introduced:

H. F. No. 1527, A bill for an act relating to the cities of Champlin, Corcoran, Dayton, Maple Grove, Medina and Plymouth and the county of Hennepin; authorizing a levy of one mill by each city to provide funding for administrative expenses of the Elm Creek conservation and protection commission; directing the county of Hennepin to provide certain facilities and personnel to the Hennepin county soil and water conservation district.

The bill was read for the first time and referred to the Committee on Local and Urban Affairs.

Heinitz, Pleasant and Casserly introduced:

H. F. No. 1528, A bill for an act relating to taxation; defining property exempt from property taxation; amending Minnesota Statutes 1976, Section 272.02, Subdivision 1.

The bill was read for the first time and referred to the Committee on Taxes.

Heinitz and Metzen introduced:

H. F. No. 1529, A bill for an act relating to taxation; providing that property taxes be related to the year in which they are payable; amending Minnesota Statutes 1976, Section 275.28, Subdivision 3.

The bill was read for the first time and referred to the Committee on Taxes.

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Mr. Speaker:

I hereby announce the passage by the Senate of the following House Files, herewith returned:

H. F. No. 705, A bill for an act relating to taxation; providing for revocation of motor carrier licenses for failure to file road tax reports; providing credit for tax paid on gasoline or fuel used in other states; amending Minnesota Statutes 1976, Section 296.17, Subdivisions 3, 11, and 12; and Chapter 296, by adding a section; repealing Minnesota Statutes 1976, Section 296.18, Subdivision 1a.

H. F. No. 720, A bill for an act relating to commerce; regulation of subdivision of lands by the commissioner of securities; extending time for filing reports of subdivided land; amending Minnesota Statutes 1976, Section 83.30, Subdivision 1.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

I hereby announce that the Senate accedes to the request of the House for the appointment of a Conference Committee, consisting of 3 members of the Senate, on the amendments adopted by the Senate to the following House File:

H. F. No. 82, A bill for an act relating to crimes; raising the amount of pecuniary gain which must be received by a person incident to a violation of law before the violation is categorized as a felony; increasing the penal fine of misdemeanors; directing a court to require as a condition of a stay of imposition or execution of sentence restitution for property damage or loss or compensation for personal injuries; amending Minnesota Statutes 1976, Sections 412.231; 609.02, Subdivision 3; 609.03; 609.031; 609.032; 609.135, Subdivision 1; 609.27, Subdivision 2; 609.551, Subdivision 1; 609.563, Subdivision 1; 609.576, Subdivision 1; 609.595, Subdivision 1; 609.615; and 609.785.

The Senate has appointed as such committee Messrs. Nichols, Keefe, J., and Spear.

Said House File is herewith returned to the House.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

I hereby announce the passage by the Senate of the following Senate Files, herewith transmitted:

S. F. Nos. 105 and 381.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

I hereby announce the passage by the Senate of the following Senate Files, herewith transmitted:

S. F. Nos. 430, 530 and 716.

PATRICK E. FLAHAVEN, Secretary of the Senate

FIRST READING OF SENATE BILLS

S. F. No. 105, A bill for an act relating to public welfare; providing pre-trial proceedings and hearings to determine paternity of illegitimate children; requiring a notice to be given a father when a mother intends to relinquish a child for purposes of adoption; enacting the uniform parentage act; revising Minnesota Statutes to conform with the uniform parentage act; amending Minnesota Statutes 1976, Sections 62A.041; 62C.14, Subdivision 5a; 64A.22, Subdivision 1; 144.159; 144.167; 144.171, Subdivision 2; 257.025; 257.175; 257.28; 257.33; 259.24, Subdivisions 1 and 2; 259.25, Subdivision 1; 259.26, Subdivision 1; 259.29; 260.111, Subdivision 2; 260.221; and 260.231, Subdivision 3; repealing Minnesota Statutes 1976, Sections 144.177; 257.251; 257.252; 257.253; 257.254; 257.255; 257.256; 257.257; 257.258; 257.259; 257.261; 257.262; 257.263; 257.264; 257.27; 257.29; 257.30; 257.31; 259.261; and 517.19.

The bill was read for the first time and referred to the Committee on Governmental Operations.

S. F. No. 381, A bill for an act relating to game and fish; changing the commissioner's duties in the removal of beaver; authorizing seasons for taking bobcat, fisher, fox, and wild turkey; requiring the commissioner to issue sportsman's licenses; extending the season and eliminating the annual limit for taking beaver; changing the hours for taking trout; extending the surcharge on small game licenses; amending Minnesota Statutes 1976, Sections 97.56; 98.46, Subdivisions 2, 2a, and 14; 100.26, Subdivision 1; 100.27, Subdivisions 1, 3, 4, 5, and 7; 100.28, Subdivision 1; 101.42, Subdivision 8; and Laws 1961, Chapter 66, Section 1, as amended; repealing Minnesota Statutes 1976, Section 348.071.

The bill was read for the first time and referred to the Committee on Environment and Natural Resources.

S. F. No. 430, A bill for an act relating to peace officers; permitting vocational-technical school training as compliance with training requirements; amending Minnesota Statutes 1976, Section 626.846, by adding a subdivision.

The bill was read for the first time and referred to the Committee on Criminal Justice.

S. F. No. 530, A bill for an act relating to used motor oil recycling; requiring certain collection facilities or the posting of certain notices; providing a penalty.

The bill was read for the first time and referred to the Committee on Environment and Natural Resources.

S. F. No. 716, A bill for an act relating to credit unions; authorizing certain contracts between credit unions; amending Minnesota Statutes 1976, Section 52.04.

The bill was read for the first time and referred to the Committee on Financial Institutions and Insurance.

CALENDAR

H. F. No. 585 was reported to the House and given its third reading.

Savelkoul moved that H. F. No. 585 be returned to General Orders and considered first by the Committee of the Whole. The motion did not prevail.

H. F. No. 585, A bill for an act relating to taxation; altering definitions of "income" for senior citizen's property tax freeze purposes; "taxes", "alimony" and "investment company" for income tax purposes; allowing commissioner of revenue to disregard small amounts due or penalties and to require withholding of delinquent taxes by employees; providing for tax lien on personal property; amending Minnesota Statutes 1976, Sections 273.012, Subdivision 3; 290.06, Subdivision 2c; 290.09, Subdivisions 4 and 14; 290.21, Subdivision 3; 290.36; 290.54; 290.92, by adding a subdivision; 290.934, Subdivision 5; and 290A.06.

The bill was placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 90 yeas and 38 nays as follows:

Those who voted in the affirmative were:

Abeln	Berg	Clark	Fudro	Jude
Adams	Berglin	Clawson	Fugina	Kahn
Anderson, B.	Berkelman	Cohen	Gunter	Kalis
Anderson, G.	Birnstihl	Corbid	Hanson	Kelly, R.
Anderson, I.	Brandl	Cummiskey	Haugerud	Kelly, W.
Arlandson	Braun	Dahl	Hokanson	Kempe, R.
Battaglia	Byrne	Eken	Jacobs	King
Beauchamp	Carlson, L.	Ellingson	Jaros	Kostohryz
Begich	Cassarly	Enebo	Johnson	Kroening

Langseth	Neisen	Reding	Simoneau	Vanasek
Lehto	Nelsen, M.	Rice	Skoglund	Voss
Lemke	Nelson	St. Onge	Smogard	Welch
Mangan	Norton	Samuelson	Spanish	Wenstrom
McCarron	Novak	Sarna	Stanton	Wenzel
McEachern	Osthoff	Scheid	Stoa	White
Metzen	Patton	Schulz	Suss	Williamson
Munger	Pehler	Sieben, H.	Swanson	Wynia
Murphy	Petrafaso	Sieben, M.	Tomlinson	Speaker Sabo

Those who voted in the negative were :

Albrecht	Den Ouden	Forsythe	Mann	Searle
Anderson, D.	Eckstein	Friedrich	McDonald	Searles
Anderson, R.	Erickson	Heinitz	Nelsen, B.	Sherwood
Biersdorf	Esau	Jensen	Niehaus	Wieser
Brinkman	Evans	Kaley	Peterson	Wigley
Carlson, A.	Ewald	Knickerbocker	Pleasant	Zubay
Carlson, D.	Faricy	Kvam	Rose	
Dean	Fjoslien	Laidig	Savelkoul	

The bill was passed and its title agreed to.

H. F. No. 1005, A bill for an act relating to agriculture; dairy products; grade A pasteurized milk; increasing certification fees; amending Minnesota Statutes 1976, Section 32.394, Subdivisions 8 and 8a.

The bill was read for the third time and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 113 yeas and 14 nays as follows:

Those who voted in the affirmative were:

Abeln	Corbid	Jaros	Moe	Sieben, M.
Adams	Cummiskey	Jensen	Munger	Simoneau
Anderson, B.	Dahl	Johnson	Murphy	Skoglund
Anderson, G.	Eckstein	Jude	Nelson	Smogard
Anderson, I.	Eken	Kahn	Norton	Spanish
Anderson, R.	Ellingson	Kaley	Novak	Stanton
Arlandson	Enebo	Kalis	Osthoff	Stoa
Battaglia	Erickson	Kelly, R.	Patton	Swanson
Beauchamp	Esau	Kelly, W.	Pehler	Tomlinson
Begich	Evans	King	Petrafaso	Vanasek
Berg	Ewald	Knickerbocker	Prahl	Voss
Berglin	Faricy	Kostohryz	Reding	Waldorf
Berkelman	Forsythe	Kroening	Rice	Welch
Biersdorf	Friedrich	Laidig	Rose	Wenstrom
Birnstihl	Fudro	Langseth	St. Onge	Wenzel
Brandl	Fugina	Lehto	Samuelson	White
Brinkman	George	Lemke	Sarna	Wieser
Byrne	Gunter	Mangan	Scheid	Williamson
Carlson, L.	Hanson	Mann	Schulz	Wynia
Cassery	Haugerud	McCarron	Searle	Zubay
Clark	Heinitz	McCollar	Searles	Speaker Sabo
Clawson	Hokanson	McEachern	Sherwood	
Cohen	Jacobs	Metzen	Sieben, H.	

Those who voted in the negative were:

Albrecht	Carlson, D.	Fjoslien	Nelsen, B.	Pleasant
Anderson, D.	Dean	Kempe, R.	Niehaus	Wigley
Carlson, A.	Den Ouden	Kvam	Peterson	

The bill was passed and its title agreed to.

CALL OF THE HOUSE

On the motion of Berg and on the demand of 10 members, a call of the House was ordered. The following members answered to their names:

Abeln	Corbid	Jude	Munger	Sherwood
Adams	Cummiskey	Kahn	Murphy	Sieben, H.
Albrecht	Dahl	Kaley	Nelsen, B.	Sieben, M.
Anderson, B.	Dean	Kalis	Nelsen, M.	Simoneau
Anderson, D.	Den Ouden	Kelly, R.	Nelson	Skoglund
Anderson, G.	Eckstein	Kelly, W.	Niehaus	Smogard
Anderson, I.	Eken	Kempe, A.	Norton	Spanish
Arlandson	Ellingson	Kempe, R.	Novak	Stanton
Battaglia	Enebo	King	Osthoff	Stoa
Beauchamp	Erickson	Knickerbocker	Patton	Suss
Begich	Esau	Kostohryz	Pehler	Swanson
Berg	Evans	Kroening	Peterson	Tomlinson
Berglin	Ewald	Kvam	Petraleso	Vanasek
Berkelman	Farcy	Laidig	Pleasant	Voss
Biersdorf	Fjoslien	Langseth	Prahl	Waldorf
Birnstihl	Forsythe	Lehto	Reding	Welch
Brinkman	Friedrich	Lemke	Rose	Wenstrom
Byrne	Fugina	Mangan	St. Onge	Wenzel
Carlson, A.	George	Mann	Samuelson	White
Carlson, D.	Gunter	McCarron	Sarna	Wieser
Carlson, L.	Hanson	McCollar	Savelkoul	Wigley
Casserly	Haugerud	McDonald	Scheid	Williamson
Clark	Heinitz	McEachern	Schulz	Wynia
Clawson	Jensen	Metzen	Searle	Zubay
Cohen	Johnson	Moe	Searles	Speaker Sabo

Berg moved that further proceedings of the roll call be dispensed with and that the Sergeant at Arms be instructed to bring in the absentees. The motion prevailed and it was so ordered.

H. F. No. 800 was reported to the House and given its third reading.

Begich moved that H. F. No. 800 be continued on the Calendar until Monday, April 25, 1977.

A roll call was requested and property seconded.

The question was taken on the motion by Begich and the roll was called. There were 55 yeas and 76 nays as follows:

Those who voted in the affirmative were:

Albrecht	Corbid	Gunter	Mann	St. Onge
Anderson, D.	Dahl	Heinitz	McCollar	Samuelson
Anderson, I.	Den Ouden	Jensen	McDonald	Savelkoul
Battaglia	Eckstein	Johnson	Nelsen, B.	Searle
Begich	Eken	Jude	Nelsen, M.	Searles
Biersdorf	Erickson	Kaley	Niehaus	Sherwood
Birnstihl	Esau	Kalis	Peterson	Spanish
Braun	Evans	Kvam	Pleasant	Wenzel
Brinkman	Fjoslien	Langseth	Prahl	Wieser
Carlson, D.	Friedrich	Lemke	Reding	Wigley
Clawson	Fugina	Mangan	Rose	Zubay

Those who voted in the negative were:

Abeln	Cummiskey	Kelly, W.	Nelson	Stoa
Adams	Dean	Kempe, A.	Norton	Suss
Anderson, B.	Ellingson	Kempe, R.	Novak	Tomlinson
Anderson, G.	Enebo	King	Osthoff	Vanasek
Arlandson	Ewald	Knickerbocker	Patton	Voss
Beauchamp	Faricy	Kostohryz	Pehler	Waldorf
Berg	Forsythe	Kroening	Petrafeso	Welch
Berglin	Fudro	Laidig	Rice	Westrom
Berkelman	George	Lehto	Sarna	White
Brandl	Hanson	McCarron	Scheid	Williamson
Byrne	Haugerud	McEachern	Sieben, H.	Wynia
Carlson, A.	Hokanson	Metzen	Sieben, M.	Speaker Sabo
Carlson, L.	Jacobs	Moe	Simoneau	
Casserly	Jaros	Munger	Skoglund	
Clark	Kahn	Murphy	Smogard	
Cohen	Kelly, R.	Neisen	Stanton	

The motion did not prevail.

H. F. No. 800, A bill for an act relating to crimes; regulating the transfer of pistols; requiring a waiting period for pistol transfers; requiring police checks of pistol transferees; prohibiting transfers of pistols to certain persons; providing for transferee permits; prescribing penalties; providing for state-wide validity of permits to carry; amending Minnesota Statutes 1976, Sections 609.11, Subdivision 1, and by adding a subdivision; 609.135, Subdivision 1; 624.712, Subdivisions 2 and 4, and by adding a subdivision; 624.714, Subdivision 9, and by adding a subdivision; and Chapter 624, by adding sections; repealing Minnesota Statutes 1976, Section 609.11, Subdivision 2.

The bill was placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 68 yeas and 66 nays as follows:

Those who voted in the affirmative were:

Abeln	Berg	Byrne	Clark	Ellingson
Adams	Berglin	Carlson, A.	Cohen	Enebo
Arlandson	Berkelman	Carlson, L.	Cummiskey	Ewald
Beauchamp	Brandl	Casserly	Dean	Faricy

Forsythe	Kempe, A.	Metzen	Searles	Vanasek
George	Kempe, R.	Moe	Sieben, H.	Voss
Hanson	King	Munger	Sieben, M.	Waldorf
Haugerud	Knickerbocker	Nelson	Simoneau	Welch
Hokanson	Kostohryz	Norton	Skoglund	White
Jacobs	Kroening	Novak	Stanton	Williamson
Jaros	Laidig	Osthoff	Stoa	Wynia
Jude	Lehto	Patton	Suss	Speaker Sabo
Kahn	McCarron	Petrafeso	Swanson	
Kelly, R.	McCollar	Scheid	Tomlinson	

Those who voted in the negative were:

Albrecht	Corbid	Jensen	Nelsen, B.	Schulz
Anderson, B.	Dahl	Johnson	Nelsen, M.	Searle
Anderson, D.	Den Ouden	Kaley	Niehaus	Sherwood
Anderson, G.	Eckstein	Kalis	Pehler	Smogard
Anderson, I.	Eken	Kelly, W.	Peterson	Spanish
Anderson, R.	Erickson	Kvam	Pleasant	Wenstrom
Battaglia	Esau	Langseth	Prahl	Wenzel
Begich	Evans	Lemke	Reding	Wieser
Biersdorf	Fjoslien	Mangan	Rice	Wigley
Birnstihl	Friedrich	Mann	Rose	Zubay
Braun	Fudro	McDonald	St. Onge	
Brinkman	Fugina	McEachern	Samuelson	
Carlson, D.	Gunter	Murphy	Sarna	
Clawson	Heinitz	Neisen	Savelkoul	

The bill was passed and its title agreed to.

Fjoslien, Sarna and McCarron were excused at 4:00 p.m. Mann was excused at 4:30 p.m. Berg and Haugerud were excused at 5:00 p.m. Corbid and Neisen were excused at 5:15 p.m. Heinitz was excused at 5:40 p.m. Novak was excused at 6:10 p.m. Byrne and Tomlinson were excused at 6:20 p.m. and Fudro was excused at 6:30 p.m.

GENERAL ORDERS

Pursuant to rules of the House, the House resolved itself into the Committee of the Whole, with Searle in the Chair, for the consideration of bills pending on General Orders of the Day. After some time spent therein the Committee arose.

REPORT OF COMMITTEE OF THE WHOLE

The Speaker resumed the Chair, whereupon the following proceedings of the Committee as kept by the Chief Clerk were reported to the House:

H. F. Nos. 707, 993, 482, 541, 763, 805, 920, 1079 and 889 which it recommended to pass.

S. F. Nos. 345 and 919 which it recommended to pass.

H. F. Nos. 967, 130 and 823 which it recommended progress.

H. F. No. 676 which it recommended to pass with the following amendments offered by Abeln:

Page 2, line 5, strike "\$300,000 for all".

Page 2, strike all of lines 6 and 7 and insert the following:

"\$250,000 for all damages to one person and \$500,000 for all damages to two or more persons arising out of a single instance of the illegal sale, barter, or gift of intoxicating liquor."

Page 2, lines 2, 3 and 4 strike *"and must be commenced within one year after the date of the injury out of which the action arises"* and insert *"The provisions of section 604.01, as applied under this section, however shall not be applicable to actions brought by a husband, wife, child, parent, guardian or other dependent of an intoxicated person"*.

H. F. No. 79 which it recommended to pass with the following amendment offered by Anderson, B.:

Page 4, line 3, after *"within "* strike *"60"* and insert *"90"*.

Page 4, line 3, after *"act"* insert *"and annually before April 15 thereafter,"*.

H. F. No. 882 which it recommended to pass with the following amendment offered by Novak:

Page 2, line 2, after *"(4)"* insert *"With respect to motor vehicles subject to the provisions of section 325.823,"*.

Page 2, line 28, after *"(6)"* insert *"With respect to motor vehicles subject to the provisions of section 325.823,"*.

Page 3, line 9, after the period insert *"With respect to motor vehicles subject to the provisions of section 325.823,"*.

Page 3, line 32, after the period insert *"With respect to motor vehicles subject to the provisions of section 325.823,"*.

Page 4, line 16, after the period insert *"With respect to motor vehicles subject to the provisions of section 325.823,"*.

On the motion of Anderson, I., the report of the Committee of the Whole was adopted.

ROLL CALLS IN COMMITTEE OF THE WHOLE

Pursuant to rule 1.6, the following roll calls were taken in the Committee of the Whole:

Savelkoul moved to amend S. F. No. 345, as follows:

Page 1, lines 13 and 14, after "*hearings*" strike "*, or when otherwise engaged in the performance of his duties*".

The question was taken on the adoption of the amendment and the roll was called. There were 50 yeas and 62 nays as follows:

Those who voted in the affirmative were:

Abeln	Biersdorf	Heinitz	Metzen	Schulz
Albrecht	Birnstihl	Jensen	Neisen	Searles
Anderson, B.	Carlson, A.	Jude	Nelsen, B.	Sherwood
Anderson, D.	Den Ouden	Kaley	Niehaus	Smogard
Anderson, G.	Erickson	Kelly, R.	Peterson	Suss
Anderson, R.	Evans	Kempe, R.	Pleasant	Waldorf
Battaglia	Ewald	Knickerbocker	Reding	Wenstrom
Beauchamp	Fjoslien	Laidig	Rose	Wenzel
Begich	Friedrich	Lemke	Savelkoul	Wieser
Berkelman	Gunter	McDonald	Scheid	Zubay

Those who voted in the negative were:

Adams	Dahl	Kahn	Nelson	Stanton
Anderson, I.	Dean	Kalis	Norton	Stoa
Arlandson	Eckstein	King	Novak	Swanson
Berg	Eken	Kostohryz	Osthoff	Tomlinson
Berglin	Ellingson	Langseth	Patton	Vanasek
Brandl	Enebo	Lehto	Pehler	Voss
Braun	Fudro	Mann	Petrafeso	White
Byrne	Fugina	McCarron	Prahl	Williamson
Carlson, L.	George	McCollar	Rice	Wynia
Casserly	Hokanson	McEachern	Sarna	Speaker Sabo
Clark	Jacobs	Moe	Sieben, H.	
Corbid	Jaros	Munger	Sieben, M.	
Cummiskey	Johnson	Nelsen, M.	Skoglund	

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

Carlson, A., moved to amend S. F. No. 345, as follows:

Page 2, line 1, after "*section 1*" strike "*, are retroactive to July 1, 1976*".

The question was taken on the adoption of the amendment and the roll was called. There were 45 yeas and 59 nays as follows:

Those who voted in the affirmative were:

Abeln	Carlson, A.	Heinitz	McCollar	Savelkoul
Albrecht	Cohen	Jensen	McDonald	Scheid
Anderson, D.	Corbid	Jude	Murphy	Schulz
Anderson, R.	Den Ouden	Kaley	Neisen	Searles
Battaglia	Erickson	Kelly, R.	Nelsen, B.	Sherwood
Beauchamp	Evans	Kempe, R.	Nelsen, M.	Stoa
Begich	Ewald	Laidig	Niehaus	Waldorf
Berkelman	Forsythe	Lemke	Peterson	Wenzel
Birnstihl	Friedrich	Mangan	Rose	Zubay

Those who voted in the negative were:

Adams	Dahl	Jaros	Moe	Simoneau
Anderson, B.	Dean	Johnson	Nelson	Skoglund
Anderson, G.	Eckstein	Kahn	Norton	Stanton
Arlandson	Eken	Kalis	Novak	Swanson
Berg	Ellingson	King	Patton	Tomlinson
Berglin	Enebo	Kostohryz	Pehler	Voss
Brandl	Faricy	Kroening	Petrafeso	Welch
Braun	Fudro	Langseth	Prahl	Wenstrom
Carlson, L.	George	Lehto	Rice	White
Casserly	Gunter	Mann	St. Onge	Williamson
Clark	Hokanson	McCarron	Sieben, H.	Wynia
Cummiskey	Jacobs	Metzen	Sieben, M.	

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

Abeln moved to amend H. F. No. 676, as follows:

Page 2, line 27, strike "120" and insert "90".

The question was taken on the adoption of the amendment and the roll was called. There were 46 yeas and 52 nays as follows:

Those who voted in the affirmative were:

Abeln	Erickson	Kaley	Osthoff	Smogard
Albrecht	Esau	Kelly, R.	Peterson	Stoa
Anderson, D.	Forsythe	Kostohryz	Petrafeso	Voss
Anderson, G.	Friedrich	Laidig	Prahl	Wieser
Birnstihl	Fudro	Lemke	Reding	Wigley
Brinkman	Fugina	McDonald	Rose	Zubay
Cummiskey	Gunter	Murphy	Savelkoul	
Den Ouden	Haugerud	Neisen	Schulz	
Eckstein	Jensen	Nelsen, B.	Searles	
Eken	Johnson	Niehaus	Simoneau	

Those who voted in the negative were:

Anderson, R.	Carlson, L.	George	McCollar	Skoglund
Arlandson	Clark	Hanson	McEachern	Suss
Battaglia	Clawson	Hokanson	Moe	Swanson
Beauchamp	Cohen	Jacobs	Munger	Tomlinson
Begich	Corbid	Jude	Nelson	Waldorf
Berg	Dahl	Kahn	Norton	Wenzel
Berglin	Dean	Kempe, A.	Novak	Williamson
Berkelman	Enebo	Kempe, R.	Rice	Wynia
Brandl	Evans	Knickerbocker	St. Onge	
Braun	Ewald	Lehto	Sieben, H.	
Byrne	Faricy	Mangan	Sieben, M.	

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

MOTIONS AND RESOLUTIONS

Kempe, A., moved that his name be stricken as an author on H. F. No. 585. The motion prevailed.

Jude moved that H. F. No. 231 be recalled from the Governor's office for further consideration by the House. The motion prevailed.

ADJOURNMENT

Anderson, I., moved that when the House adjourns today it adjourn until 2:00 p.m., Monday, April 25, 1977. The motion prevailed.

Anderson, I., moved that the House adjourn. The motion prevailed, and the Speaker declared the House stands adjourned until 2:00 p.m., Monday, April 25, 1977.

EDWARD A. BURDICK, Chief Clerk, House of Representatives

STATE OF MINNESOTA

SEVENTIETH SESSION - 1977

THIRTY-NINTH DAY

SAINT PAUL, MINNESOTA, SATURDAY, APRIL 23, 1977

The Senate met on Saturday, April 23, 1977, which was the Thirty-ninth Legislative Day of the Seventieth Session of the Minnesota State Legislature. The House of Representatives did not meet on this date.

STATE OF MINNESOTA

SEVENTIETH SESSION - 1977

FORTIETH DAY

SAINT PAUL, MINNESOTA, MONDAY, APRIL 25, 1977

The House of Representatives convened at 2:00 p.m. and was called to order by the Speaker.

Prayer was offered by the Chaplain.

The roll was called and the following members were present:

Abel	Corbid	Jensen	Neisen	Sieben, M.
Adams	Cummiskey	Johnson	Nelsen, B.	Simoneau
Albrecht	Dahl	Jude	Nelsen, M.	Skoglund
Anderson, B.	Dean	Kahn	Nelson	Smogard
Anderson, D.	Den Ouden	Kaley	Niehaus	Spanish
Anderson, I.	Eckstein	Kalis	Norton	Stanton
Anderson, R.	Eken	Kelly, R.	Novak	Stoa
Arlandson	Ellingson	Kelly, W.	Osthoff	Suss
Battaglia	Enebo	King	Patton	Swanson
Beauchamp	Erickson	Knickerbocker	Pehler	Tomlinson
Begich	Esau	Kostohryz	Peterson	Vanasek
Berg	Evans	Kroening	Petrafeso	Voss
Berglin	Ewald	Kvam	Pleasant	Waldorf
Berkelman	Farcy	Laidig	Prahl	Welch
Biersdorf	Fjoslien	Langseth	Reding	Wenstrom
Birnstihl	Forsythe	Lehto	Rice	Wenzel
Brandl	Friedrich	Lemke	Rose	White
Braun	Fudro	Mangan	St. Onge	Wieser
Brinkman	Fugina	Mann	Samuelson	Wigley
Byrne	George	McCarron	Sarna	Williamson
Carlson, A.	Gunter	McCollar	Savelkoul	Wynia
Carlson, D.	Hanson	McDonald	Scheid	Zubay
Carlson, L.	Haugerud	McEachern	Schulz	Speaker Sabo
Casserly	Heinitz	Metzen	Searle	
Clark	Hokanson	Moe	Searles	
Clawson	Jacobs	Munger	Sherwood	
Cohen	Jaros	Murphy	Sieben, H.	

A quorum was present.

Anderson, G., was excused until 3:00 p.m. Kempe, R., was excused until 3:30 p.m. Kempe, A., was excused until 4:00 p.m.

The Chief Clerk proceeded to read the Journals of the preceding days. Vanasek moved that further reading of the Journals be dispensed with and that the Journals be approved as corrected by the Chief Clerk. The motion prevailed.

REPORTS OF CHIEF CLERK

Pursuant to Rules of the House, printed copies of H. F. Nos. 646, 1038, 1099, 1155, 1259, 1305, 1469, 1471, 1500, 1510, 217, 343, 492, 577, 697, 902, 1130, 1443, 801, 869, 1119, 1287, 79, 287, 676, 721, 882, 1015, 1101, 1102, 1161, 1386 and 1223 and S. F. Nos. 105, 381, 430, 530, 716 and 32 have been placed in the members' files.

PETITIONS AND COMMUNICATIONS

The following communications were received:

STATE OF MINNESOTA
OFFICE OF THE GOVERNOR
SAINT PAUL

April 21, 1977

The Honorable Martin Sabo
Speaker of the House
State of Minnesota

Dear Speaker Sabo:

I have the honor to inform you that I received, approved, signed and deposited in the Office of the Secretary of State the following House Files:

H. F. No. 21, An act relating to elections; providing that certificates of election to the legislature be sent to the legislature and returned to the member.

H. F. No. 283, An act relating to securities; disciplinary action against a licensee; clarifying the time for initiating a proceeding.

H. F. No. 661, An act relating to highway traffic regulations exempting trucks engaged in hauling hay from certain weight restrictions during a specified period of time.

Sincerely,

RUDY PERPICH
Governor

STATE OF MINNESOTA
OFFICE OF THE SECRETARY OF STATE
ST. PAUL 55155

April 22, 1977

The Honorable Martin O. Sabo
Speaker of the House of Representatives
The Honorable Edward J. Gearty
President of the Senate

I have the honor to inform you that the following enrolled Acts of the 1977 Session of the State Legislature have been received from the Office of the Governor and are deposited in the Office of the Secretary of State for preservation, pursuant to the State Constitution, Article IV, Section 23:

<i>S.F. No.</i>	<i>H.F. No.</i>	<i>Session Laws Chapter No.</i>	<i>Date Approved 1977</i>	<i>Date Filed 1977</i>
	21	32	April 21	April 22
	283	33	April 21	April 22
	661	34	April 21	April 22
483		35	April 21	April 22

Sincerely,

JOAN ANDERSON GROWE
Secretary of State

STATE OF MINNESOTA
OFFICE OF THE GOVERNOR
SAINT PAUL

April 21, 1977

The Honorable Martin Sabo
Speaker of the House
State of Minnesota

Dear Speaker Sabo:

Pursuant to the request of the House of Representatives, I am returning herewith H. F. No. 231.

Sincerely,

RUDY PERPICH
Governor

Jude moved that the House reconsider the action whereby on April 18, 1977, it repassed H. F. No. 231, as amended by the Senate. The motion prevailed.

Jude moved that the House reconsider the action whereby on April 18, 1977, it gave H. F. No. 231 a Third Reading as amended by the Senate. The motion prevailed.

Jude moved that the House reconsider the action whereby on April 18, 1977, it concurred in the Senate amendments to H. F. No. 231. The motion prevailed.

Jude moved that the House refuse to concur in the Senate amendments to H. F. No. 231, that the Speaker appoint a Conference Committee of three members of the House, and that the House requests that a like committee be appointed by the Senate to confer on the disagreeing votes of the two Houses. The motion prevailed.

REPORTS OF STANDING COMMITTEES

Norton from the Committee on Appropriations to which was referred:

H. F. No. 351, A bill for an act relating to historic sites; providing for the administration and control of additional sites by the Minnesota historical society; appropriating money; amending Minnesota Statutes 1976, Section 138.025, by adding subdivisions; repealing Minnesota Statutes 1976, Section 138.025, Subdivision 9.

Reported the same back with the following amendments:

Page 2, delete lines 23 to 28.

Further amend the title as follows:

Line 4, delete "appropriating".

Line 5, delete "money;".

Line 6, delete "; repealing".

Delete line 7.

Line 8, delete "Subdivision 9".

With the recommendation that when so amended the bill pass.

The report was adopted.

Norton from the Committee on Appropriations to which was referred:

H. F. No. 962, A bill for an act relating to appropriations; abolishing open appropriations for various purposes; providing direct appropriations for debt service and for other purposes previously supported by open appropriations; amending Minnesota Statutes 1976, Sections 16.023; 16A.27; 43.12, Subdivision 11; 84B.07; 136A.08, Subdivisions 1 and 2; 176.183, Subdivision 2; 192.52; 268.06, Subdivision 25; 299D.03, Subdivision 1; 351.11; 352E.02; 481.15, Subdivision 2; and Laws 1973, Chapter 567, Section 7; repealing Minnesota Statutes 1976, Sections 124.23; 136.508; 261.233; 352E.05; 355.31 to 355.39.

Reported the same back with the following amendments:

Page 14, line 29, delete "39,566,071 38,674,521" and insert "50,676,626 49,402,716".

Page 15, line 9, delete "1,286,462 1,896,228" and insert "1,477,987 2,043,153".

Page 15, line 13, delete "3,397,000 3,299,000" and insert "4,896,250 4,768,250".

Page 15, line 17, fill in the blanks with "1,570,525 1,528,725".

Page 15, line 26, fill in the blanks with "2,498,750 2,448,750".

Page 16, delete lines 6 to 16.

Renumber the remaining subdivisions.

Page 17, line 10, delete "20,000 20,000" and insert "50,000 50,000".

Page 17, line 15, delete "40,000 40,000" and insert "20,000 20,000".

Page 18, after line 13, insert:

"Sec. 25. If an appropriation in this act for either year is insufficient, the appropriation for the other year is available for it."

Renumber the remaining section.

With the recommendation that when so amended the bill pass.

The report was adopted.

Norton from the Committee on Appropriations to which was referred:

H. F. No. 963, A bill for an act relating to transportation; appropriating money for the operation of Amtrak rail service between the Twin Cities and Duluth.

Reported the same back with the following amendments:

Page 1, delete lines 16 to 19.

Page 2, after line 2, insert a new subdivision as follows:

"Subd. 3. The sum of \$15,000 is hereby appropriated to the state planning agency to study the potential and importance of railroad right-of-ways as possible corridors for power transmissions, pipelines and/or other transportation modes. The study shall be completed in time for consideration by the 1978 legislature. The sale of abandoned railroad right-of-way property by private railroad companies shall not take place until after June 30, 1978."

With the recommendation that when so amended the bill pass.

The report was adopted.

Norton from the Committee on Appropriations to which was referred:

S. F. No. 1072, A bill for an act relating to appropriations; appropriating money for the fiscal year ending June 30, 1977.

Reported the same back with the recommendation that the bill pass.

The report was adopted.

Hanson from the Committee on Commerce and Economic Development to which was referred:

H. F. No. 515, A bill for an act relating to telephone companies; prohibiting charges for directory assistance; amending Minnesota Statutes 1976, Chapter 237, by adding a section.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. *The legislature finds and declares that historically telephone companies have included the cost of directory as-*

sistance in the basic service charge. The legislature also finds that it is in the best interest of the public that the cost of directory assistance be a part of the basic service charge.

Sec. 2. Minnesota Statutes 1976, Chapter 237, is amended by adding a section to read:

[237.065] [DIRECTORY ASSISTANCE CHARGES PROHIBITED.] *Directory assistance shall be a part of the fair and reasonable basic service charge. The department shall not permit a telephone company to charge an additional tariff or separate billing assessment nor a per call charge for use of directory assistance."*

With the recommendation that when so amended the bill pass.

The report was adopted.

Hanson from the Committee on Commerce and Economic Development to which was referred:

H. F. No. 774, A bill for an act relating to landlords and tenants; providing remedies for tenants whose landlords have breached provisions of agreements; defining terms; providing for adjustment of rent.

Reported the same back with the following amendments:

Page 1, line 9, after "of" insert "the covenants set forth in Minnesota Statutes, Section 504.18, or a written provision of".

Page 1, line 12, delete "cost" and insert "actual expense".

Page 1, line 14, after the period insert "Except in the case of an emergency the appropriate municipal authority, where a housing maintenance code exists, shall determine if the landlord has breached Minnesota Statutes, Section 504.18."

Page 1, delete lines 21 and 22.

Page 2, delete lines 1 and 2.

Page 2, line 3, delete "(d)" and insert "(c)".

Page 2, line 14, after "a" insert "written".

Page 2, lines 19 and 20, delete "physically delivered or orally communicated" and insert "delivered".

Page 2, line 20, delete "14" and insert "30".

Page 3, line 12, after "of the" insert "covenants set forth in Minnesota Statutes, Section 504.18, or a written provision of a".

Page 3, line 14, after the comma delete "and".

Page 3, line 15, after the comma insert "and that the breach has been remedied,".

Page 3, line 18, delete "by clear and convincing evidence" and "both".

Page 3, line 19, delete "and" and insert "or".

Page 3, line 21, after "of the" insert "covenants set forth in Minnesota Statutes, Section 504.18, or a written provision of a".

Page 3, line 22, after the comma insert "and that the breach has been remedied,".

Page 3, line 28, after "breach," insert "or if the landlord proves that the tenant acted unreasonably in remedying the breach,".

Page 4, line 10, after "of the" insert "covenants set forth in Minnesota Statutes, Section 504.18, or a written provision of a".

Page 4, line 22, after "section" insert ", provided that the court may require the tenant to produce receipts concerning the amount so expended as a condition to the assertion of rights under this section. The court may continue the proceeding for not more than two days in order to allow the tenant an opportunity to produce such receipts".

Page 4, line 25, delete "four" and insert "two".

With the recommendation that when so amended the bill pass.

The report was adopted.

Hanson from the Committee on Commerce and Economic Development to which was referred:

H. F. No. 830, A bill for an act relating to public utilities; regulation of cooperative electric associations; amending Minnesota Statutes 1976, Sections 216B.01; 216B.02, Subdivision 4; 216B.06; 216B.36; 216B.38, Subdivision 5; 216B.45; 216B.47; repealing Minnesota Statutes 1976, Sections 216B.48, Subdivision 7; 216B.49, Subdivision 6; 216B.50, Subdivision 2; and 216B.51, Subdivision 2.

Reported the same back with the following amendments:

Page 3, after line 21, insert:

"Sec. 4. Minnesota Statutes 1976, Section 216B.17, is amended by adding a subdivision to read:

Subd. 6a. For the purposes of this section, public utility shall include cooperative electric associations with respect to service standards and practices only."

Page 6, after line 22, insert:

"Sec. 9. Minnesota Statutes 1976, Section 216B.62, is amended by adding a subdivision to read:

Subd. 5. The commission shall be authorized to charge cooperative electric associations their proportionate share of the expenses incurred in the adjudication of service area disputes and complaints over service standards and practices."

Renumber the sections accordingly.

Further, amend the title as follows:

Page 1, line 5, after "216B.06;" insert "216B.17, by adding a subdivision;"

Page 1, line 6, after "216B.47;" insert "216B.62, by adding a subdivision;"

With the recommendation that when so amended the bill pass.

The report was adopted.

Hanson from the Committee on Commerce and Economic Development to which was referred:

H. F. No. 1283, A bill for an act relating to economic development; industrial development bonds; removing requirement of approval by commissioner of economic development; amending Minnesota Statutes 1976, Section 474.01, Subdivision 7.

Reported the same back with the following amendments:

Page 2, after line 3, add a section to read:

"Sec. 2. Minnesota Statutes 1976, Section 474.01, is amended by adding a subdivision to read:

Subd. 7a. No municipality shall undertake any project herein authorized until the commissioner of securities has approved the project, on the basis of such preliminary information as he may require, as tending to further the purposes and policies of this chapter. Such approval shall not be deemed to be an approval

by the commissioner of securities or the state of the feasibility of the project or the terms of the revenue agreement to be executed or the bonds to be issued therefor, and the commissioner of securities shall so state in communicating such approval."

Further amend the title.

Line 6, before the period, insert ", and by adding a subdivision".

With the recommendation that when so amended the bill pass.

The report was adopted.

Hanson from the Committee on Commerce and Economic Development to which was referred:

H. F. No. 1387, A bill for an act relating to housing; providing an exception to interest limitations for borrowing by housing and development authorities; amending Minnesota Statutes 1976, Section 462.555.

Reported the same back with the recommendation that the bill pass.

The report was adopted.

Moe from the Committee on Criminal Justice to which was referred:

H. F. No. 1020, A bill for an act relating to crimes and corrections; directing the supreme court to promulgate sentencing guide lines; providing mandatory minimum sentences for felonies; amending Minnesota Statutes 1976, Sections 609.095; 609.11, Subdivision 1; 609.115, Subdivision 1; 609.12, Subdivision 1; and 609.135, by adding a subdivision; repealing Minnesota Statutes 1976, Section 609.115, Subdivision 2.

Reported the same back with the following amendments:

Strike everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 1976, Section 609.095, is amended to read:

609.095 [LIMITS OF SENTENCES.] No other or different sentence or punishment shall be imposed for the commission of a crime than is authorized by this chapter or other applicable law. *All sentences shall be imposed with due consideration to sentencing guidelines established by the supreme court. The sentence imposed shall not be unjustifiably disparate.*

Sec. 2. Minnesota Statutes 1976, Chapter 609, is amended by adding a section to read:

[609.096] [MINNESOTA JUDICIAL COMMISSION ESTABLISHED.] *Subdivision 1. The Minnesota judicial commission is hereby created. It shall consist of not less than 15 nor more than 21 members of the judiciary, representing all the judicial districts, who shall be appointed by the chief justice of the supreme court.*

Subd. 2. [MEMBERSHIP.] The initial members appointed to the commission shall be designated to serve the following terms: not more than five members for one year; not more than five members for two years; not more than five members for three years; not more than six members for four years. Thereafter each member shall be appointed for four years and shall continue in office, while a member of the judiciary, or until a successor is duly appointed. Members shall be eligible for reappointment, and appointments may be made to fill an unexpired term. The members of the commission shall elect a chairman and such officers as are necessary for the efficient discharge of their duties.

Subd. 3. [COMPENSATION; EXPENSES.] Each member of the commission shall be reimbursed for all reasonable expenses actually paid or incurred by him in the performance of his official duties in the same manner as other employees of the state.

Subd. 4. [DUTIES.] The judicial commission shall, on or before October 15, 1978, promulgate sentencing guidelines for the district court. Guidelines promulgated herein shall establish for the district court a narrow range within which the imposition of a felony sentence is proper. These guidelines shall be established on the basis of a combination of offense and offender characteristics which are in consideration of current sentencing practices.

Subd. 5. [RESEARCH.] The commission, in addition to establishing sentencing guidelines, shall serve as a clearing house and information center for the collection, preparation, analysis and dissemination of information on state and local sentencing practices, and shall conduct ongoing research regarding sentencing guidelines, use of imprisonment and alternatives to imprisonment and other matters relating to the improvement of the criminal justice system. The commission shall from time to time make recommendations to the legislature regarding changes in the criminal code, criminal procedure and other aspects of sentencing.

Subd. 6. [COOPERATION WITH OTHER AGENCIES.] To accomplish the purposes of this act the commission may

utilize with their consent, the services, equipment, personnel, information and resources of other state agencies, accept voluntary and uncompensated services, contract with individuals, public and private agencies, and request information, reports and data from any agency of the state, or any of its political subdivisions to the extent authorized by law.

Subd. 7. [GRANTS.] When any person, corporation, the United States government, or any other entity offers funds to the judicial commission by way of gift, grant or loans, for the purpose of assisting the commission to carry out its purpose and duties, the commission may accept the offer by majority vote and upon acceptance the chairman shall receive the funds subject to the terms of the offer, but no money shall be accepted or received as a loan nor shall any indebtedness be incurred except in the manner and under the limitations otherwise provided by law.

Subd. 8. [RESEARCH DIRECTOR; EMPLOYEES.] The commission may select and employ a research director who shall perform such duties as the commission directs including the hiring of such clerical help and other employees as the commission shall approve. The research director and other staff shall be in the unclassified service of the state and their salary shall be established by the commission. They shall be reimbursed the expenses necessarily incurred in the performance of their official duties in the same manner as other state employees.

Subd. 9. [APPROVAL BY SUPREME COURT.] The guidelines promulgated by the judicial commission and any subsequent amendments thereto shall be the sentencing guidelines for the district courts upon their adoption and approval by the supreme court.

Subd. 10. [ROLE OF GUIDELINE.] Guidelines promulgated herein shall be advisory to the district court in the imposition of felony sentences. However, the district court shall set forth particularized written reasons specifying the basis for departure from the sentencing guidelines in each case wherein the court imposes a sentence that is not within the range of the sentencing guidelines applicable to the instant case.

Subd. 11. [REVIEW.] The judicial commission shall meet at least three times each year for the purpose of modifying and improving the sentencing guidelines.

Subd. 12. [APPELLATE REVIEW OF SENTENCE.] An appeal to the supreme court may be taken by the defendant or by the state from any sentence imposed or stayed by the district court. An appeal from the district court to the supreme court under this subdivision shall be made according to the rules of criminal procedure for the district court of Minnesota. A dismis-

sal of an appeal brought under this section shall not prejudice an appeal brought under any other section or rule.

When an appeal taken under this subdivision is filed, the clerk of the district court shall certify to the supreme court the transcript of the proceedings and any files or records relating to the defendant, the offense, and the sentence imposed or stayed, that the supreme court by rule or order may require.

On an appeal pursuant to this subdivision, the supreme court may review the sentence imposed to determine whether the sentence is inconsistent with statutory requirements, unreasonable, inappropriate, excessive, or unjustifiably disparate. This review shall be in addition to all other powers of review presently existing. The supreme court may dismiss or affirm the appeal, vacate or set aside the sentence imposed and direct entry of an appropriate sentence or order further proceedings to be had as the supreme court may direct.

Subd. 13. [RELEASE PENDING APPEAL.] This section shall not be construed to confer or enlarge any right of a defendant to be released pending an appeal under this subdivision.

Sec. 3. Minnesota Statutes 1976, Section 609.10, is amended to read:

609.10 [SENTENCES AVAILABLE.] Upon conviction of a felony and compliance with the other provisions of this chapter the court, if it imposes sentence, may sentence the defendant to the extent authorized by law as follows:

- (1) To life imprisonment; or
- (2) To imprisonment for a maximum term of years fixed by the court; or
- (3) TO AN INDETERMINATE TERM OF IMPRISONMENT WHICH SHALL BE DEEMED TO BE FOR THE MAXIMUM TERM AUTHORIZED BY LAW; OR)
- ((4)) (3) To both imprisonment and payment of a fine; or
- ((5)) (4) To payment of a fine without imprisonment or to imprisonment if the fine is not paid.

Sec. 4. Minnesota Statutes 1976, Section 609.115, Subdivision 1, is amended to read:

609.115 [PRESENTENCE INVESTIGATION.] Subdivision 1. When a defendant has been convicted of a felony (, AND

A SENTENCE OF LIFE IMPRISONMENT IS NOT REQUIRED BY LAW,) the court (MAY) *shall*, before sentence is imposed, cause a presentence investigation and written report to be made to the court concerning the defendant's individual characteristics, circumstances, needs, potentialities, criminal record and social history, the circumstances of the offense and the harm caused thereby to others and to the community. If the court so directs, the report shall include an estimate of the prospects of the defendant's rehabilitation and recommendations as to the sentence which should be imposed.

The investigation shall be made by a probation officer of the court, if there is one, otherwise by the commissioner of corrections.

Pending the presentence investigation and report, the court with the consent of the commissioner may commit the defendant to the custody of the commissioner of corrections who shall return the defendant to the court when the court so orders.

Sec. 5. Minnesota Statutes 1976, Section 609.135, Subdivision 1, is amended to read:

609.135 [STAY OF IMPOSITION OR EXECUTION OF SENTENCE.] Subdivision 1. Except when a sentence of life imprisonment is required by law, *or when a person is convicted of one of the crimes specified under section 609.11, subdivision 1, and during the commission of that crime he had in his possession a firearm or used another dangerous weapon*, any court(, INCLUDING A JUSTICE OF THE PEACE TO THE EXTENT OTHERWISE AUTHORIZED BY LAW,) may stay imposition or execution of sentence and place the defendant on probation with or without supervision and on such terms as the court may prescribe, *including restitution when practicable*. The court may order the supervision to be under the probation officer of the court, or, if there is none and the conviction is for a felony, by the commissioner of corrections, or in any case by some other suitable and consenting person.

Sec. 6. Minnesota Statutes 1976, Section 609.135, is amended by adding a subdivision to read:

Subd. 4. If a stay of imposition or execution of sentence for a felony is not within the sentencing guidelines, particularized reasons therefore shall be stated in the record by the court.

Sec. 7. Minnesota Statutes 1976, Section 609.11, Subdivision 1, is amended to read:

609.11 [MINIMUM TERMS OF IMPRISONMENT.] Subdivision 1. All commitments to the commissioner of corrections for imprisonment of the defendant are without minimum terms

except when sentence is to life imprisonment as required by law and except that any commitment following the defendant's first conviction of an offense wherein he had in his possession a firearm or used (A) *another* dangerous weapon at the time of the offense shall be for a term of not less than one year plus one day, nor more than the maximum sentence provided by law for the offense for which convicted, and except that any commitment following defendant's second or subsequent conviction of an offense wherein he had in his possession a firearm or used (A) *another* dangerous weapon at the time of the offense shall be for a term not less than three years, nor more than the maximum sentence provided by law for the offense for which convicted, and such person shall not be eligible for parole until he shall have served the full minimum sentence herein provided, notwithstanding the provisions of sections 242.19, 243.05, and 609.12 (AND 609.135). The offenses for which mandatory minimum sentences shall be served as (HEREIN) provided *pursuant to this section and section 609.135* are: aggravated assault, burglary, kidnapping, manslaughter in the first degree, murder in the second or third degree, (RAPE,) *criminal sexual conduct in the first or second degree*, aggravated robbery, sodomy, escape while under charge or conviction of a felony, or *illegal* discharge of an explosive or incendiary device.

Sec. 8. Minnesota Statutes 1976, Section 609.11, is amended by adding a subdivision to read:

Subd. 2a. If during the commission of any of the crimes set forth in subdivision 1, the defendant possessed a firearm or used another dangerous weapon, the prosecution shall allege such matter in the information or indictment.

Sec. 9. [DIMINUTION OF SENTENCE.] *Any person convicted of a felony and committed to the commissioner of corrections, while incarcerated or while on parole, shall have his sentence reduced in duration by ten days for each calendar month wherein that person has violated no disciplinary rule established by the commissioner of corrections. Time accumulated in diminution of sentence herein shall vest and may not be taken away.*

Rules governing the accumulation of sentence diminution time shall be established by the commissioner of corrections.

Sec. 10. [ADVISORY COUNCIL ON MINNESOTA CORRECTIONS BOARD.] *Subdivision 1. The advisory council on the Minnesota corrections board is hereby created. It shall study and report to the legislature and the governor on the continued need and role of the Minnesota corrections board after implementation of sentencing guidelines.*

Subd. 2. The council shall consist of two members of the house of representatives appointed by the speaker of the house,

two members of the senate appointed by the senate committee on committees, two members of the judiciary appointed by the chief justice of the supreme court, and three members appointed by the governor. Members shall serve until the expiration date of this act or until the expiration of their legislative terms. Compensation of council members who are not members of the executive, judicial or legislative branch of government shall be as provided in section 15.059.

Subd. 3. The council shall study all matters relating to the continuing need and function of a releasing authority under a system of judicial sentencing guidelines and its proper role.

Subd. 4. The council shall report its findings and make its recommendations to the governor and to the legislature on or before December 15, 1978. The report shall make recommendations concerning the need for the continued existence of the Minnesota corrections board and its function in a sentencing guideline system. The council shall also make recommendations concerning the advisability and the administration of the correctional functions of parole, conditional release, furlough, mutual agreement programs, prerelease programs, educational and vocational programs and other related matters.

Subd. 5. The council may hold meetings at the times and places it designates to accomplish the purposes set forth herein. It shall select a chairman and other officers from its membership as it deems necessary.

Subd. 6. The legislative coordinating commission shall supply the council with necessary staff, office space and administrative services.

Subd. 7. [TERMINATION.] Unless further legislation shall otherwise provide, this section shall terminate on December 31, 1978.

Sec. 11. [APPROPRIATION.] There is hereby appropriated from the general fund to the legislative coordinating commission the sum of \$_____ for the period ending December 31, 1978 to pay the expenses incurred by the commission for the purposes of implementing section 10 of this act. There is hereby appropriated from the general fund to the Minnesota Supreme court to pay the expenses incurred by the judicial commission established under section 2 of this act the sum of \$150,000.

Sec. 12. [REPEALER.] Minnesota Statutes 1976, Sections 243.18 and 609.11, Subdivision 2, are repealed.

Sec. 13. [EFFECTIVE DATE.] Sections 1, 5, 6, 7, 8, 9 and 12 shall be effective on January 1, 1979. Section 2, subdivisions

12 and 13, shall be effective on January 1, 1979 and shall apply only to sentences imposed or stayed on or after January 1, 1979. All other subdivisions of section 2 and the other sections of this act shall be effective the day following enactment."

Further amend the title:

Page 1, line 5, after the semicolon, insert "appropriating money;"

Page 1, line 6, after "609.095;" insert "609.10;" and after "1" insert ", and by adding a subdivision".

Page 1, line 7, delete "609.12, Subdivision 1; and" and after "609.135," insert "Subdivision 1, and".

Page 1, line 8, after the semicolon insert "and Chapter 609, by adding a section;"

Page 1, line 9, delete "Section 609.115" and insert "Sections 243.18; and 609.11."

With the recommendation that when so amended the bill pass and be re-referred to the Committee on Appropriations.

The report was adopted.

Moe from the Committee on Criminal Justice to which was referred:

H. F. No. 1086, A bill for an act relating to crimes; requiring the commissioner of corrections to conduct research to assess the extent and nature of juvenile prostitution and to develop a program for the prevention and treatment of prostitution; reports to legislature; pilot projects.

Reported the same back with the following amendments:

Page 2, delete lines 8 to 27.

Page 4, line 13, delete ", including legislative appropriations to".

Page 4, delete line 14 to the period.

With the recommendation that when so amended the bill pass.

The report was adopted.

Moe from the Committee on Criminal Justice to which was referred:

H. F. No. 1350, A bill for an act relating to motor vehicles; limiting the issuance of vehicle registration plates or tabs and title documents, and requiring driver license suspension, under certain circumstances; amending Minnesota Statutes 1976, Section 171.16, Subdivision 3.

Reported the same back with the following amendments:

Page 1, line 23, strike "suspend" and insert "*refuse to renew*".

Page 2, line 4, after "that" delete "*the*".

Page 2, line 5, delete "*person has appeared*" and insert "*an appearance has been made*".

Page 2, line 7, delete "1978" and insert "1979".

Further amend the title:

Page 1, line 4, delete "requiring driver license".

Page 1, line 5, delete "suspension" and insert "refusing to renew driver's licenses".

With the recommendation that when so amended the bill pass and be re-referred to the Committee on Appropriations.

The report was adopted.

Johnson from the Committee on Education to which was referred:

H. F. No. 345, A bill for an act relating to education; establishing pilot transitional bilingual education program; granting certain powers and duties to the state board of education; establishing a state bilingual education advisory task force; appropriating money; amending Minnesota Statutes 1976, Sections 120.095, by adding a subdivision; 120.10, Subdivision 2; and 126.07.

Reported the same back with the following amendments:

Strike everything after the enacting clause and insert the following:

"Section 1. [CITATION.] *Sections 1 to 12 of this act may be cited as the bilingual education act.*

Sec. 2. [DECLARATION OF POLICY.] *Pursuant to the policy and law of the state to provide equal and meaningful educational opportunity to every individual, it is the purpose of*

sections 1 to 12 to provide for the establishment of not fewer than five pilot transitional bilingual educational programs.

Sec. 3. [APPLICABILITY.] *The requirements of sections 1 to 12 shall apply only to districts which have bilingual educational programs funded pursuant to the provisions of sections 1 to 12.*

Sec. 4. [DEFINITIONS.] *Subdivision 1. For the purposes of sections 1 to 12 of this act, the words, phrases, and terms defined in this section shall have the meanings given to them.*

Subd. 2. "Children of limited English speaking ability" means children whose primary language is other than English or who come from home environments where the primary language is other than English and by reason thereof, have difficulty reading, writing, speaking, and understanding ordinary classroom instruction and have difficulty in performing ordinary classwork in the English language.

Subd. 3. "Primary language" is a language other than English which is the language normally used by the child or the language which is spoken in the child's home environment.

Subd. 4. "Advisory task force" means the state advisory task force on bilingual education programs.

Subd. 5. "Parent" or "parents" includes a child's legal guardian.

Sec. 5. [BILINGUAL EDUCATION PROGRAMS.] *Subdivision 1. [INSTRUCTION DESCRIBED.] Bilingual education programs are programs of instruction enrolling children of limited English speaking ability in elementary and secondary schools in which:*

(a) There is instruction given in and study of both English and the primary language of the children of limited English speaking ability, in all courses or subjects of study, to the extent necessary to allow the children to progress effectively through the educational system and to attain the basic skills so that they will be able to perform ordinary classwork successfully in English;

(b) This instruction is given with sensitivity to and appreciation for the cultural heritage of the children of limited English speaking ability;

(c) There is instruction given in the history, culture and heritage of the children of limited English speaking ability and in the history and culture of the United States;

(d) Support components are developed for staff, including inservice training and technical assistance in methods of bilingual teaching. This inservice training may include but not be limited to: (i) Development of instructional and personal skills in reading, writing and speaking; (ii) Opportunities to develop general and bilingual teaching skills; (iii) Opportunities to develop the ability to identify, create, and apply instructional techniques that will enhance the cognitive and psychomotor development of children in bilingual education programs;

(e) Orientation to the purposes and values of the bilingual program may be provided to district staff. Bilingual programs may include: research projects, including experimentation with and evaluation of methods of relating to pupils of limited English speaking ability; provision of personal and vocational counseling to pupils of limited English speaking ability; and modification of curriculum, instructional methods, and administrative procedures to meet the needs of pupils of limited English speaking ability.

Subd. 2. [ADDITIONAL PROGRAM REQUIREMENTS.] Bilingual education programs shall be subject to the following additional requirements:

(a) To the extent practicable, children with different non-English primary languages should not be combined in the same bilingual education program class;

(b) If graded classes are used, children enrolled in the program shall be placed, to the extent practicable, in classes with others of approximately the same age and level of educational attainment. If individuals of significantly varying ages or levels of educational attainment are placed in the same class, the bilingual program shall insure that each child is provided with instruction which is appropriate for his or her level of educational attainment and educational needs;

(c) Instruction given in two languages in a bilingual program shall be appropriate to the linguistic abilities of the children enrolled and the program shall be designed to provide intensive instruction to meet the objectives described in sections 1 to 12 of this act, and shall be sufficient to meet the educational needs of children of limited English speaking ability;

(d) Nothing in sections 1 to 12 shall be construed to authorize isolation of children of limited English speaking ability for a substantial portion of the school day.

Subd. 3. [NOTICE OF ENROLLMENT; CONTENT; RIGHTS OF PARENTS.] When a pilot program is established pursuant to sections 1 to 12 of this act, every school age child of limited English speaking ability whose primary language is

the non-English language which is the medium of instruction in the pilot program and who resides in a school district participating in a pilot program and not enrolled in an existing private school system shall be eligible to enroll and to participate in any program in transitional bilingual education, established under this act for the classification to which he belongs by the school district, for a period of three years or until such time as he achieves a level of English language skills which will enable him to perform successfully in classes in which instruction is given only in English, whichever shall first occur. Consistent with the provisions of subdivision 2 nothing herein shall be construed to limit a school district's authority to enroll limited English speaking children, whose primary language is a non-English language other than the non-English language which is the medium of the instruction in the pilot program, in a program of bilingual education.

No later than ten days after the enrollment of any child in a program in transitional bilingual education, the school district in which the child resides shall notify by mail the parents of the child. Such notice shall:

(a) Be in writing and be in English and in the primary language of the child's parents;

(b) Inform the parents that their child has been enrolled in a program in transitional bilingual education;

(c) Contain a simple, nontechnical description of the purposes, method and content of the program;

(d) Inform the parents that they have the right to visit transitional bilingual education classes in which their child is enrolled;

(e) Inform the parents of the time and manner in which to request and receive a conference for the purpose of explaining the nature and purpose of the program; and

(f) Inform the parents of their right to withdraw their child from a program in transitional bilingual education and the time and manner in which to do so.

Any parent whose child is enrolled in a program in transitional bilingual education shall have the absolute right, either at the time of the original notification of enrollment or at the close of any semester thereafter, to withdraw his child from the program by providing written notice of this intent to the principal of the school in which his child is enrolled or to the superintendent of the school district in which his child resides; provided that no withdrawal shall be allowed until the parent is informed in a conference with school district officials of the nature and

purpose of the program. At that conference, parents must also be informed of the nature of the program into which the child will be placed. The conference shall be held in a manner and language understood by the parents. Nothing herein shall preclude a parent from reenrolling a child of limited English speaking ability in the bilingual educational program.

Subd. 4. [ENROLLMENT OF OTHER CHILDREN; SHARED TIME ENROLLMENT.] *To the extent it is economically feasible, a program of bilingual education may make provision for the voluntary enrollment of children whose primary language is English, in order that they may acquire an understanding of the cultural heritage of the children of limited English speaking ability for whom that particular program of bilingual education is designed. In determining eligibility to participate in a program, priority shall be given to the children whose primary language is other than English and this subdivision shall not operate or be construed to limit the obligation of school districts to enroll individuals of limited English speaking ability in a transitional bilingual program operated in accordance with subdivision 3 of this section. In no event shall the program be designed for the purpose of teaching a foreign language to English speaking children. Children of limited English speaking ability and English speaking children enrolled in an existing nonpublic system may be enrolled on a shared time basis in bilingual education programs.*

Subd. 5. [NEW STUDENTS.] *All districts providing a bilingual education program under sections 1 to 12 shall take all affirmative steps necessary to immediately identify children of limited English speaking ability whose primary language is the non-English language which is the medium of instruction in the pilot program and who enroll in the public schools after the implementation of the program and to assess and classify such children in accordance with the provisions of section 11 of this act. All such children who are identified as limited English speaking shall be eligible to be immediately enrolled in the bilingual education program, consistent with the provisions of subdivision 3 of this section.*

Subd. 6. [ASSIGNMENT OF STUDENTS.] *No school district shall in providing these programs assign students to schools in a way which will have the effect of promoting segregation of students by race, sex, color, or national origin.*

Subd. 7. [NONVERBAL COURSES AND EXTRACURRICULAR ACTIVITIES.] *In predominantly nonverbal subjects, such as art, music, and physical education, children of limited English speaking ability shall participate fully and on an equal basis with their contemporaries in the public school classes provided for these subjects. Every school district shall ensure to children enrolled in bilingual education programs an equal and meaningful opportunity to participate fully with other children*

in all extracurricular activities. This subdivision shall not be construed to prohibit instruction in nonverbal subjects or extracurricular activities which relate to the cultural heritage of the children of limited English speaking ability, or which are otherwise necessary to accomplish the objectives described in sections 1 to 12 of this act.

Sec. 6. [TEACHERS; LICENSES; EXEMPTIONS.] Subdivision 1. [BILINGUAL EDUCATION LICENSES.] *The board of teaching, hereinafter the board, shall grant teaching licenses in bilingual education to persons who present satisfactory evidence that they:*

(a) Possess competence and communicative skills in English and in another language;

(b) Possess a bachelor's degree or other academic degree approved by the board, or meet such requirements as to course of study and training as the board may prescribe.

Subd. 2. [PERSONS HOLDING GENERAL TEACHING LICENSES.] *A person holding a general teaching license who presents the board with satisfactory evidence of competence and communicative skills in a language other than English may be licensed under this section.*

Subd. 3. [EMPLOYMENT OF TEACHERS.] *Teachers employed in a bilingual education program established pursuant to sections 1 to 12 of this act shall not be employed to replace any presently employed teacher who otherwise would not be replaced.*

Subd. 4. [TEACHER PREPARATION PROGRAMS.] *For the purpose of licensing bilingual teachers, the board may approve programs at colleges or universities designed for their training subject to the approval of the state board of education.*

Subd. 5. [PERSONS ELIGIBLE FOR EMPLOYMENT EXEMPTIONS.] *Any person licensed under this section shall be eligible for employment by a school board as a teacher in a bilingual education program in which the language for which he is licensed is taught or used as a medium of instruction. A school board may prescribe only those additional qualifications for teachers licensed under this section as are approved by the board of teaching. Any school board upon request may be exempted from the licensure requirements of this section in the hiring of one or more bilingual education teachers for any school year in which compliance would, in the opinion of the commissioner of education, create a hardship in the district in the securing of the teachers. The commissioner shall notify the board of teaching of any exemptions granted pursuant to this subdivision.*

Subd. 6. [PERSONS SERVING UNDER EXEMPTIONS; LICENSURE; TENURE.] *A bilingual education teacher serv-*

ing under an exemption as provided in subdivision 5 shall be granted a license as soon as that teacher achieves the qualifications for it. Not more than one year of service by a bilingual education teacher under an exemption shall be credited to the teacher for the purposes of Minnesota Statutes, Section 125.12, and not more than two years shall be credited to the teacher for the purpose of Minnesota Statutes, Section 125.17; and the one or two years shall be deemed to precede immediately and be consecutive with the year in which a teacher becomes licensed.

Subd. 7. [AFFIRMATIVE EFFORTS IN HIRING.] In hiring for all positions in bilingual education programs school districts shall give preference to and make affirmative efforts to seek, recruit, and employ persons who are (a) native speakers of the language which is the medium of instruction in the bilingual education program, and (b) who share the culture of the limited English speaking children who are enrolled in the program. The district shall provide procedures for the involvement of the parent advisory committees in designing the procedures for the recruitment, screening and selection of applicants, provided that nothing herein shall be construed to limit the school board's authority to hire and discharge personnel.

Sec. 7. [TEACHERS AIDES; COMMUNITY COORDINATORS.] In addition to employing bilingual teachers, each district providing bilingual education programs pursuant to sections 1 to 12 of this act may employ teachers' aides. Teachers' aides shall not be employed for the purpose of supplanting bilingual teachers.

Sec. 8. [PARENT AND COMMUNITY PARTICIPATION.] Subdivision 1. School boards shall provide for the maximum involvement of parents of children enrolled in bilingual education programs pursuant to sections 1 to 12 of this act. Accordingly, before implementing a program, the school district shall establish a parent advisory committee for that program. This committee shall afford parents the necessary information and opportunity to express their views concerning all aspects of the bilingual education program and the educational needs of the children of limited English speaking ability residing within the district's attendance boundaries. The district shall ensure that the program is planned, operated, and evaluated with the effective involvement of and in consultation with parents of children enrolled or eligible to be served by the program.

Subd. 2. The committees shall be composed solely of parents of children enrolled or eligible to be enrolled in bilingual programs; secondary students enrolled or eligible to be served; bilingual education teachers, aides, counselors, and other bilingual education program personnel; and representatives from community groups; provided, however, that a majority of each committee shall be parents of children enrolled or eligible to be enrolled in the corresponding program, and the number of parents of

limited English speaking children and parents of children whose primary language is English shall reflect approximately the proportion of children of those groups enrolled in the program.

Subd. 3. School principals and other administrators or teachers within the district shall be encouraged to participate and cooperate with the parent advisory committee.

Subd. 4. All notices and other information sent to the parent advisory committees shall be in English and in the primary language of the parent members.

Subd. 5. Nothing in this section shall be construed as prohibiting the school board from establishing procedures whereby parents whose children are enrolled or eligible to be enrolled in the bilingual education program select, consistent with the provisions of this section, the members of the parent advisory committee. Nothing in this section shall be construed as prohibiting school boards from establishing a parent advisory committee prior to the submission of a proposal under section 11 for a bilingual education program.

Subd. 6. School districts which have already established a parent advisory committee pursuant to section 703 (a)(4)(e) of Title VII of the Elementary and Secondary Education Act of 1965 may utilize that committee for the purpose of complying with the provisions of this section.

Sec. 9. [STATE BOARD OF EDUCATION DUTIES.] *Subdivision 1. [NEEDS ASSESSMENT.] The state board of education shall conduct a statewide assessment of the need for bilingual education programs, which shall include information on:*

(a) Numbers, ages, locations by school district, and primary language, race, national origin, and level of family income of children of limited English speaking ability;

(b) Concentration of children of limited English speaking ability in attendance areas within school districts by primary language, race, national origin, and level of family income;

(c) Placement rates of children of limited English speaking ability in classes for handicapped pupils, in comparison with schoolwide and districtwide placement rates;

(d) Achievement test scores, mobility rates and dropout rates of children of limited English speaking ability in comparison with average achievement test scores, mobility rates and dropout rates;

(e) *Any other data deemed necessary to assessment of the need for bilingual education in the state. The procedures for gathering the information shall be designed to comply with provisions of state and federal law relating to privacy and student records.*

Any needs assessment previously conducted by a school district which is determined to be current and which meets the requirements of this subdivision may be used as the basis for a program proposal and funding under section 11 prior to the completion of the statewide assessment and may be used by the state board as a part of its statewide assessment.

Subd. 2. [RESOURCE EVALUATION.] The state board shall study, review, and evaluate all available resources and programs which, in whole or in part, are or could be directed toward meeting the educational needs of children of limited English speaking ability, including information on:

(a) *Numbers, location, qualifications, and primary language and national origin of teachers, aides, administrators, counselors, and potential post secondary education graduates from non-English speaking backgrounds who have an interest in working in bilingual programs;*

(b) *Programs within the state designed for the preparation of bilingual education teachers;*

(c) *The effectiveness of existing programs for children of limited English speaking ability within the state;*

(d) *Successful and innovative preservice and inservice programs for staffs of bilingual education programs; and*

(e) *Tests, criteria, identification instruments and procedures for identifying, testing, assessing and classifying children of limited English speaking ability.*

Subd. 3. [PROGRAM MODELS.] The state board shall gather information about the theory and practice of bilingual education and design program models appropriate for meeting the need for bilingual education in conjunction with the basic educational program in the state.

Subd. 4. [EVALUATION OF PROGRAMS.] The state board shall provide for comprehensive evaluation of pilot programs funded under sections 1 to 12 of this act. The state board may also provide for the comprehensive evaluation of existing educational programs offered by nonpublic, community, or alternative schools, including assessment of pupil achievement, processes and results of establishing quality programs, and attitudes of people involved in and affected by programs, provided

that the nonpublic, community, or alternative school consents to the evaluation of its existing program.

Subd. 5. [COMMUNITY INVOLVEMENT.] The state board shall provide for the maximum involvement of the state advisory task force on bilingual education, parents of children of limited English speaking ability, secondary students eligible to be served, bilingual education teachers, teachers' aides, representatives of community groups, and persons knowledgeable in the field of bilingual education, in the formulation of policy and procedures relating to the administration of sections 1 to 12 of this act.

Subd. 6. [CONSULTATION.] The state board may consult with and make recommendations to other public departments and agencies in connection with the administration of sections 1 to 12 of this act.

Subd. 7. [TEACHER LICENSURE.] The state board shall provide to the board of teaching a report on its research and experience in bilingual education insofar as such research may have a bearing on the establishment of teacher licensure requirements by the board of teaching. The board of teaching shall submit its proposals to the state board for approval pursuant to the procedures in Minnesota Statutes, Section 125.185, Subdivision 4.

Subd. 8. [TECHNICAL ASSISTANCE.] The state board of education shall provide technical assistance to school districts and post secondary institutions for preservice and inservice training for bilingual education teachers and teachers' aides, teaching methods, curriculum development, testing and testing mechanisms, and the development of materials for bilingual programs.

Subd. 9. [APPLICATION FOR FUNDS.] The state board may apply for grants or funds which are, or may become, available under federal programs for bilingual education, including funds for administration, demonstration projects, training, technical assistance, planning and evaluation.

Subd. 10. [REPORT.] The state board shall make a report to the legislature, the governor and the public on or before September 1, 1979. This report shall include the results of the needs assessment, including an evaluation of the pilot programs, the number of children served in programs for each language group; the cost of the program per pupil for each pilot program language group, and program type; the number of children in each school district, language group and program type who, as a result of the bilingual education program, improved their English language ability to such an extent that the program is no longer necessary for those children; and recommendations for legisla-

tion including any need for expansion and accompanying plans and cost estimates in the areas of bilingual education.

Subd. 11. [RULES AND REGULATIONS.] The state board, upon the receipt of recommendations by the advisory task force, may promulgate rules providing for standards and procedures appropriate for the implementation of and within the limitations of sections 1 to 12 of this act.

Sec. 10. [ADVISORY TASK FORCE ON BILINGUAL EDUCATION PROGRAMS.] Subdivision 1. [ESTABLISHMENT.] The state board of education shall appoint an advisory task force on bilingual education programs. There shall be no more than ten members on the task force. Members shall include: representatives of community groups, parents of children eligible to be served by the programs, bilingual administrators and teachers, persons experienced in the training of teachers for bilingual education programs, persons involved in programs for children of limited English speaking ability in nonpublic, community, or alternative schools, and persons knowledgeable in the field of bilingual education. Members shall be appointed so as to be representative of significant segments of the population of persons of limited English speaking ability.

Subd. 2. [DUTIES.] The advisory task force on bilingual education programs shall be charged with the following duties:

(a) To make recommendations to the state board concerning approval, modification, or disapproval of proposals for programs and the amounts of grants to approved programs; and

(b) To advise the state board in the administration of its duties under sections 1 to 12 of this act.

Subd. 3. The advisory task force shall expire and the terms, compensation, and removal of members shall be as provided for in Minnesota Statutes, Section 15.059, Subdivision 6.

Sec. 11. [PILOT PROGRAMS.] Subdivision 1. [GRANTS, PROCEDURES.] For fiscal years 1978 and 1979, as part of the needs assessment effort, the state board of education shall make grants to no fewer than five transitional bilingual education programs. At least two pilot bilingual programs shall be in a rural area. The board of a local district or a group of boards may submit a proposal for a grant for a transitional bilingual education program. The state board shall prescribe the form and manner of application for grants and no grant shall be made for proposals not complying with the requirements of sections 1 to 12 of this act. Every program proposal shall be submitted to the state board not less than six months before the planned commencement of the program; provided, however that this six month requirement shall not apply to school districts with an

existing bilingual education program established and approved pursuant to section 701 et seq., of Title VII of the Elementary and Secondary Education Act of 1965. The state board shall submit all proposals to the state advisory task force on bilingual education programs for its recommendations concerning approval, modification, or disapproval and the amounts of grants to approved programs.

Subd. 2. [PLANS.] Each school district submitting a proposal under subdivision 1 shall develop and submit with the proposal a plan which shall:

(a) Identify the measures to be used to meet the requirements of sections 1 to 12 of this act;

(b) Identify the activities, methods and programs to meet the identified educational needs of the children to be enrolled in the program;

(c) Describe how district goals and objectives as well as the objectives of sections 1 to 12 are to be achieved;

(d) Demonstrate that required and elective courses as structured do not have a discriminatory effect within the meaning of section 4, subdivision 6;

(e) Describe how each school program will be organized, staffed, coordinated, and monitored; and

(f) Project expenditures for programs under sections 1 to 12 of this act.

Subd. 3. [ADDITIONAL REQUIREMENTS.] Each school district receiving a grant under this section shall each year conduct a count of children of limited English speaking ability whose primary language is the non-English language which is the medium of instruction in the bilingual education program funded under this section in the public schools of the district; assess the English and primary language proficiencies of such children; test for achievement; identify the extent of other educational needs of the children to be enrolled in the bilingual education program; and classify the limited English speaking children by grade, level of educational attainment, age, achievement, and English and primary language proficiencies. This count may be part of the school census required pursuant to section 120.095. Nothing herein shall be construed to limit a school district's authority to so count, assess, test, identify and classify limited English speaking children, whose primary language is a non-English language other than the non-English language which is the medium of instruction in a program funded under this section.

Subd. 4. [NONDISCRIMINATION; TESTING.] In accordance with recognized professional standards, all testing and evaluation materials and procedures utilized for the identification, testing, assessment and classification of children of limited English speaking ability shall be selected and administered so as not to be racially or culturally discriminatory and shall be valid for the purpose of identifying, testing, assessing, and classifying children of limited English speaking ability.

Subd. 5. [RECORDS.] Participating school districts shall keep records and afford access to them as the commissioner finds necessary to ensure that bilingual education programs are implemented in conformity with sections 1 to 12 of this act. Each school district shall keep an accurate, detailed, and separate account of all money received and paid out by it for bilingual education programs funded under this section.

Subd. 6. [FUNDS FROM OTHER SOURCES.] A school district providing bilingual education programs shall be eligible to receive funds for these programs from other government agencies and from private sources when the funds are available.

Subd. 7. Nothing in sections 1 to 12 shall be construed as prohibiting a district from implementing a bilingual education program which is not in compliance with sections 1 to 12 of this act if the proposal and plan for that program is not funded pursuant to this section.

Sec. 12. [OTHER STATUTES.] Nothing in the provisions of sections 1 to 12 shall be construed to violate the provisions of Minnesota Statutes, Section 127.08 or Chapter 363. Programs and activities pursuant to sections 1 to 12 shall be deemed to be positive action programs to combat discrimination.

Sec. 13. Minnesota Statutes 1976, Section 120.095, is amended by adding a subdivision to read:

Subd. 6. The school census shall include an enumeration of children of limited English speaking ability residing within the district by primary language, race and national origin. In making this census the school board shall seek the assistance and cooperation of agencies, organizations or community groups, public or private, which might have information about students of limited English speaking ability residing in the school district. As used in this subdivision, the terms "children of limited English speaking ability" and "primary language" shall have the meanings ascribed to them in section 4 of this act.

Sec. 14. Minnesota Statutes 1976, Section 120.10, Subdivision 2, is amended to read:

Subd. 2. [SCHOOL.] A school, to satisfy the requirements of compulsory attendance, must be one in which all the common

branches are taught in the English language, from textbooks written in the English language, and taught by teachers whose qualifications are essentially equivalent to the minimum standards for public school teachers of the same grades or subjects; *provided that in a program of instruction for children of limited English speaking ability, instruction and textbooks may be in the primary language of the children of limited English speaking ability enrolled therein.* (A FOREIGN LANGUAGE MAY BE TAUGHT WHEN SUCH LANGUAGE IS AN ELECTIVE OR A PRESCRIBED SUBJECT OF THE CURRICULUM, BUT NOT TO EXCEED ONE HOUR IN EACH DAY) *Any other language may be taught as provided in section 126.07. As used in this subdivision, the terms "children of limited English speaking ability" and "primary language" shall have the meanings ascribed to them in section 4 of this act.*

Sec. 15. Minnesota Statutes 1976, Section 126.07, is amended to read:

126.07 [INSTRUCTION, USE OF ENGLISH LANGUAGE.] The books used and the instruction given in public schools shall be in the English language, but any other language may be used by teachers in explaining to pupils who understand such language the meaning of English words; (AND) *provided that in the case of a program for children of limited English speaking ability, instructions and books may be in the primary language of the children of limited English speaking ability. As used in this section, the terms "children of limited English speaking ability" and "primary language" shall have the meanings ascribed to them in section 4 of this act.* In secondary and elementary schools other languages may be taught, when made a part of a regular or optional course of study. (INSTRUCTION MAY BE GIVEN IN SUCH LANGUAGES IN ELEMENTARY GRADES, NOT TO EXCEED ONE HOUR IN EACH DAY, BY UNANIMOUS VOTE OF THE SCHOOL BOARD.)

Sec. 16. [APPROPRIATION.] *The sum of \$900,000 is appropriated from the general fund to the state board of education for the purposes of this act to be available until June 30, 1979. Of this amount, \$45,000 shall be available for the year ending June 30, 1978 for the employment of two professional employees and one clerical employee beyond the existing complement of the department of education; \$45,000 shall be available for the year ending June 30, 1979 for the employment of two professional employees and one clerical employee beyond the existing complement of the department; and, \$110,000 shall be available until June 30, 1979 for the payment of other necessary expenses and contracted services incurred in connection with the administration of this act. The sum of \$700,000 shall be available until June 30, 1979 to be expended for grants to pilot bilingual education programs pursuant to sections 1 to 12 of this act."*

With the recommendation that when so amended the bill pass and be re-referred to the Committee on Appropriations.

The report was adopted.

Johnson from the Committee on Education to which was referred:

H. F. No. 784, A bill for an act relating to education; establishing pilot bilingual and native American language and culture education programs; granting certain powers and duties to the state board of education; establishing a state bilingual and native American language and culture education advisory council; appropriating money; amending Minnesota Statutes 1976, Sections 120.095, by adding a subdivision; 120.10, Subdivision 2; repealing Minnesota Statutes 1976, Section 126.07.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. [CITATION.] *Sections 1 to 11 of this act may be cited as the American Indian language and culture education act.*

Sec. 2. [DECLARATION OF POLICY.] *Pursuant to the policy of the state to ensure equal educational opportunity to every individual, it is the purpose of this act to provide for the establishment of American Indian language and culture education programs.*

Sec. 3. [DEFINITIONS.] *Subdivision 1. For the purposes of sections 1 to 11 of this act, the words, phrases, and terms defined in this section shall have the meanings given to them.*

Subd. 2. "American Indian child" means any child, living on or off a reservation, who is an enrolled member of a federally recognized tribe.

Subd. 3. "Advisory task force" means the state advisory task force on American Indian language and culture education programs.

Subd. 4. "Participating school" means any nonsectarian non-public, tribal, or alternative school offering a curriculum reflective of American Indian culture which is funded by and participates in the programs in sections 1 to 11 of this act.

Sec. 4. [AMERICAN INDIAN LANGUAGE AND CULTURE EDUCATION PROGRAMS.] *Subdivision 1. [PROGRAM DESCRIBED.] American Indian language and culture education programs shall be programs in elementary and secondary schools enrolling American Indian children designed:*

(1) To make the curriculum more relevant to the needs, interests, and cultural heritage of American Indian pupils;

(2) To provide positive reinforcement of the self-image of American Indian pupils; and

(3) To develop intercultural awareness among pupils, parents, and staff. Program components may include: instruction in American Indian language, literature, history, and culture; development of support components for staff, including inservice training and technical assistance in methods of teaching American Indian pupils; research projects, including experimentation with and evaluation of methods of relating to American Indian pupils; provision of personal and vocational counseling to American Indian pupils; modification of curriculum, instructional methods, and administrative procedures to meet the needs of American Indian pupils; and establishment of cooperative liaisons with nonsectarian nonpublic, community, tribal or alternative schools offering curricula which reflect American Indian culture. Districts offering programs may make contracts for the provision of program components by nonsectarian nonpublic, community, tribal or alternative schools. These programs may also be provided as components of early childhood and family education programs.

Subd. 2. [VOLUNTARY ENROLLMENT.] Enrollment in American Indian language and culture education programs shall be voluntary. School districts and participating schools shall make affirmative efforts to encourage participation. They shall encourage parents to visit classes or come to school for a conference explaining the nature of the program and provide visits by school staff to parents' homes to explain the nature of the programs.

Subd. 3. [ENROLLMENT OF OTHER CHILDREN; SHARED TIME ENROLLMENT.] To the extent it is economically feasible, a school district or participating school may make provision for the voluntary enrollment of non American Indian children in the instructional components of an American Indian language and culture education program in order that they may acquire an understanding of the cultural heritage of the American Indian children for whom that particular program is designed. However, in determining eligibility to participate in a program, priority shall be given to American Indian children. American Indian children and other children enrolled in an existing nonpublic school system may be enrolled on a shared time basis in American Indian language and culture education programs.

Subd. 4. [LOCATION OF PROGRAMS.] American Indian language and culture education programs shall be located in facilities in which regular classes in a variety of subjects are offered on a daily basis.

Subd. 5. [ASSIGNMENT OF STUDENTS.] No school district or participating school shall in providing these programs assign students to schools in a way which will have the effect of promoting segregation of students by race, sex, color, or national origin.

Subd. 6. [NONVERBAL COURSES AND EXTRACURRICULAR ACTIVITIES.] In predominantly nonverbal subjects, such as art, music, and physical education, American Indian children shall participate fully and on an equal basis with their contemporaries in school classes provided for these subjects. Every school district or participating school shall ensure to children enrolled in American Indian language and culture education programs an equal and meaningful opportunity to participate fully with other children in all extracurricular activities. This subdivision shall not be construed to prohibit instruction in nonverbal subjects or extracurricular activities which relate to the cultural heritage of the American Indian children, or which are otherwise necessary to accomplish the objectives described in sections 1 to 11 of this act.

Sec. 5. [TEACHERS; LICENSES; EXEMPTIONS.] *Subdivision 1. [AMERICAN INDIAN LANGUAGE AND CULTURE EDUCATION LICENSES.] The board of teaching shall grant teaching licenses in American Indian language and culture education to persons who present satisfactory evidence that they:*

(a) Possess competence in an American Indian language or possess unique qualifications relative to or knowledge and understanding of American Indian history and culture;

(b) Possess a bachelor's degree or other academic degree approved by the board or meet such requirements as to course of study and training as the board may prescribe, or possess such relevant experience as the board may prescribe.

This evidence may be presented by affidavits, resolutions, or by such other methods as the board may prescribe. Individuals may present applications for licensure on their own behalf or these applications may be submitted by the superintendent or other authorized official of a school district or a nonsectarian nonpublic, tribal, or alternative school offering a curriculum reflective of American Indian culture.

Subd. 2. [PERSONS HOLDING GENERAL TEACHING LICENSES.] A person holding a general teaching license who presents the board with satisfactory evidence of competence in an American Indian language, or knowledge and understanding of American Indian history and culture may be licensed under this section.

Subd. 3. [TEACHER PREPARATION PROGRAMS.] For the purpose of licensing American Indian language and culture education teachers, the board may approve programs at colleges or universities designed for their training subject to the approval of the state board of education.

Subd. 4. [PERSONS ELIGIBLE FOR EMPLOYMENT; EXEMPTIONS.] Any person licensed under this section shall be eligible for employment by a school board or a participating school as a teacher in an American Indian language and culture education program in which the American Indian language or culture in which he is licensed is taught. A school district or participating school may prescribe only those additional qualifications for teachers licensed under this section as are approved by the board of teaching. Any school board or participating school upon request may be exempted from the licensure requirements of this section in the hiring of one or more American Indian language and culture education teachers for any school year in which compliance would, in the opinion of the commissioner of education, create a hardship in the securing of the teachers.

Subd. 5. [PERSONS SERVING UNDER EXEMPTIONS; LICENSURE; TENURE.] An American Indian language and culture education teacher serving under an exemption as provided in subdivision 5 shall be granted a license as soon as that teacher achieves the qualifications for it. Not more than one year of service by an American Indian language and culture education teacher under an exemption shall be credited to the teacher for the purposes of Minnesota Statutes, Section 125.12 and not more than two years shall be credited for the purposes of section 125.17; and the one or two years shall be deemed to precede immediately and be consecutive with the year in which a teacher becomes licensed.

Subd. 6. [AFFIRMATIVE EFFORTS IN HIRING.] In hiring for all positions in these programs, school districts and participating schools shall give preference to and make affirmative efforts to seek, recruit, and employ persons who share the culture of the American Indian children who are enrolled in the program. The district or participating school shall provide procedures for the involvement of the parent advisory committees in designing the procedures for the recruitment, screening and selection of applicants, provided that nothing herein shall be construed to limit the school board's authority to hire and discharge personnel.

Sec. 6. [TEACHERS AIDES; COMMUNITY COORDINATORS.] In addition to employing American Indian language and culture education teachers, each district or participating school providing programs pursuant to sections 1 to 11 of this act may employ teachers' aides. Teachers' aides shall not be employed for the purpose of supplanting American Indian language and culture education teachers.

Sec. 7. [PARENT AND COMMUNITY PARTICIPATION.]

Subdivision 1. School boards and participating schools shall provide for the maximum involvement of parents of children enrolled in American Indian language and culture education programs pursuant to sections 1 to 11 of this act. Accordingly, before implementing a program, each school district and participating school shall establish a parent advisory committee for that program. This committee shall afford parents the necessary information and the opportunity effectively to express their views concerning all aspects of the American Indian language and culture education program and the educational needs of the American Indian children residing within the district's or school's attendance boundaries. The district or participating school shall ensure that the program is planned, operated, and evaluated with the involvement of and in consultation with parents of children eligible to be served by the program.

Subd. 2. The committees shall be composed solely of parents of children eligible to be enrolled in American Indian language and culture programs; secondary students eligible to be served; American Indian language and culture education teachers and aides; counselors; and representatives from community groups; provided, however, that a majority of each committee shall be parents of children enrolled or eligible to be enrolled in the corresponding program, and that the number of parents of American Indian and non American Indian children shall reflect approximately the proportion of children of those groups enrolled in the program.

Subd. 3. School principals and other administrators or teachers within the district or participating school shall be encouraged to participate and cooperate with the parent advisory committee.

Subd. 4. If the organizational membership or the board of directors of a participating school consists solely of parents of children attending the school whose children are eligible to be enrolled in American Indian language and culture education programs, that membership or board may serve also as the parent advisory committee.

Sec. 8. [STATE BOARD OF EDUCATION DUTIES.]

Subdivision 1. [NEEDS ASSESSMENT.] The state board of education shall conduct a statewide assessment of the need for American Indian language and culture education programs, which shall include information on:

(a) Numbers, ages, locations by school district, and tribal affiliation of American Indian children;

(b) Concentration of American Indian children in attendance areas within school districts by tribal affiliation;

(c) *Placement rates of American Indian children in classes for handicapped pupils, in comparison with schoolwide and districtwide placement rates;*

(d) *Achievement test scores, mobility rates and dropout rates of American Indian children in comparison with average achievement test scores, mobility rates and dropout rates;*

(e) *Any other data deemed necessary to assessment of the need for American Indian language and culture education in the state. The procedures for gathering the information shall be designed to comply with provisions of state and federal law relating to privacy and student records.*

Subd. 2. [RESOURCE EVALUATION.] *The state board shall study, review, and evaluate all available resources and programs which, in whole or in part, are or could be directed toward meeting the educational needs of American Indian children, including information on:*

(a) *Numbers, location, and qualifications of teachers, aides, administrators, counselors, and potential post secondary education graduates from American Indian backgrounds who have an interest in working in American Indian language and culture education programs;*

(b) *Programs within the state designed for the preparation of American Indian language and culture education teachers;*

(c) *The effectiveness of existing programs for American Indian children within the state;*

(d) *Successful and innovative preservice and inservice programs for staffs of American Indian language and culture education programs; and*

(e) *Tests, criteria, identification instruments and procedures for identifying, testing, assessing and classifying American Indian children.*

Subd. 3. [PROGRAM MODELS.] *The state board shall gather information about the theory and practice of American Indian language and culture education and design program models appropriate for meeting the need for American Indian language and culture education in conjunction with the basic educational program in the state.*

Subd. 4. [EVALUATION OF PILOT PROGRAMS.] *The state board shall provide for comprehensive evaluation of pilot programs funded under sections 1 to 11 of this act. The state board may also provide for the comprehensive evaluation of existing educational programs offered by nonsectarian nonpub-*

lic, community, tribal, or alternative schools, provided that that school consents to the evaluation of its existing program. The evaluation shall include assessment of pupil achievement, processes and results of establishing quality programs, and attitudes of people involved in and affected by programs.

Subd. 5. [COMMUNITY INVOLVEMENT.] The state board shall provide for the maximum involvement of the state advisory task force on American Indian language and culture education, parents of American Indian children, secondary students eligible to be served, American Indian language and culture education teachers, teachers' aides, representatives of community groups, and persons knowledgeable in the field of American Indian language and culture education, in the formulation of policy and procedures relating to the administration of sections 1 to 11 of this act. The needs assessments and resource evaluations provided for in subdivisions 1 and 2 of this section shall be undertaken on Indian reservations only in connection with, or with the permission of, the respective tribal governments.

Subd. 6. [CONSULTATION.] The state board shall consult with and make recommendations to other public departments and agencies in connection with the administration of sections 1 to 11 of this act.

Subd. 7. [TEACHER LICENSURE.] The state board shall provide to the board of teaching a report on its research and experience in American Indian language and culture education insofar as such research may have a bearing on the establishment of teacher licensure requirements by the board of teaching. The board of teaching shall submit its proposals to the state board for approval pursuant to the procedures in section 125.185, subdivision 4.

Subd. 8. [TECHNICAL ASSISTANCE.] The state board shall provide technical assistance to school districts, participating schools and post secondary institutions for preservice and inservice training for American Indian language and culture education teachers and teacher's aides, teaching methods, curriculum development, testing and testing mechanisms, and the development of materials for American Indian language and culture education programs.

Subd. 9. [APPLICATION FOR FUNDS.] The state board shall apply for grants or funds which are, or may become, available under federal programs for American Indian language and culture education, including funds for administration, demonstration projects, training, technical assistance, planning and evaluation.

Subd. 10. [REPORT.] The state board shall make a report to the legislature, the governor and the public on or before Sep-

tember 1, 1979. This report shall include the results of the needs assessment, including an evaluation of the pilot programs, and recommendations for legislation in the area of American Indian language and culture education.

Subd. 11. [RULES AND REGULATIONS.] *The state board, upon the receipt of recommendations by the advisory task force, may promulgate rules providing for standards and procedures appropriate for the implementation of and within the limitations of sections 1 to 11 of this act.*

Sec. 9. [ADVISORY TASK FORCE ON AMERICAN INDIAN LANGUAGE AND CULTURE EDUCATION PROGRAMS.] **Subdivision 1. [ESTABLISHMENT.]** *The state board of education shall appoint an advisory task force on American Indian language and culture education programs. There shall be no more than ten members on the task force. Members shall include: representatives of community groups, parents of children eligible to be served by the programs, American Indian administrators and teachers, persons experienced in the training of teachers for American Indian language and culture education programs, persons involved in programs for American Indian children in nonsectarian nonpublic, community, tribal, or alternative schools, and persons knowledgeable in the field of American Indian language and culture education. Members shall be appointed so as to be representative of significant segments of the population of American Indians.*

Subd. 2. [DUTIES.] *The advisory task force on American Indian language and culture education programs shall be charged with the following duties:*

(a) *To make recommendations to the state board concerning approval, modification, or disapproval of proposals for pilot programs and the amounts of grants to approved programs; and*

(b) *To advise the state board in the administration of its duties under sections 1 to 11 of this act.*

Subd. 3. *The advisory task force shall expire and the terms, compensation, and removal of members shall be as provided for in Minnesota Statutes, Section 15.059, Subdivision 6.*

Sec. 10. [PILOT PROGRAMS.] **Subdivision 1. [GRANTS; PROCEDURES.]** *For fiscal years 1978 and 1979, as part of the needs assessment effort, the state board of education shall make grants to no fewer than six school year pilot American Indian language and culture education programs. At least three pilot programs shall be in urban areas and at least three shall be on or near reservations. The board of a local district, a participating school or a group of boards may develop a proposal for grants in support of pilot American Indian language and culture education programs. Proposals may provide for contracts*

for the provision of program components by nonsectarian non-public, community, tribal or alternative schools. The state board shall prescribe the form and manner of application for grants and no grant shall be made for a proposal not complying with the requirements of sections 1 to 11 of this act. Every program proposal shall be submitted to the state board not less than six months before the planned commencement of the program. The state board shall submit all proposals to the state advisory task force on American Indian language and culture education programs for its recommendations concerning approval, modification, or disapproval and the amounts of grants to approved programs.

Subd. 2. [PLANS.] Each school district or participating school submitting a proposal under subdivision 1 shall develop and submit with the proposal a plan which shall:

(a) Identify the measures to be used to meet the requirements of sections 1 to 11 of this act;

(b) Identify the activities, methods and programs to meet the identified educational needs of the children to be enrolled in the program;

(c) Describe how district goals and objectives as well as the objectives of sections 1 to 11 are to be achieved;

(d) Demonstrate that required and elective courses as structured do not have a discriminatory effect within the meaning of section 4, subdivision 5;

(e) Describe how each school program will be organized, staffed, coordinated, and monitored; and

(f) Project expenditures for programs under sections 1 to 11 of this act.

Subd. 3. [ADDITIONAL REQUIREMENTS.] Each school district receiving a grant under this section shall each year conduct a count of American Indian children in the schools of the district; test for achievement; identify the extent of other educational needs of the children to be enrolled in the American Indian language and culture education program; and classify the American Indian children by grade, level of educational attainment, age and achievement. This count may be part of the school census required pursuant to section 120.095. Participating schools shall maintain records concerning the needs and achievements of American Indian children served.

Subd. 4. [NONDISCRIMINATION; TESTING.] In accordance with recognized professional standards, all testing and

evaluation materials and procedures utilized for the identification, testing, assessment and classification of American Indian children shall be selected and administered so as not to be racially or culturally discriminatory and shall be valid for the purpose of identifying, testing, assessing, and classifying American Indian children.

Subd. 5. [RECORDS.] Participating schools and school districts shall keep records and afford access to them as the commissioner finds necessary to ensure that American Indian language and culture education programs are implemented in conformity with sections 1 to 11 of this act. Each school district or participating school shall keep an accurate, detailed, and separate account of all money received and paid out by it for pilot American Indian language and culture education programs funded under this section.

Subd. 6. [FUNDS FROM OTHER SOURCES.] A school district or participating school providing American Indian language and culture education programs shall be eligible to receive funds for these programs from other government agencies and from private sources when the funds are available.

Subd. 7. Nothing in sections 1 to 11 shall be construed as prohibiting a district or school from implementing an American Indian language and culture education program which is not in compliance with sections 1 to 11 of this act if the proposal and plan for that program is not funded pursuant to this section.

Sec. 11. [OTHER STATUTES.] Nothing in the provisions of sections 1 to 11 of this act shall be construed to violate the provisions of Minnesota Statutes, Section 127.08 or Chapter 363. Programs and activities pursuant to sections 1 to 11 of this act shall be deemed to be positive action programs to combat discrimination.

Sec. 12. Minnesota Statutes 1976, Section 120.095, is amended by adding a subdivision to read:

Subd. 7. The school census shall include an enumeration of American Indian children resident within the district. In making this census the school board shall seek the assistance and cooperation of agencies, organizations or community groups, public or private, which might have information about American Indian children residing in the school district.

Sec. 13. [APPROPRIATION.] There is appropriated to the state board of education from the general fund for the purposes of this act the sum of \$800,000 for the biennium ending June 30, 1979. Of this amount, \$45,000 shall be available for the year ending June 30, 1978 for the employment of two professional employees and one clerical employee beyond the existing complement of the department of education; \$45,000 shall be available

for the year ending June 30, 1979 for the employment of two professional employees and one clerical employee beyond the existing complement of the department; and, \$110,000 shall be available until June 30, 1979 for the payment of other necessary expenses and contracted services incurred in connection with the administration of this act. The sum of \$600,000 shall be expended for grants to pilot American Indian language and culture education programs pursuant to sections 1 to 11 of this act."

Amend the title.

Line 9, delete "Sections" and insert "Section" and delete the semicolon.

Delete line 10.

Delete line 11 to the period.

With the recommendation that when so amended the bill pass and be re-referred to the Committee on Appropriations.

The report was adopted.

Johnson from the Committee on Education to which was referred:

H. F. No. 1248, A bill for an act relating to the city of Springfield; providing for city buildings and equipment and their use; providing for a bond issue.

Reported the same back with the following amendments:

Page 2, line 17, delete "shall become".

Page 2, delete line 18 to the period and insert "is effective upon approval by a majority of the city council of the city of Springfield, and upon compliance with Minnesota Statutes, Section 645.021".

With the recommendation that when so amended the bill pass and be placed on the Consent Calendar.

The report was adopted.

Johnson from the Committee on Education to which was referred:

H. F. No. 1518, A bill for an act relating to Independent School District No. 272 (Eden Prairie) and Independent School District No. 271 (Bloomington); providing for the transfer of territory

from Independent School District No. 272 to Independent School District No. 271.

Reported the same back with the recommendation that the bill pass and be placed on the Consent Calendar.

The report was adopted.

Munger from the Committee on Environment and Natural Resources to which was referred:

H. F. No. 13, A bill for an act relating to solid waste pollution; requiring beverage containers to have certain refund values after a certain date; providing penalties.

Reported the same back with the recommendation that the bill pass.

The report was adopted.

Munger from the Committee on Environment and Natural Resources to which was referred:

H. F. No. 139, A bill for an act relating to natural resources; revising certain provisions relating to St. Croix Wild River state park.

Reported the same back with the recommendation that the bill pass and be placed on the Consent Calendar.

The report was adopted.

Munger from the Committee on Environment and Natural Resources to which was referred:

H. F. No. 250, A bill for an act relating to natural resources; establishing a season for taking deer and bear with muzzle loading firearms; amending Minnesota Statutes 1976, Section 100.27, Subdivisions 2 and 9.

Reported the same back with the following amendments:

Page 1, line 14, after "Deer" strike the remainder of the line.

Page 1, strike lines 15 to 18 and insert "*and bear by bow and arrow; legal muzzle loading firearms as defined in section 100.29, subdivision 3, clause (2), or both, between September 1 and December 31 and in any areas of the state designated by the commissioner. Legal muzzle loading firearms shall be permitted by the commissioner on public lands only*".

Page 1, line 21, after the semicolon insert "*and*".

Page 2, line 6, strike the semicolon.

Page 2, lines 7 to 16, strike the old language and delete the new language.

With the recommendation that when so amended the bill pass.

The report was adopted.

Munger from the Committee on Environment and Natural Resources to which was referred:

H. F. No. 447, A bill for an act relating to natural resources; directing the commissioner of natural resources to provide an alternative road access to General C. C. Andrews State Forest; appropriating money therefor.

Reported the same back with the recommendation that the bill pass and be re-referred to the Committee on Appropriations.

The report was adopted.

Munger from the Committee on Environment and Natural Resources to which was referred:

H. F. No. 525, A bill for an act relating to natural resources; drainage; providing for transfer by county boards of certain surplus ditch funds to another governing body taking over the drainage system; amending Minnesota Statutes 1976, Section 106.471, Subdivision 6.

Reported the same back with the recommendation that the bill pass and be placed on the Consent Calendar.

The report was adopted.

Munger from the Committee on Environment and Natural Resources to which was referred:

H. F. No. 666, A bill for an act relating to game and fish; requiring a migratory waterfowl stamp; providing for the disposition of proceeds; appropriating funds; amending Minnesota Statutes 1976, Chapter 97, by adding sections; Sections 98.46, Subdivision 2a; and 98.50, Subdivision 5.

Reported the same back with the following amendments:

Page 3, line 24, strike "may" and insert "shall".

Page 3, line 25, after "sportsman licenses" insert "by January 1, 1978".

With the recommendation that when so amended the bill pass and be re-referred to the Committee on Appropriations.

The report was adopted.

Munger from the Committee on Environment and Natural Resources to which was referred:

H. F. No. 1028, A bill for an act relating to the establishment of a power plant site and transmission line route selection authority in the environmental quality board; appropriating money; providing penalties; amending Minnesota Statutes 1976, Sections 116C.52, Subdivision 3, and by adding subdivisions; 116C.53; 116C.54; 116C.55, Subdivisions 2 and 3; 116C.57; 116C.58; 116C.59, Subdivision 1; 116C.61, Subdivisions 2 and 3; 116C.64; 116C.69; and Chapter 116C, by adding a section; repealing Minnesota Statutes 1976, Sections 116C.55, Subdivision 1; and 116C.56.

Reported the same back with the following amendments:

Page 2, line 2, delete "*two kilometers*" and insert "*1.25 miles*".

Page 4, line 12, after the stricken language insert "*All hearings conducted under this subdivision shall be conducted pursuant to the rulemaking provisions of chapter 15.*".

Page 4, following line 32, insert the following:

"Sec. 8. Minnesota Statutes 1976, Section 116C.55, is amended by adding a subdivision to read:

Subd. 4. Based upon the information provided pursuant to section 116C.54 and the general routing criteria established by regulation, the board shall plan, on a long range basis, general areas suitable for the inclusion of projected high voltage transmission lines and the relationship of such lines to other possible high voltage transmission lines."

Page 6, line 16, delete "*, if any,*".

Page 6, line 19, delete "*The board shall specify the reasons for designating*".

Page 6, delete line 20.

Page 6, line 21, delete "*changes in size or type of facility.*".

Page 6, line 21, delete "*If*" and insert "*When*".

Page 7, line 13, delete "*, if any,*".

Page 7, line 16, delete "*The board shall specify the reasons for*".

Page 7, delete line 17.

Page 7, line 18, delete "*necessary changes.*".

Page 7, line 18, delete "*If*" and insert "*When*".

Page 7, line 30, before the period insert "*. The board may order the construction of high voltage transmission line facilities which are capable of expansion in capacity through multiple circuiting or modification of the conductor*".

Page 9, following line 28, insert new clauses to read:

"(7) Evaluation of governmental survey lines and other natural division lines of agricultural land so as to minimize interference with agricultural operations;

(8) Evaluation of the future needs for additional high voltage transmission lines in the same general area as any proposed route, and the advisability of ordering the construction of structures capable of expansion in capacity through multiple circuiting or modification of the conductor;"

Renumber subsequent clauses accordingly.

Page 10, line 29, after "*proposed*" insert "*and shall mail a notice and description of the exemption application to all persons over whose property the line may run, together with an understandable description of the procedures the person must follow should the person desire to object*".

Page 10, line 30, after "*route*" insert "*, or any person owning property adjacent to property crossed by the proposed route, or any affected political subdivision*".

Page 10, line 32, delete "*either*".

Page 11, line 1, delete "*or conduct a public hearing*".

Page 11, line 25, after "*Notice*" insert "*and agenda*".

Page 11, line 25, after "*hearings*" insert "*and public meetings of the board held in each county*".

Page 11, line 27, after "*hearings*" insert "*or meetings*".

Page 11, line 29, after "*hearing*" insert "*or public meeting*".

Page 11, line 30, after "by" insert "*certified*".

Page 11, line 31, strike "councils" and insert "*development commissions*".

Page 11, line 31, after "*counties*" insert "*, organized towns*".

Page 12, line 1, after the period insert "*All hearings held for designating a site or route or for exempting a route shall be conducted by a hearing examiner from the office of hearing examiners pursuant to the contested case procedures of chapter 15. Provided, however, that any person may appear at the hearings and present testimony and exhibits and may question witnesses without the necessity of intervening as a formal party to the proceedings.*".

Page 12, line 15, delete "*councils*" and insert "*development commissions*".

Page 12, line 15, strike "and" and insert a comma.

Page 12, line 16, after "*corporations*" insert "*and one town board member from each county*".

Page 13, following line 16, insert a new section to read:

"Sec. 14. Minnesota Statutes 1976, Section 116C.63, is amended to read:

116C.63 [EMINENT DOMAIN POWERS; RIGHT OF CONDEMNATION.] Nothing herein shall abrogate or invalidate the right of eminent domain vested in utilities by statute or common law existing as of May 24, 1973. Such right of eminent domain shall continue to exist for utilities and may be used according to law to accomplish any of the purposes and objectives of sections 116C.51 to 116C.69, *including acquisition of the right to utilize existing high voltage transmission facilities which are capable of expansion or modification to accommodate both existing and proposed conductors. Notwithstanding any law to the contrary, all easement agreements shall be valid only while the route is used for high voltage transmission line purposes.*"

Page 14, following line 14, insert a new section to read:

"Sec. 17. Minnesota Statutes 1976, Section 116C.66, is amended to read:

116C.66 [RULES.] The board, in order to give effect to the purposes of sections 116C.51 to 116C.69, shall adopt rules (AND REGULATIONS) consistent with sections 116C.51 to 116C.69, including promulgation of plant siting and transmission line

routing criteria, the description of the information to be furnished by the utilities, establishment of minimum guidelines for public participation in the development, revision, and enforcement of any (REGULATION) rule, plan or program established by the board, *procedures for the revocation or suspension of a construction permit or a certificate of site compatibility, the procedure and timeliness for proposing alternative routes and sites, and route exemption criteria and procedures. The office of hearing examiners shall, prior to January 1, 1978, adopt rules concerning the conduct of public hearings relating to the site and route designation process and to the route exemption process which attempt to maximize citizen participation in these processes. No rule adopted by the board shall grant priority to state-owned areas managed for wildlife purposes over agricultural lands in the designation of high voltage transmission line avoidance areas.* Chapter 15, shall apply to the appeal of rules (AND REGULATIONS) adopted by the board to the same extent as it applies to review of rules (AND REGULATIONS) adopted by any other agency of state government.”.

Page 16, line 4, delete “or refuse to designate”.

Page 17, delete lines 9 to 13 and insert a new section to read:

“Sec. 19. [EMERGENCY RULES.] *The board is authorized and directed to promulgate emergency rules pursuant to section 15.0412, subdivision 5, within 90 days of the effective date of this act, concerning the procedures for the revocation or suspension of a construction permit or a certificate of site compatibility and the procedure for designating of a route, including the manner and timeliness of proposing alternative routes, route designation considerations and route exemption criteria and procedures.*

The office of hearing examiners is authorized and directed to promulgate emergency rules pursuant to section 15.0412, subdivision 5, within 30 days of the effective date of this act, concerning the conduct of public hearings relating to the designation and exemption of routes. The rules shall attempt to maximize citizen participation in the route designation and exemption processes.

Any emergency rules authorized in this section shall be effective until either January 1, 1978, or until the board and the office of hearing examiners adopt permanent rules pursuant to chapter 15, whichever occurs first.”.

Renumber sections accordingly.

Further amend the title as follows:

Page 1, line 8, after “and 3” insert “, and by adding a subdivision”.

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

Page 1, line 10, after "3;" insert "116C.63;"

Page 1, line 10, after "116C.64;" insert "116C.66;"

With the recommendation that when so amended the bill pass.

The report was adopted.

Brinkman from the Committee on Financial Institutions and Insurance to which was referred:

H. F. No. 257, A bill for an act relating to banks, trust companies and savings banks; rule making authority; fees for special investigations; accounts maintained by banking division employees; fees; banks minimum organizational capital, surplus and undivided profits; providing for certified deposit of capital funds in a custodial bank; providing for banks annual audit systems, approval and reports; state banks minimum capital requirements, establishing investigatory fee for application to acquire trust authority; trust company minimum capital requirements; relating to boards of directors of financial institutions; clarification of certain language; amending Minnesota Statutes 1976, Sections 46.01; 46.04; 46.05; 46.09; 46.131, Subdivision 2, and by adding subdivision; 48.02; 48.10; 48.36; 48.37; 48.44; 48.67; 48.69; 300.025 and 300.20.

Reported the same back with the following amendments:

Page 2, line 2, delete "*and regulations*".

Page 7, line 4, reinstate the stricken language.

Page 7, line 5, reinstate the stricken "cash" and after "cash" insert "*or authorized securities*" and reinstate the stricken comma.

Page 7, lines 17 to 27, reinstate the stricken language.

Page 7, line 28, reinstate "meeting" and after "meeting" insert "*, and a copy of the report shall be sent to the commissioner of banks*" and reinstate the stricken period.

Page 7, line 28, delete "*The board of directors or trustees of every*".

Page 7, delete lines 29 to 32.

Page 8, delete lines 1 to 28.

Page 9, line 6, before "\$500,000" insert "*not less than*".

Page 15, line 11, after "election" insert "*, a majority of whom shall always be residents of this state*".

Page 15, line 31, reinstate the stricken language.

Page 15, line 32, delete the new language.

Page 16, line 1, after "members" insert "*Any board of directors of a financial institution referred to in section 47.12 which has less than five members may be increased to not more than five members by order of the commissioner of banks.*".

Page 16, line 7, strike "the county of its location" and insert "*this state*".

Page 16, lines 14 to 16, delete the new language.

With the recommendation that when so amended the bill pass.

The report was adopted.

Brinkman from the Committee on Financial Institutions and Insurance to which was referred:

H. F. No. 297, A bill for an act relating to group health care plans; requiring published or written notice to employees before certain employee health care plans may be terminated; amending Minnesota Statutes 1976, Sections 62C.02, Subdivision 1; and 62D.02, Subdivision 1; and Chapters 62A, 62C and 62D, by adding sections.

Reported the same back with the following amendments:

Strike everything after the enacting clause and insert in lieu thereof the following:

"Section 1. Minnesota Statutes 1976, Section 62E.16, is amended to read:

62E.16 [CONVERSION PRIVILEGES.] Every program of self insurance, policy of group accident and health insurance or contract of coverage by a health maintenance organization written or renewed in this state, shall include, in addition to the provisions required by section 62A.17, the right to convert to an individual coverage qualified plan without the addition of underwriting restrictions regardless of the reason for leaving the group or for cancellation or termination of the coverage for the group except where uninterrupted and continuous group coverage is otherwise provided to the group. The person leaving the group may exercise his right to conversion within 30 days of leaving the group or within 30 days following his receipt of due

notice of cancellation or termination of coverage of the group. Due notice of cancellation or termination of coverage for a group shall be provided to each person having coverage in the group by the insurer, self insurer or health maintenance organization cancelling or terminating the coverage except where reasonable evidence indicates that uninterrupted and continuous group coverage is otherwise provided to the group. Plans of health coverage shall also include a provision which, upon the death of the individual in whose name the contract was issued, permits every other individual then covered under the contract to elect, within the period specified in the contract, to continue his coverage under the same or a different contract without the addition of underwriting restrictions until he would have ceased to have been entitled to coverage had the individual in whose name the contract was issued lived. An individual conversion contract issued by a health maintenance organization shall not be deemed to be an individual enrollment contract for the purposes of section 62D.10."

Further amend the title as follows:

Page 1, line 3, delete "published or".

Page 1, delete lines 6 and 7.

Page 8, delete everything to the period and insert "Section 62E.16".

With the recommendation that when so amended the bill pass and be placed on the Consent Calendar.

The report was adopted.

Brinkman from the Committee on Financial Institutions and Insurance to which was referred:

H. F. No. 356, A bill for an act relating to insurance; examination fees; abstract or summary of the annual statement; amending Minnesota Statutes 1976, Sections 60A.03, Subdivision 5; 60A.13, Subdivision 3; and 60A.14, Subdivision 1.

Reported the same back with the following amendments:

Page 4, line 5, reinstate the stricken language.

Page 4, line 6, reinstate the stricken language and delete the new language.

Page 4, delete line 7.

Page 4, line 8, delete "publication,".

With the recommendation that when so amended the bill pass.

The report was adopted.

Brinkman from the Committee on Financial Institutions and Insurance to which was referred:

H. F. No. 451, A bill for an act relating to banks; authorizing a bank to establish two detached banking facilities; detached banking facility notice and approval procedures; amending Minnesota Statutes 1976, Sections 47.51; 47.52; 47.53; 47.55; and Chapter 47, by adding a section; repealing Minnesota Statutes 1976, Section 47.54.

Reported the same back with the following amendments:

Page 1, line 14, strike “Attached facility” and insert “*Extension of the main banking house*”.

Page 1, line 14, after “means” strike “a” and insert “any” and after “structure” insert “*or stationary mechanical device*”.

Page 1, line 15, strike “consisting of one or”.

Page 1, line 16, strike “more teller windows,”.

Page 1, line 16, strike “affixed to and is an integral”.

Page 1, line 17, strike “part” and insert “*located within 150 feet*”.

Page 1, line 17, strike “and not severable therefrom”.

Page 1, line 18, strike “without structural damage or changes” and insert “*the distance to be measured in a straight line from the closest structure involved*”.

Page 1, line 20, delete “stationary” and insert “permanent”.

Page 2, line 3, after “commercial” insert “*or business*”.

Page 2, line 7, delete “attached facility” and insert “*extension of the main banking house*”.

Page 2, line 23, delete the new language.

Page 2, line 24, delete the new language.

Page 3, line 3, delete “, as”.

Page 3, line 4, delete “herein” and insert “*such municipality is located within 25 miles of the applicant bank*”.

Page 3, line 21, delete “and nature”.

Page 3, line 22, delete “bills of exchange” and insert “drafts”.

Pages 3, 4 and 5, delete all of section 4 and insert:

"Sec. 4. Minnesota Statutes 1976, Section 47.54, is amended to read:

47.54 [NOTICE AND APPROVAL PROCEDURES.] Subdivision 1. Any bank desiring to establish a detached facility shall execute and acknowledge an application, in writing, in the form prescribed by the commissioner, and shall file the (SAME) *application* in his office, together with a (FILING) fee of (\$50) \$500, and (IN THE CASE) *if* an application is contested, an additional fee of (\$450) \$1,000, payable to the state treasurer and credited by the treasurer to the general fund. Thereupon the applicant shall publish a notice of the filing of the application in a newspaper published in the municipality in which the proposed detached facility is to be located, and if there (BE) *is* no such newspaper, then at the county seat of the county in which the facility is proposed to be located. The notice shall be in the form prescribed by the commissioner and, in addition to (SUCH) *the* publication, the applicant shall mail a copy of (SAID) *the* notice by certified mail to every bank located within three miles of the (MAIN BANKING HOUSE OF THE APPLICANT) *proposed location of the detached facility*, measured in the manner as provided above.

Subd. 2. If no objection is received by the commissioner within 30 days after the publication and mailing of (SAID) *the* notices, the commissioner (, AFTER INVESTIGATION MAY) *shall* issue his order approving (OR DENYING) the application (,) without a hearing *if he finds that (a) the applicant bank meets current industry standards of capital adequacy, management quality, and asset condition, (b) the establishment of the proposed detached facility will improve the quality or increase the availability of banking services in the community to be served, and (c) the establishment of the proposed detached facility will not have an undue adverse effect upon the solvency of existing financial institutions in the community to be served. Otherwise, the commissioner shall deny the application.*

Subd. 3. If any bank within (SAID) three miles of the (MAIN BANKING HOUSE OF THE APPLICANT) *proposed location of the detached facility* objects in writing within (SAID) 30 days, the commissioner shall fix a time, within 60 days after filing of the objection, for a hearing at his office (AT THE STATE CAPITOL), and the record for (SUCH) *the* hearing shall be considered by the commissioner in deciding whether or not the application shall be granted. A notice of the hearing shall be published in the form prescribed by the commissioner in a newspaper as described in subdivision 1, at the expense of the applicant, not less than 30 days prior to the date of the hearing. At the hearing the commissioner shall consider the application and hear the applicant and (SUCH) *any* witnesses (AS) *who* may appear in favor of or against the granting of the application.

Subd. 4. If (,) upon the hearing, it (SHALL APPEAR) *appears* to the commissioner that the (APPLICATION SHOULD BE GRANTED) *requirements for approval contained in subdivision 2 of this section have been met*, he shall, not later than 90 days after the hearing, and after the applicant has otherwise complied with the provisions of law applicable to the establishment of a facility, (INCLUDING THE PROVISIONS HEREIN CONTAINED,) issue the certificate of authorization. If a facility is not activated within 12 months from the date of issue of the certificate, the certificate shall automatically expire. If the commissioner shall decide that the application should not be granted, he shall issue his order to that effect and forthwith give notice by certified mail to the applicant.”.

Page 5, line 17, strike “that”.

Page 5, delete lines 19 and 20.

Amend the title as follows:

Page 1, line 3, after the semicolon delete the remainder of the line.

Page 1, line 4, delete “facility” and insert “providing for”.

Page 1, line 6, after “47.53;” insert “47.54; and”.

Page 1, line 6, delete “; and Chapter 47, by adding a section;”.

Page 1, line 7, delete everything to the period.

With the recommendation that when so amended the bill pass.

The report was adopted.

Brinkman from the Committee on Financial Institutions and Insurance to which was referred:

H. F. No. 787, A bill for an act relating to savings banks; allowing savings banks to establish negotiable order of withdrawal accounts; amending Minnesota Statutes 1976, Chapter 50, by adding a section.

Reported the same back with the following amendments:

Page 1, line 14, delete “*such accounts shall be*” and insert “*the accounts are*”.

Page 1, line 18, delete “*such*” and insert “*the*”.

Page 1, line 21, after the period insert:

"A savings bank shall always keep a reserve of at least seven percent of its noninterest or nondividend bearing negotiable order of withdrawal accounts, which shall be in cash, cash items in process of collection, balances due on demand from solvent banks in the United States, and not more than 30 percent in direct obligations of the United States Treasury which mature within one year from the date the obligations are first considered as a part of the bank's reserve. If on any one day a savings bank shall fail to meet the reserve requirements of this section then that bank shall pay a fine of \$50 per day to the commissioner of banks on his making a request for payment. Whenever the commissioner of banks shall determine that the maintenance of sound banking practices or the prevention of injurious credit expansion or contraction makes action advisable, he may by directive change the requirements as to reserves against non-interest or nondividend bearing negotiable order of withdrawal accounts in savings banks. The reserve requirements established in any such directive shall not be less than seven percent, nor more than those required of member banks of the Federal Reserve System on the date that the directive is issued by the commissioner unless these reserve requirements are less than seven percent."

Amend the title as follows:

Page 1, line 4, before the semicolon insert "; imposing reserve requirements".

With the recommendation that when so amended the bill pass.

The report was adopted.

Brinkman from the Committee on Financial Institutions and Insurance to which was referred:

H. F. No. 788, A bill for an act relating to fire insurance; requiring a premium reduction or credit against premium for installation of certain smoke or fire detection devices.

Reported the same back with the recommendation that the bill pass.

The report was adopted.

Brinkman from the Committee on Financial Institutions and Insurance to which was referred:

H. F. No. 1030, A bill for an act relating to health care plans; requiring minimum anticipated loss ratios for certain insurance plans; eliminating certain open enrollment requirements for non-profit health service plans; revising the Minnesota comprehen-

sive health insurance act of 1976; making necessary improvements and corrections; further prescribing the powers and duties of the commissioner of insurance; amending Minnesota Statutes 1976, Sections 62A.02, Subdivision 3; 62D.10, Subdivision 1; 62E.02, Subdivisions 2, 8, 11 and 21; 62E.03, Subdivision 2; 62E.04, Subdivision 4; 62E.06; 62E.09; 62E.10, Subdivisions 1 and 3; 62E.11, Subdivision 5; 62E.13, Subdivisions 2 and 4; and 62E.14, Subdivision 1.

Reported the same back with the following amendments:

Page 2, line 10, delete "All".

Page 2, delete line 11.

Page 2, line 12, delete "of the policy" and insert "*The anticipated loss ratio for a policy shall be conspicuously stated and explained in all advertising pertaining to the policy, in any applications for individual policies, in any explanatory material accompanying the policy when transmitted to the policyholder, and on the cover of any policy or certificate of policy issued after the effective date of this section*".

Page 3, after line 7, insert a new section to read:

"Sec. 2. Minnesota Statutes 1976, Section 62A.17, Subdivision 6, is amended to read:

Subd. 6. [CONVERSION TO INDIVIDUAL POLICY.] A group insurance policy that provides post termination coverage as required by this section shall also include a provision allowing a covered employee or surviving spouse or dependent at the expiration of the post termination coverage provided by subdivision 2 to obtain from the insurer offering the group policy or group subscriber contract, at the employee's, spouse's or dependent's option and expense, without further evidence of insurability and without interruption of coverage, an individual policy of insurance or an individual subscriber contract providing (COVERAGE WHICH IS SIMILAR TO OR GREATER THAN THE HOSPITAL OR MEDICAL EXPENSE PROTECTION AFFORDED TO THE EMPLOYEE, THE SPOUSE AND HIS DEPENDENTS BY THE GROUP POLICY OR CONTRACT) *at least the minimum benefits of a qualified plan as prescribed by section 62E.06 and the option of a number three qualified plan, a number two qualified plan, and a number one qualified plan as provided by section 62E.06, subdivisions 1 to 3.* A policy providing reduced benefits at a reduced premium rate may be accepted by the employee, the spouse or a dependent in lieu of the optional coverage otherwise required by this subdivision.

The individual policy shall be (GUARANTEED) renewable *at the option of the individual as long as the individual is not covered under another qualified plan as defined in section*

62E.02, subdivision 4, up to age 65 or to the day before the date of eligibility for coverage under Title XVIII of the Social Security Act, as amended. Any revisions in the table of rate for the individual policy shall apply to the covered person's original age at entry, and shall apply equally to all similar policies issued by the insurer."

Page 4, line 10, after "(4)" strike "sold by fraternal and provides" and insert "designed solely to provide".

Page 4, line 11, strike "daily" and insert "fixed".

Page 4, line 14, after "care," delete "or".

Page 4, line 15, after "62A.11" insert ", or (8) accident only coverage issued by licensed and tested insurance agents or solicitors which provides reasonable benefits in relation to the cost of covered services".

Page 4, line 15, delete "The".

Page 4, line 16, delete the new language and insert "The provisions of clause (4) shall not apply to hospital indemnity coverage which is not sold to an applicant who is then currently covered by a qualified plan".

Page 5, line 16, after the stricken "include" insert "affirmatively".

Page 5, line 17, delete "or renewal" and insert "unqualified policy at the time of application and annually to every holder of an".

Page 5, after line 25, insert a new section to read:

"Sec. 10. Minnesota Statutes 1976, Section 62E.04, is amended by adding a subdivision to read:

Subd. 8. No policy of accident and health insurance issued or renewed after August 1, 1977, shall contain any provision denying or reducing benefits because services are rendered to an insured or dependent who is eligible for or receiving benefits pursuant to chapters 256B and 256D, or sections 62E.51 to 62E.55."

Page 6, after line 11, insert "The \$3,000 limitation on total annual out-of-pocket expenses and the \$250,000 maximum lifetime benefit shall not be subject to change or substitution by use of an actuarially equivalent benefit."

Page 8, line 30, after "(4)" insert "Effective July 1, 1979".

Page 9, after line 20 insert a new section to read:

"Sec. 12. Minnesota Statutes 1976, Section 62E.08, is amended to read:

62E.08 [STATE PLAN PREMIUM.] Subdivision 1. For the first (YEAR) *two years* of operation of the comprehensive health insurance plan the association shall establish the following premiums to be charged for membership in the comprehensive health insurance plan:

(a) The premium for the number one qualified plan shall be the average of rates charged by the five insurers with the largest number of individuals in a number one individual qualified plan of insurance in force in Minnesota;

(b) The premium for the number two qualified plan shall be the average of rates charged by the five insurers with the largest number of individuals in a number two individual qualified plan of insurance in force in Minnesota;

(c) The premium for a qualified medicare supplement plan shall be the average of rates charged by the five insurers with the largest number of individuals enrolled in a qualified medicare supplement plan; and

(d) The charge for health maintenance organization coverage shall be based on generally accepted actuarial principles.

Subd. 2. For the (SECOND) *third* and subsequent years the schedule of premiums for membership in the comprehensive health insurance plan shall be designed to be self-supporting and based on generally accepted actuarial principles."

Page 10, line 21, delete "*exercise emergency*" and insert "*adopt emergency rules*".

Page 10, lines 22 to 28, delete the new language.

Page 10, line 32, delete "PROPERTY".

Page 11, line 13, after "*accident and health insurance*" insert "*, self-insurance, or health maintenance organization*".

Page 11, after line 15, insert a new section to read:

"Sec. 15. Minnesota Statutes 1976, Section 62E.10, Subdivision 7, is amended to read:

Subd. 7. [GENERAL POWERS.] The association may:

(a) Exercise the powers granted to insurers under the laws of this state;

(b) Sue or be sued;

(c) Enter into contracts with insurers, similar associations in other states or with other persons for the performance of administrative functions including the functions provided for in clauses (e) and (f);

(d) Establish administrative and accounting procedures for the operation of the association;

(e) Provide for the reinsuring of risks incurred as a result of issuing the coverages required by sections 62E.04 and 62E.16 by members of the association. Each member which elects to reinsure its required risks shall determine the categories of coverage it elects to reinsure in the association. The categories of coverage are:

(1) Individual qualified plans, excluding group conversions;

(2) Group conversions;

(3) Group qualified plans with fewer than 50 employees or members; and

(4) Major medical coverage.

A separate election may be made for each category of coverage. If a member elects to reinsure the risks of a category of coverage, it must reinsure the risk of the coverage of every life covered under every policy issued in that category. *A member electing to reinsure risks of a category of coverage shall enter into a contract with the association establishing a reinsurance plan for the risks. This contract may include provision for the pooling of members' risks reinsured through the association and it may provide for assessment of each member reinsuring risks for losses and operating and administrative expenses incurred, or estimated to be incurred in the operation of the reinsurance plan. This reinsurance plan shall be approved by the commissioner before it is effective.* Members electing to administer the risks which are reinsured in the association shall comply with the benefit determination guidelines and accounting procedures established by the association. The fee charged by the association for the reinsurance of risks shall not be less than 110 percent of the total anticipated expenses incurred by the association for the reinsurance; and

(f) Provide for the administration by the association of policies which are reinsured pursuant to clause (e). Each member electing to reinsure one or more categories of coverage in the

association may elect to have the association administer the categories of coverage on the member's behalf. If a member elects to have the association administer the categories of coverage, it must do so for every life covered under every policy issued in that category. The fee for the administration shall not be less than 110 percent of the total anticipated expenses incurred by the association for the administration."

Page 13, line 1, strike "shall" and insert "may".

Page 14, after line 9, insert new sections to read:

"Sec. 20. Minnesota Statutes 1976, Section 62E.53, is amended to read:

62E.53 [APPLICATION FOR ASSISTANCE.] Subdivision 1. Any person who believes that (THEY ARE) *he is* or will become an eligible person may submit an application for state assistance to the commissioner. The application shall include a listing of expenses incurred prior to the date of the application and shall designate the date on which the 12 month period for computing expenses began.

Subd. 2. If the commissioner determines that an applicant is an eligible person, he shall pay 90 percent of all qualified expenses of the eligible person and his dependents in excess of:

(a) 40 percent of his household income under \$15,000, plus 50 percent of his household income between \$15,000 and \$25,000, plus 60 percent of his household income in excess of \$25,000; or

(b) \$2,500; whichever is greater for the 12 month period in which the applicant becomes an eligible person.

Subd. 3. The commissioner shall by rule establish procedures for determining whether and to what extent qualified expenses are reasonable charges. Unless otherwise provided for by rule charges shall be reviewed for reasonableness by the same procedures used to review and limit reimbursement under the provisions of chapter 256B. If the commissioner determines that the charge for a health service is excessive, he may limit his payment to the (USUAL AND CUSTOMARY) reasonable charge for that service. If the commissioner determines that a health service provided to an eligible person was not medically necessary, he may refuse to pay for the service. (TO THE EXTENT FEASIBLE,) The commissioner (SHALL) may contract with a review organization as defined in section 145.61, in making any determinations as to whether or not a charge is excessive (. TO THE EXTENT FEASIBLE, THE COMMISSIONER SHALL CONTRACT WITH A REVIEW ORGANIZATION AS DEFINED

IN SECTION 145.61,) and in making any determination as to whether or not a service was medically necessary. If the commissioner in accordance with this section refuses to pay all or a part of the charge for a health service, the unpaid portion of the charge shall be deemed to be an unconscionable fee, against the public policy of this state, and unenforceable in any action brought for the recovery of moneys owed.

Sec. 21. Minnesota Statutes 1976, Chapter 62E, is amended by adding a section to read:

[62E.531] [THIRD PARTY LIABILITY.] *Subdivision 1. When the commissioner pays for or becomes liable for payments for health services under the provisions of sections 62E.51 to 62E.55, the department of public welfare shall have a lien for payments and liabilities for the services upon any and all causes of action which accrue to the person to whom the services were furnished, or to his legal representatives, as a result of injuries which directly or indirectly led to the incurring of qualified expenses.*

The department may perfect and enforce its lien by following the procedures set forth in sections 514.69, 514.70, and 514.71, except that it shall have one year from the date when the last item of health service was furnished in which to file its verified lien statement. The statement shall be filed with the appropriate clerk of court in the county in which the recipient of the services resides or in the county in which the action was filed.

Subd. 2. Where a third party may be liable in whole or in part for payment for health services, the commissioner may consider the charges for the health services to be qualified expenses if the eligible person assigns any rights accruing by virtue of any third party liability to the commissioner to the extent necessary to reimburse the state for any payments made under the provisions of this section.

Subd. 3. Upon furnishing assistance under the provisions of sections 62E.51 to 62E.55, the department of public welfare shall be subrogated, to the extent of its payments for health services, to any rights the eligible person or his dependent may have under the terms of any plan of health coverage as defined in section 62E.02, subdivision 9. The right of subrogation shall not attach prior to written notice of the exercise of subrogation rights to the issuer of the plan of health coverage.

The attorney general, or the appropriate county attorney, acting upon direction from the attorney general, may institute or join a civil action against the issuer of the plan of health coverage to recover under this subdivision.

Sec. 22. Minnesota Statutes 1976, Section 62E.54, Subdivision 1, is amended to read:

62E.54 [DUTIES OF COMMISSIONER.] Subdivision 1. The commissioner shall:

(a) Promulgate reasonable rules, *including emergency rules*, to implement sections 62E.51 to 62E.55.

(b) Establish application forms and procedures for the use of persons seeking to be declared an eligible person; and

(c) Investigate applications to determine whether or not the applicant is a qualified person and investigate claims from providers of health services to determine whether or not to pay them.

Sec. 23. [REPEALER.] *Minnesota Statutes 1976, Section 62E.16, is hereby repealed.*

Page 14, line 11, after "*enactment*" insert "*except for section 1 which is effective on January 1, 1978*".

Renumber the sections in sequence.

Further amend the title as follows:

Page 1, line 7, after "1976;" insert "revising the Minnesota catastrophic health expense protection act of 1976;"

Page 1, line 10, after "insurance;" insert "further prescribing the powers and duties of the commissioner of public welfare;"

Page 1, line 10, after "1976," insert "Chapter 62E, by adding a section; and".

Page 1, line 11, after "3;" insert "62A.17, Subdivision 6;"

Page 1, line 13, after "Subdivision 4" insert ", and by adding a subdivision".

Page 1, line 14, after "62E.06;" insert "62E.08;"

Page 1, line 14, delete "and 3" and insert ", 3, and 7".

Page 1, line 16, delete "and".

Page 1, line 16, before the period, insert "; 62E.53; and 62E.54, Subdivision 1; repealing Minnesota Statutes 1976, Section 62E.16".

With the recommendation that when when so amended the bill pass.

The report was adopted.

Brinkman from the Committee on Financial Institutions and Insurance to which was referred:

H. F. No. 1179, A bill for an act relating to nonprofit health service plan corporations; modifying retained surplus requirements; amending Minnesota Statutes 1976, Section 62C.09, Subdivision 3.

Reported the same back with the recommendation that the bill pass.

The report was adopted.

Brinkman from the Committee on Financial Institutions and Insurance to which was referred:

H. F. No. 1201, A bill for an act relating to insurance; requiring insurers to supply cover sheets for insurance policies; requiring insurers to issue readable insurance policies; establishing testing procedures for readability.

Reported the same back with the following amendments:

Page 2, line 12, after the period insert "This act shall not apply to a policy owner's unilateral renewal of insurance policies or contracts issued prior to the effective date of this act under which there is no unilateral right of the insurer to cancel, renew, amend or change in any way."

Page 3, line 8, delete "roman".

Page 3, line 9, delete "two points" and insert "one point".

Page 6, line 25, delete "and the pages on which they are found".

Page 7, delete lines 26 to 32.

Page 8, delete lines 1 to 23 and insert in lieu thereof:

"(1) For contracts containing 10,000 words or less of text, the entire contract shall be analyzed. For contracts containing more than 10,000 words the readability of two 200 word samples per page may be analyzed in lieu of the entire contract. The samples shall be separated by at least 20 printed lines. For pur-

poses of this clause a word shall be counted as 5 printed characters or spaces between characters.

(2) (a)(i) The number of words and sentences in the text shall be counted and the total number of words divided by the total number of sentences. The figure obtained shall be multiplied by a factor of 1.015.

(ii) The total number of syllables shall be counted and divided by the total number of words. The figure obtained shall be multiplied by a factor of 84.6.

(iii) The sum of the figures computed under clauses (1) and (2) subtracted from 206.835 equals the Flesch scale analysis readability score for the policy or contract.

(b) For purposes of clause (a) the following procedures shall be used:

(i) A contraction, hyphenated word, or numbers and letters, when separated by spaces, shall be counted as one word;

(ii) A unit of words ending with a period or colon, but excluding headings, captions, and lists, shall be counted as a sentence; and

(iii) A syllable means a unit of spoken language consisting of one or more letters of a word as divided by an accepted dictionary. Where the dictionary shows two or more equally acceptable pronunciations of a word, the pronunciation containing fewer syllables may be used.”.

Page 8, line 26, delete “, which is within the”.

Page 8, line 27, delete “scope of this act, after July 1, 1979,” and insert “after the dates specified in section 12 for the applicable type of policy”.

Page 8, line 28, delete “9” and insert “10”.

Page 9, line 4, delete “, which”.

Page 9, line 5, delete “shall be certified as accurate by the insurer,”.

Page 9, after line 22, insert a new section as follows:

“Sec. 12. [APPLICATION TO POLICIES, DATES; DUTIES OF THE COMMISSIONER.] Subdivision 1. The filing requirements of section 11 shall apply as follows:

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

(b) To all policies of life insurance as defined in section 60A.06, subdivision 1, clause (4), to all certificates of a fraternal beneficiary association, as defined in section 64A.31, to all policies of accident and health insurance, as defined in section 60A.06, subdivision 1, clause (5), paragraph (a), to all subscriber contracts of nonprofit health service corporations as defined in section 62.02, and to all health maintenance contracts as defined in section 62D.02, which are made, issued, amended or renewed after July 1, 1980; and

(c) To all policies of any additional line or type of insurance within the scope of this act, as provided by any rule promulgated by the commissioner not later than July 1, 1981.

Subd. 2. The commissioner shall make the following reports to the legislature:

(a) On or before February 1, 1979 a report detailing and evaluating the efforts made by the commissioner and insurers to implement the provisions of subdivision 1, clause (a), particularly examining the feasibility and practicality of requiring accident and health and life insurance policies to comply with this act and in the time prescribed;

(b) On or before February 1, 1980 a report detailing and evaluating (1) the operation of and the extent of compliance with this act, (2) the efforts made by the commissioner and insurers to implement the provisions of subdivision 1, clause (b), and (3) the commissioner's intent regarding the extension of the application of this act to other lines and types of insurance under subdivision 1, clause (c), and his reasons therefor."

Renumber the remaining sections.

With the recommendation that when so amended the bill pass.

The report was adopted.

Rice from the Committee on General Legislation and Veterans Affairs to which was referred:

H. F. No. 197, A bill for an act relating to taxation; providing a tax credit for political contributions for a candidate for any public office; amending Minnesota Statutes 1976, Section 290.06, Subdivision 11.

Reported the same back with the following amendments:

Page 1, line 21, restore the stricken language.

Page 1, line 22, restore the stricken "subdivision, "candidate" means".

Page 2, line 1, before "The" insert "*every person for whom it is contemplated or desired that votes be cast at any election or primary, as defined in section 200.02, and who either tacitly or expressly consents to be so considered, except candidates for the president and vice president of the United States.*".

With the recommendation that when so amended the bill pass and be re-referred to the Committee on Taxes.

The report was adopted.

Rice from the Committee on General Legislation and Veterans Affairs to which was referred:

H. F. No. 966, A bill for an act relating to St. Louis county Independent School District No. 710; providing for separate election districts.

Reported the same back with the following amendments:

Strike everything after the enacting clause and insert:

"Section 1. Notwithstanding Minnesota Statutes, Section 123.32, or any other law to the contrary the high school attendance districts within St. Louis county Independent School District No. 710, Albrook, Cherry, Cook, Cotton, Meadowlands and Orr, shall each constitute a separate election district.

The school board of St. Louis county Independent School District No. 710 shall consist of six elected directors, one representing each election district. A director shall reside in the election district he represents.

Two directors shall be elected each year commencing in 1978. Directors representing the Orr and Albrook attendance districts shall be elected in 1978 and every three years thereafter; directors representing the Corron and Meadowlands attendance districts, in 1979 and every three years thereafter; and directors representing the Cook and Cherry attendance districts, in 1980 and every three years thereafter. There shall be at least one polling place in each election district.

Except as provided in this section, the directors of the board of Independent School District No. 710 shall be elected and vacancies in those offices shall be filled in the manner provided by law for independent school districts."

With the recommendation that when so amended the bill pass.

The report was adopted.

Rice from the Committee on General Legislation and Veterans Affairs to which was referred:

H. F. No. 1032, A bill for an act relating to elections; precinct boundaries; including annexed area in adjacent precinct; amending Minnesota Statutes 1976, Section 204A.06, Subdivision 1; repealing Minnesota Statutes 1976, Section 204A.06, Subdivision 2.

Reported the same back with the recommendation that the bill pass.

The report was adopted.

Rice from the Committee on General Legislation and Veterans Affairs to which was referred:

S. F. No. 51, A bill for an act relating to elections; election officers; procedures for counting ballots; recounts in legislative races on request; prohibiting certain public meetings and school events on election days; duties of the secretary of state; and preparation and reception of absentee ballots; amending Minnesota Statutes 1976, Sections 204A.17, Subdivision 5; 204A.39, Subdivision 2; 204A.41; 204A.51, Subdivisions 2 and 3; 204A.53, Subdivisions 2 and 3; 204A.54, Subdivision 1; 206.026, Subdivision 5; 206.03; 206.075; 206.19, Subdivision 1; 206.23; 207.11; 207.19, Subdivision 1; and Chapter 204A, by adding a section.

Reported the same back with the following amendments:

Page 2, line 13, delete "*without permission from the state*".

Page 2, delete line 14.

Page 2, line 15, delete "*as appropriate*".

Page 2, line 18, before "*may*" insert "*located in the political subdivision in which an election is held,*".

Page 2, line 20, delete "*in any political subdivision in which the school is*".

Page 2, line 21, delete "*located*".

Pages 4 to 10, delete sections 5 to 9.

Renumber the sections accordingly.

Further amend the title as follows:

Page 1, line 10, delete "204A.51, Subdivisions 2 and 3; 204A.53,".

Page 1, line 11, delete "Subdivisions 2 and 3; 204A.54, Subdivision 1;".

With the recommendation that when so amended the bill pass.

The report was adopted.

Rice from the Committee on General Legislation and Veterans Affairs to which was referred:

S. F. No. 213, A bill for an act relating to the city of Minneapolis; relating to elections; allowing regulation of campaign financing solely by local ordinance which contains at least the requirements of Minnesota Statutes, Chapter 10A; providing for referral of violations to the county attorney; providing penalties.

Reported the same back with the following amendments:

Page 2, after line 16, insert a new section:

"Sec. 3. This act shall be superseded by any law imposing local campaign finance regulation statewide after the effective date of this act."

With the recommendation that when so amended the bill pass.

The report was adopted.

Rice from the Committee on General Legislation and Veterans Affairs to which was referred:

S. F. No. 335, A bill for an act relating to elections; providing for judges of election to serve under certain conditions; amending Minnesota Statutes 1976, Sections 207.02; and 204A.17, Subdivision 1.

Reported the same back with the following amendments:

Page 2, line 12, before "Except" insert "*At least 65 days before any election for a partisan political office, the county or legislative district chairman, whichever is designated by the state party, of each political party as defined in section 200.02, subdivision 7, shall furnish a list of qualified voters in each election precinct in the county or legislative district, whichever applies,*

to act as election judges, to the auditor of the county in which the precinct is located. At least 55 days before the date of the election, the county auditor shall furnish to each of the several appointing authorities of judges for the various election precincts, a list of the appropriate names for each election precinct. Separate lists shall be so submitted by the county auditor for each political party. If any county or legislative district chairman of a political party shall fail to submit a list to the county auditor as hereinbefore provided, the appointing authorities shall select and appoint qualified electors as herein or otherwise provided by law."

Page 2, line 22, after "reside" insert "if an insufficient number of names of qualified voters in that precinct are on file in the office of the appointing authority".

Page 2, strike the old and delete the new language in lines 26 to 32.

Page 3, strike the old and delete the new language in lines 1 to 11.

With the recommendation that when so amended the bill pass.

The report was adopted.

Sieben, H., from the Committee on Governmental Operations to which was referred:

H. F. No. 106, A bill for an act relating to the city of St. Cloud firemen's widows benefits; amending Laws 1974, Chapter 382, Section 5, Subdivision 2.

Reported the same back with the following amendments:

Page 2, line 4, delete "25" and insert "24".

Page 2, line 13, strike "six" and insert "four".

Page 2, after line 19, insert:

"Sec. 2. This act shall apply to any person receiving a benefit under Laws 1974, Chapter 382, Section 5, Subdivision 2, as of or after the effective date of this act. Any increase in benefits granted under this act which are in effect as of the effective date of this act shall be payable commencing with the first pension payment made after the effective date of this act."

Renumber the remaining section.

With the recommendation that when so amended the bill pass and be placed on the Consent Calendar.

The report was adopted.

Sieben, H., from the Committee on Governmental Operations to which was referred:

H. F. No. 161, A bill for an act relating to the firemen's relief association of the city of Centerville, computation of years of service for volunteer firemen.

Reported the same back with the following amendments:

Page 1, line 12, delete "Albertville" and insert "Centerville".

Page 1, line 20, delete "Albertville" and insert "Centerville".

With the recommendation that when so amended the bill pass and be placed on the Consent Calendar.

The report was adopted.

Sieben, H., from the Committee on Governmental Operations to which was referred:

H. F. No. 163, A bill for an act relating to the firemen's relief association of the city of Albertville, computation of years of service for volunteer firemen.

Reported the same back with the recommendation that the bill pass and be placed on the Consent Calendar.

The report was adopted.

Sieben, H., from the Committee on Governmental Operations to which was referred:

H. F. No. 264, A bill for an act relating to the city of Litchfield; firemens service pensions.

Reported the same back with the following amendments:

Page 1, delete lines 6 to 13 and insert the following:

"Section 1. All payments of service pensions from the special fund of the Litchfield volunteer firemen's relief association made prior to January 1, 1977 to former members of the association who were not age 50 at the time of the receipt of the service pension but which were not made prior to the age specified by the bylaws of the association are hereby deemed authorized."

Renumber subsequent section appropriately.

Further, amend the title as follows:

Page 1, line 3, before the period, insert “; validation of certain prior payments”.

With the recommendation that when so amended the bill pass and be placed on the Consent Calendar.

The report was adopted.

Sieben, H., from the Committee on Governmental Operations to which was referred:

H. F. No. 314, A bill for an act relating to trials; authorizing electronic transcription of trial proceedings; providing for costs and payment.

Reported the same back with the following amendments:

Strike everything after the enacting clause and insert:

“Section 1. [OLMSTED COUNTY; ELECTRONIC TRANSCRIPTION OF TRIAL PROCEEDINGS.] Subdivision 1. [AUTHORIZATION.] Notwithstanding any contrary provision of the law, any district court judge in Olmsted county may order, upon motion of any party or on his own motion, that any court proceedings in Olmsted county be recorded by suitable electronic means in lieu of stenographic recording. In such cases the electronic recording shall constitute the official record.

Subd. 2. [RECORDING METHODS.] The supreme court shall promulgate rules to establish minimum acceptable electronic equipment specifications for court reporting in Olmsted county and the length of time which records of court proceedings must be retained.

Subd. 3. [COSTS AND PAYMENT.] The trial court shall have authority to appoint a person or persons, other than the official court reporter, to operate such electronic recording devices and to type up transcripts of the official record when necessary. Such person or persons may be paid on a salary basis, on a contract basis, or any other basis as the court may deem appropriate. If transcriptions of electronic recordings are made by a salaried person, the charges for transcripts shall be paid into the general fund of Olmsted county. In other cases the charges for transcriptions or for copies of the electronic recordings shall be paid to the clerk of court.

Sec. 2. This act is effective upon approval by the Olmsted county board.”.

Delete the title in its entirety and insert:

"A bill for an act relating to Olmsted county; authorizing electronic recording of trial proceedings; providing for costs and payment."

With the recommendation that when so amended the bill pass.

The report was adopted.

Sieben, H., from the Committee on Governmental Operations to which was referred:

H. F. No. 410, A bill for an act relating to the Fridley police pension association; membership in the public employees police and fire fund; benefits and contributions.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. Notwithstanding any law to the contrary, all persons first employed by the city of Fridley as police officers or as public safety director after January 1, 1977, shall be members of the public employees police and fire fund established by Minnesota Statutes, Sections 353.63 to 353.68 and shall not be members of any local police pension or relief association. The membership of the incumbent public safety director of the city of Fridley in the public employees police and fire fund retroactive to the commencement of contributions to the public employees police and fire fund in 1972, and his exclusion from the local police pension fund, are confirmed and validated.

Sec. 2. The minimum obligation of the city of Fridley with respect to the Fridley police pension fund shall be determined and governed in accordance with Minnesota Statutes, Sections 69.71 to 69.77, except that the normal cost shall be computed as a percentage of the compensation paid to members of the Fridley police pension fund.

Sec. 3. Contributions of members of the Fridley police pension fund shall be eight percent of the monthly salary of a first grade patrolman. Contributions of the public safety director and all police officers first employed by the city of Fridley after January 1, 1977, shall be governed by Minnesota Statutes, Section 353.65.

Sec. 4. Commencing in the year 1980, in addition to the minimum obligation required by section 2, the city of Fridley shall provide additional financing to the Fridley police pension fund sufficient to amortize by the year 2010 the unfunded liability of the fund as determined in accordance with Minnesota Statutes, Section 69.73. Notwithstanding Minnesota Statutes, Sec-

tion 275.50, Subdivision 5, Clause (e), all municipal payments for the Fridley police pension fund shall be considered a special levy.

Sec. 5. When every member of the Fridley police pension fund retires or terminates from active duty, the funds of the Fridley police pension fund shall become a trust fund managed for the benefit recipients of the police pension fund by a corporate trustee or a board of trustees composed of three members selected by the benefit recipients and two members selected by the Fridley city council. The moneys in the fund shall not revert to the city of Fridley until all obligations of the police pension fund are paid.

Sec. 6. Subdivision 1. Benefits paid from the Fridley police pension fund shall continue to be governed by Minnesota Statutes, Sections 423.801 to 423.815 and by the bylaws of the Fridley police pension association, except as provided in this section.

Subd. 2. Retirement benefits shall be payable to members of the Fridley police pension fund who complete at least ten years of service but fewer than 20 years of service as police officers in the police department of the city of Fridley and who do not qualify for monthly disability or retirement benefits from the Fridley police pension fund pursuant to Minnesota Statutes, Section 423.809. The retirement benefit shall be 15 units plus an additional two units for each full year of service in excess of ten years of service and shall be payable monthly, during the member's lifetime upon written application after reaching the age of 50 years.

Subd. 3. Notwithstanding Minnesota Statutes, Section 423.810, monthly survivor benefits payable to the surviving beneficiaries of a deceased service pensioner who was receiving a retirement benefit in accordance with subdivision 2 or of a deceased deferred pensioner whose prospective retirement benefit would have been determined in accordance with subdivision 2 shall not exceed in total the number of units of the deceased service pensioner or deferred pensioner's retirement benefit or prospective retirement benefit.

Subd. 4. With respect to members of the Fridley police pension fund who qualify for monthly disability or retirement benefits from the Fridley pension fund pursuant to Minnesota Statutes, Section 423.809, and with respect to their surviving beneficiaries, the salary on which benefit units are based shall continue to be the salary of a first grade patrolman in the police department of the city of Fridley for the second month of the fiscal year preceding each year's benefit payments, regardless of whether or not any member of the Fridley police pension fund holds the position of first grade patrolman.

Subd. 5. With respect to members of the Fridley police pension fund who complete at least ten years of service but fewer

than 20 years of service as police officers in the police department of the city of Fridley and who do not qualify for monthly disability or retirement benefits from the Fridley police pension fund pursuant to Minnesota Statutes, Section 423.809, and with respect to their surviving beneficiaries, the salary on which benefit units are based shall be described in subdivision 4 except that whenever actual salary increases of a first grade patrolman have exceeded three percent per year compounded annually from the date of a member's termination of service, the excess shall not be used in computing the member's retirement benefit or the benefits of the member's surviving beneficiaries.

Sec. 7. The bylaws of the Fridley police pension association shall be amended to conform to the requirements of this act. The city of Fridley as employer, the employees of the Fridley police department, the board of trustees of the Fridley police pension association, and the board of trustees of the public employees retirement association shall do all things necessary to carry out the purposes of this act.

Sec. 8. This act is effective upon approval by the governing body of the city of Fridley and upon compliance with the provisions of Minnesota Statutes, Section 645.021."

Amend the title as follows.

Line 2, delete "Fridley police pension".

Delete line 3.

Delete line 4 to the period and insert "city of Fridley; membership of new police officers in the public employees retirement association; benefits and contributions for remaining members of the Fridley police pension association".

With the recommendation that when so amended the bill pass and be placed on the Consent Calendar.

The report was adopted.

Sieben, H., from the Committee on Governmental Operations to which was referred:

H. F. No. 411, A bill for an act relating to the city of Columbia Heights police department relief association; membership therein; benefits and contributions; membership of certain police personnel in the public employees' police and fire fund.

Reported the same back with the following amendments:

Page 2, line 30, delete "retirement association" and insert "police and fire fund".

Page 4, line 5, after "purposes" insert "actually".

Page 4, line 5, delete "a" and insert "each individual".

Page 5, line 12, delete "eligible to be".

Page 5, line 13, delete the first "to" and insert "shall".

Page 5, line 18, after the period insert "A disabled member of the Columbia Heights police relief association may continue to be a member of the association."

Page 5, line 21, after "retired" insert "or terminated".

Page 5, line 23, delete "be eligible to".

Page 5, line 30, after the period insert "In the event any policeman first hired prior to June 15, 1972, voluntarily and of his own volition terminates service with the Columbia Heights police department, he shall not be eligible to be a member of the Columbia Heights police relief association if he is rehired by the city of Columbia Heights."

Page 9, line 7, delete "means" and insert "shall mean".

Page 9, line 13, delete "term" and insert "terms".

Page 9, line 13, before "shall" insert "and "top patrolman's salary" ".

Page 11, line 21, after "as" delete the balance of the line.

Page 11, delete lines 22 to 32.

Page 12, delete lines 1 to 8.

Page 12, delete line 9 to the period and insert "being the aggregate salaries of all active duty policemen employed by the Columbia Heights police department who are members of the Columbia Heights police relief association, assuming for the purposes of this subdivision that all policemen first hired prior to June 15, 1972, are paid the salary of a top patrolman as defined in subdivision 1".

Page 12, line 24, delete "by" and insert "in accordance with".

Page 12, line 25, delete "the".

Page 12, delete lines 26 to 31.

Page 12, line 32, delete "shall be as follows" and insert "that actuarial surveys of the Columbia Heights police relief association prepared in accordance with Minnesota Statutes, Chapter 69, shall be based on the following assumptions with respect to future salary increases".

Page 13, line 18, delete "1982" and insert "1980".

Page 13, line 19, delete "on January 1,".

Page 13, line 20, delete "1977".

Page 13, line 23, delete "created by" and insert "set out in".

Page 13, line 24, delete "2017" and insert "2010".

Page 13, line 25, delete "deficit" and insert "liability (deficit)".

Page 16, line 6, after "fund" insert "for which he qualifies independently by reason of age and service".

Page 16, line 8, delete "such" and insert "each".

Page 17, line 8, after "sources" insert "and the interest thereon".

Page 17, line 15, delete "hereinafter".

Page 17, line 15, after "authorized" insert "in this act".

Page 18, line 18, after "patrolman" insert "as defined in section 8, subdivision 1".

Page 21, line 23, delete "deductions" and insert "time exclusions".

Page 22, line 1, delete "deduction" and insert "time exclusions".

Page 23, line 15, delete "retired" and insert "terminated service".

Page 30, line 21, delete "a".

Page 30, delete line 22.

Page 30, line 23, delete "have the power to transact any and all".

Page 30, line 24, after "meeting" insert "may be transacted by majority vote of all members appearing at the meeting in person or through proxy. The appointment of a proxy shall be in writing filed with the secretary of the relief association at or before the meeting. The authority of a proxy may be terminated at will. Unless otherwise provided in the appointment, the proxy's authority shall cease 11 months after the appointment. A termination of the proxy's authority by act of the maker shall be ineffective until written notice of the termination has been given to the secretary. Unless otherwise provided therein, the appointment filed with the secretary shall have the effect of revoking all appointments of prior date. A proxy's authority shall be revoked by the death of the maker".

Page 30, line 24, delete "Members of the association".

Page 30, delete line 25.

With the recommendation that when so amended the bill pass and be placed on the Consent Calendar.

The report was adopted.

Sieben, H., from the Committee on Governmental Operations to which was referred:

H. F. No. 414, A bill for an act relating to the city of Fairmont; membership of new police in the public employees retirement association.

Reported the same back with the following amendments:

Page 2, line 5, delete "governed by Minnesota Statutes, Section".

Page 2, line 6, delete "69.71 to 69.77" and insert "eight percent of covered payroll".

Page 2, after line 9, insert:

"Sec. 4. Notwithstanding Minnesota Statutes, Section 69.031, Subdivision 5, Clause (2), the total police state aid shall be transmitted to the treasurer of the relief association to be deposited in the special fund of the relief association. In the event that the total police state aid exceeds the total municipal obligation with respect to the association as calculated pursuant to Minnesota Statutes, Section 69.77, and section 5 of this act, the amount of the police state aid in excess of the total municipal obligation

shall be applied toward the employer contribution to the public employees police and fire fund.”

Renumber the remaining sections in sequence.

Page 2, line 30, delete “then”.

With the recommendation that when so amended the bill pass and be placed on the Consent Calendar.

The report was adopted.

Sieben, H., from the Committee on Governmental Operations to which was referred:

H. F. No. 460, A bill for an act relating to retirement; adjustment in annuities through the adjustable fixed benefit fund; amending Minnesota Statutes 1976, Section 11.25, Subdivisions 12 and 13.

Reported the same back with the following amendments:

Page 1, after line 7, add a section to read:

“Section 1. Minnesota Statutes 1976, Section 11.25, Subdivision 3, is amended to read:

Subd. 3. [PARTICIPATION IN FUND.] Any public retirement organization authorized to participate in the Minnesota adjustable fixed benefit fund may own an undivided participation in all the assets of the fund. The extent of annual participation shall be determined by the ratio of each organization's contribution to the total contributions of all participating organizations. Such ratio shall be determined monthly. Contributions and withdrawals may be certified at any time, but notification of contributions must reach the state board of investment by the twenty-fifth day of any month in order for such contributions to be included in calculations determining the monthly ratio. At the end of each fiscal year, the 12 ratios for such year, beginning with that of the previous (JUNE 30) *July 31*, shall be averaged. The average ratio shall determine the distribution of the difference between the admitted value and the balances of contributions of the respective organizations at year end to determine the respective amounts of participation. The interpretation and administration of all calculations affecting the fund shall be made in a manner to achieve the most uniform and equitable treatment possible for all participating organizations.”

Page 1, line 21, strike “Using” and insert “*Based upon*”.

Page 8, delete lines 7 to 25 and insert:

"(1) As of June 30, 1977, and each anniversary thereafter, a potential benefit adjustment factor shall be determined by multiplying the benefit adjustment factor calculated pursuant to clause (a) (2) by the ratio of the potential adjustment factor for the anniversary immediately preceding the current anniversary to the actual benefit adjustment factor for that same prior anniversary, which ratio for June 30, 1976, shall be equal to one.

(2) If the potential benefit adjustment factor for the current anniversary obtained pursuant to clause (f) (1) is greater than 98 percent but less than 102 percent, no adjustment of annuities shall be made.

(3) If the potential benefit adjustment factor for the current anniversary obtained pursuant to clause (f) (1) is less than or equal to 98 percent or greater than or equal to 102 percent, the actual benefit adjustment factor shall be obtained from the potential benefit adjustment factor by rounding to the next lower one-half of one percent.

(4) If no adjustment of annuities is to be made, then the actual benefit adjustment factor is one."

Page 9, line 14, after "any" insert "surplus or".

Page 11, line 19, after "increases" insert "after January 1, 1978,".

Page 11, after line 21 insert:

"Sec. 4. [TEMPORARY PROVISION.] Each participating pension fund shall recalculate the amount of its mortality gain or loss for each of the fiscal years ending June 30 or December 31, 1975 and 1976, in accordance with this act.

If the total amount of such recalculated mortality gain or loss differs from the total amount of mortality gain or loss previously reported, the pension fund shall be credited with the difference if it has previously paid an excess amount to the Minnesota adjustable fixed benefit fund or the pension fund shall pay the difference to the Minnesota adjustable fixed benefit fund if it has previously paid a deficient amount. In either case the fund's participation in the Minnesota adjustable fixed benefit fund shall be adjusted on December 30, 1977 to reflect the credit or payment."

Page 11, line 22, delete "July 1, 1977" and insert "the day following final enactment".

Renumber the sections in sequence.

Further, amend the title as follows:

Page 1, line 5, after "subdivisions" insert "3,".

With the recommendation that when so amended the bill pass.

The report was adopted.

Sieben, H., from the Committee on Governmental Operations to which was referred:

H. F. No. 491, A bill for an act relating to retirement; police pensions in cities of the fourth class; amending Minnesota Statutes 1976, Sections 423.55 and 423.56.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert the following:

"Section 1. [CROOKSTON POLICE RELIEF ASSOCIATION; COMPLETION OF PERIOD OF SERVICE; AGE; RETIREMENT; SERVICE PENSION.] Subdivision 1. Notwithstanding Minnesota Statutes, Section 423.55, a member of the Crookston police relief association who has completed a period, or periods of service, as a policeman in the police department of the city of Crookston, equal to 15 years or more, shall, after he has arrived at the age of 50 years or more, and has retired from the payroll of the police department of the city, be entitled to a service pension equal to 37-1/2 percent of the monthly base pay of the policeman at the time of his retirement from the police department, plus an additional 2-1/2 percent for each full year of service in excess of 15 years, to a maximum of 75 percent. In no event shall the pension be less than \$75 per month, which pension shall be payable monthly during the term of his natural life in conformity with the bylaws of the association.

Subd. 2. "Monthly base pay" means the highest monthly salary earned by the member, exclusive of any overtime pay or special allowances.

Subd. 3. All leaves of absence of more than 90 days, except those which are granted to a member because of his disability due to sickness or accident, shall be excluded in computing the period of service. No deductions shall be made for a leave of absence granted to a member to enable him to accept an appointive position in the police department not subject to the provisions of Minnesota Statutes, Sections 423.41 to 423.62. No member shall be entitled to draw both a disability and a service pension.

Sec. 2. [MEMBER RETIRING AFTER SERVING 15 YEARS BUT HAS NOT REACHED RETIREMENT AGE.] A member of the association who has completed a period, or periods of service, as a policeman in the police department of the city equal to 15 years or more, but has not reached the age of 50 years, shall have the right to retire from the department without forfeiting his right to a service pension. He shall, upon application, be placed on the deferred pension roll of the association, and, after he has reached the age of 50 years, the association shall upon application therefor, pay his pension from the date the application is approved by the association.

Sec. 3. [EMPLOYEE CONTRIBUTION.] The employee contribution shall be eight percent of salary of the member.

Sec. 4. This act is effective upon approval by the governing body of the city of Crookston and upon compliance with Minnesota Statutes, Section 645.021.”.

Further, amend the title as follows:

Page 1, line 2, delete “cities”.

Page 1, delete line 3.

Page 1, delete line 4 to the period and insert “the city of Crookston”.

With the recommendation that when so amended the bill pass and be placed on the Consent Calendar.

The report was adopted.

Sieben, H., from the Committee on Governmental Operations to which was referred:

H. F. No. 536, A bill for an act relating to civil service; providing that promotion and place of service are separate considerations; amending Minnesota Statutes 1976, Section 43.19, by adding a subdivision.

Reported the same back with the following amendments:

Page 1, delete all of lines 14 to 16.

With the recommendation that when so amended the bill pass.

The report was adopted.

Sieben, H., from the Committee on Governmental Operations to which was referred:

H. F. No. 612, A bill for an act relating to the organization of state government; providing that heads of certain departments and other governmental units of the state shall be appointed by and shall serve at the pleasure of the appointing authority; providing for the succession of commissioners; defining position and duties of deputy department heads; standardizing the format and procedures relating to executive orders and reorganization orders; prescribing uses for executive orders; limiting the scope of reorganization orders; eliminating obsolete language; amending Minnesota Statutes 1976, Sections 15.051, Subdivisions 1 and 3; 15.06; 16.01; 16.125; 16A.01, Subdivisions 2 and 3; 17.01; 43.001, Subdivisions 2 and 3; 45.02; 45.15; 84.01, Subdivision 2; 116.03, Subdivision 1; 116H.03, Subdivisions 2 and 3; 121.09; 121.16, Subdivision 1; 144.02; 174.02, Subdivision 1; 175.001, Subdivision 1; 179.02; 196.02, Subdivision 1; 216A.06, Subdivision 1; 241.01, Subdivisions 1 and 2; 245.03; 268.12, Subdivision 1; 270.02, Subdivision 2; 298.22, Subdivision 1; 299A.01, Subdivisions 1 and 2; 362.09, Subdivision 1; 363.04, Subdivision 1; 462A.04, Subdivision 8; and Chapter 144, by adding a section; repealing Minnesota Statutes 1976, Sections 16.13; 121.07; 121.08; 121.10; 121.16, Subdivision 2; 144.03; 144.04; 175.001, Subdivision 4; and 216A.06, Subdivision 2.

Reported the same back with the following amendments:

Page 2, line 20, delete "*The commissioner shall take office when the senate*".

Page 2, delete all of lines 21 to 23.

Page 2, line 24, delete "*as "acting commissioner", and upon this designation*" and insert: "*Upon designation by the governor,*".

Page 2, line 27, after "*as*" insert "*commissioner or*".

Page 2, delete all of line 30.

Page 2, line 31, delete "*of personnel*" and insert "*when the governor who appointed the commissioner leaves office.*".

Page 10, line 21, after "*energy*" insert "*agency*" and after "*finance*" insert "*agency*".

Page 12, line 5, strike "*about*".

Page 12, line 7, strike "*The governor may remove the commissioner*".

Page 12, strike all of line 8.

Page 16, lines 7 and 8, reinstate the stricken language.

Page 16, line 14, reinstate the stricken language.

Page 30, delete lines 3 to 19 and insert:

"[144.011] [DEPARTMENT OF HEALTH.] *Subdivision 1. [COMMISSIONER.] The department of health shall be under the control and supervision of the commissioner of health who shall be appointed by the governor under the provisions of section 1. The state board of health is abolished and all powers and duties of the board are transferred to the commissioner of health.*

Subd. 2. [STATE HEALTH ADVISORY COUNCIL.] The state health advisory council is hereby created to consist of 15 members appointed by the governor. Nine members of the council shall be broadly representative of the licensed health professions and six members shall be public members as defined by section 214.02. Additionally, members of the council shall be representative of the various geographic areas of the state. The council and its members shall be governed by the provisions of section 15.059. The governor shall designate a chairman of the council and such other officers as he deems necessary. The council shall advise the commissioner of health on any matter relating to the functions of the department."

Page 30, line 23, delete "and rules promulgated".

Page 30, line 24, delete "by the board".

Pages 30 and 31, delete all of section 37 and insert:

"Sec. 37. Minnesota Statutes 1976, Chapter 121, is amended by adding a section to read:

[121.021] [DEPARTMENT OF EDUCATION.] *Subdivision 1. [COMMISSIONER.] The department of education shall be under the control and supervision of the commissioner of education who shall be appointed by the governor under the provisions of section 1. The state board of education is abolished and all powers and duties of the board are transferred to the commissioner of education.*

Subd. 2. [STATE ADVISORY COUNCIL ON EDUCATION.] The state advisory council on education is hereby created to consist of nine members appointed by the governor. Members of the council shall be representative of the various geographic areas of the state. The governor shall designate a chairman of the council and such other officers as he deems necessary. The council and its members shall be governed by the provisions of section 15.059. The council shall advise the commissioner of education on any matter relating to the functions of the department."

Page 32, line 16, delete "1980" and insert "1979".

Page 32, line 19, delete "1980. Notwithstanding the".

Page 32, delete lines 20 and 21 and insert "1979".

Page 33, at the end of the line 9, insert "*The revisor of statutes shall also eliminate from the statutes any reference to the "board of health" and shall insert in lieu thereof as appropriate the "commissioner of health" or "commissioner" and shall eliminate from the statutes any reference to the "board of education" and shall insert in lieu thereof as appropriate "commissioner of education" or "commissioner."*".

Page 33, line 11, delete "121.07" and insert "121.02; 121.03".

Page 33, at the end of line 11, insert "144.01; 144.02;".

Further amend the title as follows:

Page 1, line 12, after "orders;" insert "abolishing the state board of health and state board of education and transferring their powers and duties;".

Page 1, lines 18 and 19, delete "121.16, Subdivision 1;".

Page 1, line 26, delete "and Chapter" and insert "Chapters 121, by adding a section; and".

Page 1, line 27, delete "121.07" and insert "121.02; 121.03".

Page 1, line 28, after "Subdivision 2;" insert "144.01; 144.02;".

With the recommendation that when so amended the bill pass.

The report was adopted.

Sieben, H., from the Committee on Governmental Operations to which was referred:

H. F. No. 685, A bill for an act relating to the city of Hibbing; authorizing an increase in the service pensions of certain retired firemen; amending Laws 1935, Chapter 192, Section 1, as amended, by adding a subdivision.

Reported the same back with the following amendments:

Page 1, after line 18, insert:

"Sec. 2. *From and after the effective date of this act, neither the city of Hibbing nor the firemen's relief association in the*

city of Hibbing shall qualify for state fire aid pursuant to Minnesota Statutes, Chapter 69, nor shall the commissioner of insurance certify such association to the county auditor as provided in Minnesota Statutes, Section 69.021, unless the provisions of Laws 1971, Chapter 614, Section 2, are complied with. Such compliance shall be determined by the commissioner of insurance, and the association shall include the information needed for such determination with its annual financial report required by Minnesota Statutes, Section 69.051."

Renumber the remaining section.

With the recommendation that when so amended the bill pass and be placed on the Consent Calendar.

The report was adopted.

Sieben, H., from the Committee on Governmental Operations to which was referred:

H. F. No. 686, A bill for an act relating to retirement; judges' survivors' benefits; option to continue.

Reported the same back with the recommendation that the bill pass and be placed on the Consent Calendar.

The report was adopted.

Sieben, H., from the Committee on Governmental Operations to which was referred:

H. F. No. 791, A bill for an act relating to state lands; authorizing the conveyance of certain state lands in Rice county to the city of Faribault for the purpose of establishing a nature interpretive center with emphasis on natural history.

Reported the same back with the following amendments:

Page 1, line 12, delete "transfer and convey" and insert "lease".

Page 1, line 16, delete "conveyance" and insert "lease".

Page 4, line 28, delete "quitclaim deed" and insert "lease".

Page 4, line 28, after "state." insert "Notwithstanding any other law to the contrary, the lease shall be for a 20 year period and shall be renewed as long as the conditions specified in subdivision 1 are fulfilled."

Page 4, line 29, delete "quitclaim deed" and insert "lease".

Page 4, line 31, before "land" insert "leased" and after "land" delete "conveyed".

Page 5, line 1, delete "of conveyance" and insert "on which the lease is issued".

Page 5, line 1, delete "conveyed" and insert "lease shall terminate and the leased".

Amend the title as follows:

Page 1, line 3, delete "conveyance" and insert "lease".

With the recommendation that when so amended the bill pass and be placed on the Consent Calendar.

The report was adopted.

Sieben, H., from the Committee on Governmental Operations to which was referred:

H. F. No. 848, A bill for an act relating to retirement; Minnesota municipal employees retirement fund; new employees into the public employees retirement association; amending Minnesota Statutes 1976, Section 353.01, Subdivision 2a; and Chapter 422A, by adding a section.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 1976, Chapter 355, is amended by adding a section to read:

[355.302] [DEFINITIONS.] *Subdivision 1. For the purposes of sections 1 to 8 of this act, the terms defined in this section shall have the meanings ascribed to them.*

Subd. 2. "Enabling act" means sections 355.01 to 355.07.

Subd. 3. The terms "social security act", "state agency", "employment", "wages", "contribution fund", "Federal Insurance Contributions Act", and "political subdivision" mean as defined in the enabling act.

Subd. 4. "Municipal employee" means all officers and employees of political subdivisions who hold positions covered by the Minneapolis municipal employees retirement fund established under the provisions of chapter 422A.

Sec. 2. Minnesota Statutes 1976, Chapter 355, is amended by adding a section to read:

[355.303] [REFERENDUM.] *Pursuant to the provisions of the enabling act the governor shall designate an agency or an individual to supervise a referendum to be held after May 1, 1979, in accordance with the provisions of section 218 (d)(6)(C) of the social security act, for municipal employees.*

Sec. 3. Minnesota Statutes 1976, Chapter 355, is amended by adding a section to read:

[355.304] [NOTICE OF REFERENDUM.] *The notice of referendum required by section 218 (d) of the social security act which is to be given to the municipal employees shall contain a statement in such form as the agency or individual designated to supervise the referendum shall deem necessary and sufficient to inform the municipal employees of the rights which accrue to them under the social security act. The statement shall also inform the municipal employees of the effect that coverage under the social security act will have on their public retirement program.*

Sec. 4. Minnesota Statutes 1976, Chapter 355, is amended by adding a section to read:

[355.305] [DIVISION OF THE MINNEAPOLIS MUNICIPAL EMPLOYEES RETIREMENT FUND.] *In accordance with sections 218 (d)(6)(C) of the social security act, the state agency shall divide into two divisions or parts the Minneapolis municipal employees retirement fund established under the provisions of Minnesota Statutes, Chapter 422A. One division or part of the retirement fund shall be composed of positions of municipal employees who desire coverage under an agreement under section 218 (d) of the social security act. The other division or part of the retirement fund shall be composed of positions of municipal employees who do not desire coverage under such an agreement. Each division or part shall be deemed to be a separate retirement system for the purposes of section 218 (d) of the social security act. There shall be included in the division or part composed of members desiring such coverage the positions of municipal employees who become members of the Minneapolis municipal employees retirement fund after such coverage is extended; provided, a municipal employee whose service in a position covered by the retirement fund commences after the date on which such social security coverage is extended shall be deemed to become a member of the retirement fund upon the commencement of such service for purposes of this section, notwithstanding the date of any employment contract.*

Sec. 5. Minnesota Statutes 1976, Chapter 355, is amended by adding a section to read:

[355.306] [TRANSFER OF MEMBERS.] *In accordance with section 218 (d)(6)(F) of the social security act, and when*

the Minneapolis municipal employees retirement fund is divided into two divisions or parts, the position of any member of the division or part composed of positions of municipal employees who do not desire coverage under an agreement under section 218 (d) of the social security act may be transferred to the separate retirement system composed of municipal employees who desire such coverage; and a modification of agreement between the state and the secretary of health, education, and welfare may so provide, but only if prior to such modification the individual occupying such position files with the state agency a written request for such transfer.

Sec. 6. Minnesota Statutes 1976, Chapter 355, is amended by adding a section to read:

[355.307] [CERTIFICATION BY GOVERNOR.] *If the governor receives satisfactory evidence that the conditions specified in section 218 (d) (7) of the social security act have been met with respect to the Minneapolis municipal employees retirement fund, he shall so certify to the secretary of health, education, and welfare.*

Sec. 7. Minnesota Statutes 1976, Chapter 355, is amended by adding a section to read:

[355.308] [AGREEMENTS WITH FEDERAL AGENCY.] *Upon the governor's certification pursuant to section 6 of this act, the state agency, with the approval of the governor, shall be authorized after June 30, 1979, to enter into an agreement with the secretary of health, education, and welfare, or modify any such agreement previously made with respect to municipal employees. The agreement or modification shall contain such terms and provisions authorized by the social security act and the enabling act as the state agency finds proper.*

Sec. 8. Minnesota Statutes 1976, Chapter 355, is amended by adding a section to read:

[355.309] [CONTRIBUTIONS.] *Subdivision 1. [EMPLOYER CONTRIBUTIONS.] Contributions required under the agreement or modification entered into pursuant to section 7 of this act to be made by political subdivisions employing municipal employees, and payments required by Minnesota Statutes, Section 355.49, which shall apply to political subdivisions employing municipal employees, shall be paid by the applicable political subdivision.*

Subd. 2. [EMPLOYEE CONTRIBUTIONS; DEDUCTION FROM WAGES.] After the date the agreement or modification is entered into pursuant to section 7 of this act, there shall be paid as a deduction from wages an employee contribution in an amount equal to the tax that would be imposed by the Federal

Insurance Contribution Act if such service constituted employment within the meaning of that act. Contributions so made shall be paid into the contribution fund in partial discharge of the liability of the state and each political subdivision in respect thereto. Failure to deduct such contribution shall not relieve the employee or the state or the political subdivision of liability therefor.

Sec. 9. Minnesota Statutes 1976, Section 422A.01, is amended by adding a subdivision to read:

Subd. 14. "Service" for purposes of sections 20 to 27 of this act shall mean all service credited by the retirement board, irrespective of whether the employee was covered by the basic program or the coordinated program.

Sec. 10. Minnesota Statutes 1976, Section 422A.01, is amended by adding a subdivision to read:

Subd. 15. "Coordinated service" for purposes of sections 20 to 27 of this act shall mean service credited by the retirement board for which the employee was covered by the coordinated program.

Sec. 11. Minnesota Statutes 1976, Section 422A.01, is amended by adding a subdivision to read:

Subd. 16. "Coordinated employee" for purposes of sections 20 to 27 of this act shall mean any employee of the contributing class who is covered by any agreement or modification made between the state and the secretary of the federal department of health, education and welfare, making the provisions of the federal old age, survivors and disability insurance act applicable to such employees.

Sec. 12. Minnesota Statutes 1976, Section 422A.06, Subdivision 6, is amended to read:

Subd. 6. [SURVIVOR'S BENEFIT FUND.] The survivor's benefit fund shall consist of the amount held for survivor benefits, increased by contributions for survivor benefits made by and for employees, including contributions made by the employer, by any municipal activity supported in whole or in part by revenue other than taxes or by any public corporation (, AND BY INCOME ON INVESTMENTS OF SUCH FUND AT THE GREATEST MULTIPLE OF ONE-TENTH OF ONE PERCENT UP TO AND INCLUDING A MAXIMUM OF THE INTEREST ASSUMPTION RATE PROVIDED FOR IN SUBDIVISION 5). A proportionate share of income from investments shall be allocated to this fund. There shall be paid from such fund the survivor benefits specified in section 422A.23 except that

the refund of net accumulated deductions from the salary of a contributing member shall upon his death in service be paid from the deposit accumulation fund.

Sec. 13. Minnesota Statutes 1976, Section 422A.08, Subdivision 2, is amended to read:

Subd. 2. Prior to August 31 of each year the retirement board shall prepare an itemized statement of its financial requirements from tax revenue for the succeeding fiscal year. A copy of the statement shall be submitted to the board of estimate and taxation and to the city council prior to September 15 of each year. This statement shall include:

(1) An estimate of the administrative expense of the board less:

(a) Such amount as the board may charge against the interest income account of the fund as cost of handling the investment securities of the fund.

(b) The cost of handling the retirement benefits of any city-owned public utility, improvement project, or other municipal activities supported in whole or in part by revenues other than taxes.

(c) The cost of handling the retirement benefits of any public corporation and its employees who have availed themselves of the provisions of sections 422A.01 to 422A.25.

(2) An estimated amount not to exceed 7 1/4 percent of the salaries and wages of all employees covered by the retirement fund less any amounts contributed for current cost of future retirement benefits by any city-owned public utility, improvement project, other municipal activities supported in whole or in part by revenues other than taxes, or any public corporation.

(3) The estimated amount to meet the requirements of section 422A.06, subdivision 3, less any amounts contributed for this purpose by any city-owned public utility, improvement project, other municipal activities supported in whole or in part by revenues other than taxes, or any public corporation.

(4) The cost of all monthly survivor's benefits provided in section 422A.23 as an obligation of the city and any of its boards, departments, commission or public corporations as therein provided, less any amounts contributed for this purpose by any city-owned public utility, improvement project, other municipal activities supported in whole or in part by revenues other than taxes, or any public corporation.

(5) Such other levies and financing as are required by law.

(6) The total of items 1, 2, and 3 above shall be increased or decreased as the case may be by any deficiency or excess of the amount of tax revenue actually collected within the preceding fiscal year under or over the amount actually determined to meet the financial requirements of the fund for such year. In no event shall the amount requested for levy exceed the total of entry age normal cost, less the amounts contributed by the employees, plus administrative expense, interest on the actuarial deficit at the rate of five percent per annum, an amount necessary to reduce the principal amount of the actuarial deficit in equal installments by the year (1997) 2017, plus interest upon any deficiency from the previous year's levy at the rate of four percent per annum. This limit does not apply to the requirements for survivors benefits provided in section 422A.23 nor to any levy which is administered by the retirement board pursuant to special act.

Sec. 14. Minnesota Statutes 1976, Section 422A.08, Subdivision 5, is amended to read:

Subd. 5. Any contributor or retired employee who prior to entering the service of the city was an employee of a public corporation, shall be allowed credit in the retirement fund for employment by such public corporation in the same manner as though the service had been rendered to the city. Before receiving credit for service rendered to a public corporation as herein set forth, the contributing or retired employee shall make application therefor in writing to the retirement board, and shall contribute to the retirement fund the amount which would have been contributed had the employee been a contributing member of the fund during the time such service was rendered to the public corporation, plus (FOUR) *six* percent compound interest to date of payment or date of retirement, such amount to be determined by the retirement board.

Sec. 15. Minnesota Statutes 1976, Section 422A.09, Subdivision 3, is amended to read:

Subd. 3. The exempt class shall consist of:

(1) Employees who are members of any other organization or association of the city on behalf of which a tax is levied by the city for the purpose of paying retirement allowances to disabled or superannuated employees.

(2) Persons filling elective position. Provided that any elective officer holding an elective city office, excepting judges of a municipal court, shall, upon written application to the retirement board, be entitled to become a member of the contributing class of the fund, and after becoming a contributor to the fund be entitled to all benefits conferred upon employees of the contributing class except retirement on a service allowance, which shall be granted only upon completion of ten or more years of service.

All retirement allowances shall be computed and determined as provided herein, except that in determining the number of years of service, credit shall be given for time served as an elective officer or employee, or member of an executive board or commission or any combination thereof. Persons who have served in elective positions which qualified them for membership in the fund prior to July 1, 1967, and who immediately thereafter hold elective office, first being appointed to that elective office in Hennepin county in which they served as an elected official, may retain or resume membership in the fund as an elective officer of the county. The county shall collect and pay to the retirement fund the employee contribution. The employer cost of allowances and benefits credited to an elected officer as set forth above shall be paid from the county revenue fund by the proper county officials upon certification of such costs by the retirement board in the same manner as prescribed in section 422A.08 for the payment of costs by public corporations. A tax shall be levied by Hennepin county to defray the cost of such retirement allowances which may be in addition to all other taxes levied by the county. Before receiving a retirement allowance, or any other benefit, any person who claims credit for service under this section shall contribute to the fund an amount equal to the amount of contributions to the fund which such person would have made had he been a contributor to the fund since the date he first became eligible for membership in the fund, in accordance with the method of contribution herein provided for, plus four per cent compound interest.

(3) Persons serving without pay.

(4) Persons employed on a temporary basis, as (LABORERS,) doorkeepers, ticket takers, and attendants at the municipal auditorium, park recreation facilities, or like activities, employed less than 1000 hours, or its equivalent if employed on any other basis than an hourly basis, in any calendar year from January 1 to December 31, inclusive, provided that employees who are contributing members of the fund on July 1, 1959 shall not be affected by the exclusions contained in this section.

(5) A person who is exempted from the contributing class by Minnesota Statutes 1974, Section 422A.09, Subdivision 3, Clauses (4) and (5), but who is employed by and paid, in whole or in part, by the city or any of its boards, departments, or commissions, operated as a department of the city government or independently, if financed in whole or in part by city funds, including any person employed by a public corporation as herein defined, and including any person employed by the Minneapolis school district, each of whom are not a member of any other retirement system, who later becomes a contributing member of the fund may elect to qualify such time for credit by paying into the fund an amount equal to the amount of contributions to the

fund which such person would have made had he been a contributor to the fund since the date he first qualified as an exempt member of the contributing class, in accordance with the method of contribution herein provided, plus four percent compound interest.

(6) Any person who is employed by the city or any of its boards, departments, commissions or a public corporation, as herein outlined, and is excluded from participation in the fund by paragraph (4) shall be separated from the service upon reaching the age of 65 regardless of the provisions of the veterans preference act.

Sec. 16. Minnesota Statutes 1976, Section 422A.16, is amended by adding a subdivision to read:

Subd. 3a. If a contributing member who has become permanently separated from the service of the city after 20 or more years of service as a contributing member, has at the time of separation allowed his or her contributions to the fund to remain on deposit, and has filed a written request with the board on prescribed forms, dies prior to the effective date of retirement as determined by the board, the board shall pay a monthly allowance for life to the surviving spouse of the employee, in lieu of the city credit referred to in section 422A.23. The monthly allowance herein provided for shall be the actuarial equivalent of a single life service allowance specified in section 422A.15, which would have been payable to the employee on the date of death, notwithstanding the age requirement stated therein. For purposes of this subdivision, the amount of excess contributions by the member shall not be included in determining the monthly allowance.

Sec. 17. Minnesota Statutes 1976, Section 422A.18, Subdivision 2, is amended to read:

Subd. 2. The amount of disability allowance under this section shall be the amount of service allowance to which the employee would be entitled under section 422A.15, notwithstanding the age requirements expressed therein; or the lesser of the following amounts; 50 percent of the final average compensation, or an amount equal to two percent of final average compensation for each year of allowable service for the first ten years, and thereafter 2.5 percent of final average compensation per year of allowable service, including in the latter assumed service between the date the disability occurred and the 60th birthday of the employee.

(IF, AT THE END OF ANY FISCAL YEAR, INTEREST IS ALLOCATED TO THE DISABILITY BENEFIT FUND, AT A RATE GREATER THAN THE RATE SPECIFIED IN SECTION 422A.06, SUBDIVISION 5, CLAUSE (A), THE AMOUNT OF ANY BENEFITS PAYABLE FROM SUCH FUND THAT WERE IN EFFECT AT THE END OF THE

PREVIOUS FISCAL YEAR, SHALL BE INCREASED BY THE DIFFERENCE BETWEEN THE TWO RATES OF INTEREST). *If the amount of annuity payable from the Minnesota adjustable fixed benefit fund to any class of annuitants is adjusted pursuant to section 11.25, subdivision 12, the amount of benefits payable from the disability benefit fund for that class of annuitants shall also be adjusted at the same time and rate.*

Sec. 18. Minnesota Statutes 1976, Section 422A.23, Subdivision 7, is amended to read:

Subd. 7. If the contributing member dies after having been in the service of the city 20 or more years, and before the effective date of retirement, as determined by the retirement board, such board shall pay a monthly allowance for life to the designated beneficiary of such employee(, PROVIDING SUCH EMPLOYEE PRIOR TO THE DATE OF HIS DEATH FILED A WRITTEN REQUEST THEREFOR WITH THE BOARD ON FORMS PROVIDED BY SUCH BOARD). The monthly allowance herein provided for shall be the actuarial equivalent of a single life service allowance specified in section 422A.15, which would have been payable to the employee on the date of his death, notwithstanding the age requirement stated therein. For purposes of this section, the amount of excess contributions by the member shall not be included in the calculations in determining the monthly allowance. (PERSONS RECEIVING SURVIVOR BENEFITS PURSUANT TO THE PROVISIONS OF THIS SUBDIVISION ON THE EFFECTIVE DATE OF THIS ACT, SHALL RECEIVE AN INCREASE OF 35 PERCENT OF THE MONTHLY BENEFITS THEY ARE THEN RECEIVING.)

Sec. 19. Minnesota Statutes 1976, Section 422A.23, is amended by adding a subdivision to read:

Subd. 10. If the amount of annuity payable from the Minnesota adjustable fixed benefit fund to any class of annuitants is adjusted pursuant to section 11.25, subdivision 12, the amount of benefits payable from the survivor's benefit fund pursuant to subdivisions 7 or 8 for that class of annuitants shall also be adjusted at the same time and rate.

Sec. 20. Minnesota Statutes 1976, Chapter 422A, is amended by adding a section to read:

[422A.30] [MINNEAPOLIS MUNICIPAL EMPLOYEES RETIREMENT FUND COORDINATED PROGRAM.] *There shall be established effective July 1, 1979, a coordinated retirement program within the Minneapolis municipal employees retirement fund for employees of the contributing class who are covered by any agreement or modification made between the state and the secretary of health, education and welfare, making*

the provisions of the federal old age, survivors and disability insurance act applicable to such employees.

Sec. 21. Minnesota Statutes 1976, Chapter 422A, is amended by adding a section to read:

[422A.31] [COORDINATED PROGRAM CONTRIBUTIONS.] *Subdivision 1. [EMPLOYEE CONTRIBUTIONS.] The employee contribution for a coordinated employee shall be an amount equal to four percent of total salary. These contributions shall be made by deduction from salary in the manner provided in section 422A.12, subdivision 1. Where any portion of a member's salary is paid from other than public funds, such member's employee contributions shall be based on the total salary received from all sources.*

Subd. 2. [EMPLOYER CONTRIBUTION.] The employer contribution shall be an amount equal to the employee contribution under subdivision 1. The contribution shall be made from funds available to the employer from the collection of taxes or other revenue.

Subd. 3. [EMPLOYER ADDITIONAL CONTRIBUTION.] An additional employer contribution shall be made in an amount equal to one and one-half percent of the total salary of each coordinated employer. The contribution shall be made from funds available to the employer from the collection of taxes or other revenue.

Subd. 4. [EMPLOYER FINANCING.] The estimated amount of the employer contributions required under subdivisions 2 and 3 shall be added to the itemized statement of the financial requirements of the retirement fund prepared pursuant to section 422A.08, subdivision 2.

Sec. 22. Minnesota Statutes 1976, Chapter 422A, is amended by adding a section to read:

[422.32] [COORDINATED RETIREMENT ANNUITY.] *Subdivision 1. [UNREDUCED RETIREMENT ANNUITY.] Upon separation from service, any coordinated employee who has attained the age of at least 65 years and who has received credit for not less than ten years of service is entitled upon application to a retirement annuity, which shall be known as the normal coordinated retirement annuity. Upon separation from service, any coordinated employee who has attained the age of at least 62 years and who has received credit for not less than 30 years of service is entitled upon application to a retirement annuity equal to the normal coordinated retirement annuity without any reduction in annuity by reason of early retirement.*

Subd. 2. [REDUCED RETIREMENT ANNUITY.] Upon separation from service, any coordinated employee who has attained the age of at least 55 years and who has received credit for not less than ten years of service, or who has received credit for not less than 30 years of service regardless of age, is entitled upon application to a retirement annuity in an amount equal to the normal coordinated retirement annuity reduced by one-half of one percent for each month that a coordinated employee is under age 65 to and including age 60 and reduced by one-fourth of one percent for each month under age 60 at the time of retirement; provided however that for any coordinated employee who has received credit for 30 or more years of service who applies for a retirement annuity, such reduction shall be applied for each month that the coordinated employee is under age 62 at the time of retirement.

Subd. 3. [AVERAGE SALARY.] Average salary for purposes of calculating the normal coordinated retirement annuity pursuant to subdivision 4 shall mean the arithmetic average annual salary, wages or compensation upon which contributions have been made for any five calendar years out of the last ten calendar years of service, which may include the year in which the coordinated employee retires, as selected by the coordinated employee.

Subd. 4. [COORDINATED RETIREMENT ANNUITY FORMULA.] The average salary multiplied by one percent for each year of coordinated service for the first ten years and thereafter by 1.5 percent per year of coordinated service and completed months less than a full year shall determine the amount of the normal coordinated retirement annuity.

Subd. 5. [RETIREMENT BEFORE ELIGIBILITY FOR SOCIAL SECURITY BENEFITS.] Any coordinated employee who retires before becoming eligible for social security benefits may elect to receive a retirement annuity from the fund in an amount greater than the annuity computed on the basis of age at retirement provided in subdivision 4. This option shall be exercised by making application to the board of trustees. This greater amount shall be the actuarial equivalent of the normal coordinated retirement annuity computed on the basis of age at retirement. This greater amount shall be paid until the annuitant reaches the age of 62, at which time the payment from the association shall be reduced. The method of computing an annuity under this subdivision shall be determined by an approved actuary.

Sec. 23. Minnesota Statutes 1976, Chapter 422A, is amended by adding a section to read:

[422A.33]. [REFUNDS AFTER DEATH OF ACTIVE OR FORMER EMPLOYEE.] *Subdivision 1. [SURVIVOR BENE-*

FITS.] *Except as provided in subdivisions 2, 3, 4 and 5, and section 25, subdivision 3, of this act, there shall be no survivor benefits payable to the surviving spouse or dependent child or children of any deceased coordinated employee from the fund.*

Subd. 2. [DEATH BEFORE RETIREMENT: REFUND.] *If a coordinated employee or former coordinated employee dies prior to retirement or prior to receipt of any retirement annuity or other payment which is or may be payable, a refund shall be paid to his designated beneficiary, or if there is none, to his surviving spouse, or, if none, to the legal representative of his estate. The refund shall be in an amount equal to the coordinated employees' accumulated contributions plus interest as provided in section 422A.12, less the sum of any benefits that may have been paid by the fund.*

Subd. 3. [SURVIVOR SPOUSE OPTIONAL ANNUITY.] *If a coordinated employee who has attained the age of at least 55 years and has credit for not less than 20 years of service dies before service has terminated, or if a coordinated employee who has filed a valid application for an annuity or disability benefit prior to termination of public service dies before the annuity or benefit has become payable, notwithstanding any designation of beneficiary to the contrary, the surviving spouse may elect to receive, in lieu of a refund with interest provided in subdivision 2, an annuity equal to an option III annuity pursuant to section 422A.17 which the member could have qualified for on the date of death computed pursuant to section 22 of this act. The annuity shall cease with the last payment received by the surviving spouse in his or her lifetime. An amount equal to the excess, if any, of the accumulated contributions which were credited to the account of the deceased coordinated employee over and above the total of the annuities paid or payable to the surviving spouse shall be paid to the deceased coordinated employee's last designated beneficiary or, if none, to the legal representative of the estate of the deceased employee. Any coordinated employee may request in writing that this subdivision not apply and that payment be made only to the designated beneficiary as otherwise provided in this chapter.*

Subd. 4. [DEATH AFTER RETIREMENT: REFUND.] *If a former coordinated employee dies after retirement and no payment of any kind is or may become payable to any person, including any deferred benefit or annuity, there shall be paid to the same succession of payees set forth in subdivision 2, a refund of his accumulated deductions, less the total payments of all kinds made by the fund to the former coordinated employee during his lifetime or to any authorized person after his death, without interest.*

Subd. 5. [OPTIONAL SURVIVOR ANNUITY CASES; DESIGNATED BENEFICIARY.] *If a former coordinated employee selected an optional annuity by the terms of which an op-*

tional survivor's annuity was paid to a survivor after his death, upon the death of the survivor there shall be paid to the former coordinated employee's designated beneficiary a refund of his accumulated deductions less the total payments of all kinds made by the fund to the former coordinated employee during his lifetime or to any authorized person after his death. If said beneficiary should die before making application for such refund, the same shall be paid to the legal representative of the estate of the former coordinated employee.

Sec. 24. Minnesota Statutes 1976, Chapter 422A, is amended by adding a section to read:

[422A.34] [TOTAL AND PERMANENT DISABILITY BENEFITS.] *Subdivision 1. [AGE, SERVICE AND SALARY REQUIREMENTS.] Any coordinated employee who becomes totally and permanently disabled with ten years of service before age 50 or with five years of service after age 50, but before age 65, shall be entitled to a disability benefit in an amount provided in subdivision 3. If such disabled coordinated employee's service has terminated at any time, at least five years of service are required to have been rendered since last becoming an employee of the contributing class. A coordinated employee whose average salary is less than \$75 per month shall not be entitled to a disability benefit.*

Subd. 2. [APPLICATIONS AND DETERMINATION OF DISABILITY.] The application for disability benefits by a coordinated employee under this section shall be made in accordance with the provisions of section 422A.14. The determination of disability shall be made pursuant to section 422A.18.

Subd. 3. [COMPUTATION OF BENEFITS.] A coordinated employee's total and permanent disability benefit shall be an amount equal to the normal retirement annuity payable to the coordinated employee pursuant to section 22 of this act based on service credited to the date of disability notwithstanding the age and service requirements specified in that section.

Sec. 25. Minnesota Statutes 1976, Chapter 422A, is amended by adding a section to read:

[422.35] [COMPUTATION OF BENEFITS WITH PARTIAL SERVICE AS COORDINATED EMPLOYEE.] *Subdivision 1. [RETIREMENT BENEFITS.] Any coordinated employee who has credited service prior to July 1, 1979 shall be entitled to receive a retirement allowance when otherwise qualified, the calculation of which shall utilize the formula specified in section 422A.15 for that portion of credited service which was served prior to July 1, 1979 and the formula specified in section 22 of this act for the remainder of credited service, both applied to the average salary as specified in section 22, subdivision 3,*

of this act. The formula percentages to be used in calculating the coordinated portion of a retirement allowance on coordinated service under this section shall recognize the coordinated service as a continuation of any service prior to July 1, 1979.

Subd. 2. [DISABILITY BENEFITS.] Any coordinated employee who has service prior to July 1, 1979 and who has or would otherwise have sufficient credited service prior to January 1, 1984, to meet the minimum service requirements for a disability benefit under section 422A.18 shall retain eligibility to apply when otherwise qualified for that disability benefit in lieu of the disability benefit provided by section 24 of this act until July 1, 1983, notwithstanding coverage by the coordinated program.

Subd. 3. [SURVIVOR BENEFITS.] The surviving spouse, or if there is no surviving spouse, the guardian of any surviving children of any coordinated employee who had credited service prior to July 1, 1979 and who has or would otherwise have sufficient credited service prior to December 31, 1980, to meet the minimum service requirements for survivor benefits under section 422A.23 shall retain eligibility to apply when otherwise qualified for those survivor benefits in lieu of the survivor benefits provided by section 23 of this act until January 1, 1981, notwithstanding coverage by the coordinated program.

Sec. 26. Minnesota Statutes 1976, Chapter 422A, is amended by adding a section to read:

[422A.39] [ADMINISTRATION OF COORDINATED PROGRAM.] *Subdivision 1. [ADMINISTRATIVE PROVISIONS.] The provisions of sections 422A.01 to 422A.25 relating to the administration of the fund shall govern the administration of the coordinated program in all instances where not inconsistent with the provisions of sections 20 to 27 of this act, including but not limited to, provisions relating to deferred annuities and refunds of employee contributions to members upon termination of active service. The employee contributions, employer contributions and other amounts authorized by law attributable to the coordinated program including all employee and employer contributions of members transferred to the coordinated program shall be deposited in the deposit accumulation fund, and no portion shall be deposited in the survivor benefit fund or disability benefit fund.*

Subd. 2. [ACTUARIAL VALUATIONS.] Whenever the Minneapolis municipal employees retirement fund shall make an actuarial valuation after July 1, 1979 as required by section 356.215, it shall include a finding of the condition of the fund showing separately the basic and coordinated programs and indicating the level normal cost, accrued liability, assets, unfunded accrued liability, contribution required to meet the interest at

the assumed rate on the unfunded accrued liability, and the contribution required to amortize the unfunded accrued liability by the date specified in section 356.215, subdivision 4, clause (7), and by the year 2017 for each program.

Sec. 27. [EFFECTIVE DATE.] *This act is effective July 1, 1977.*"

Further, amend the title as follows:

Page 1, line 2, delete "Minnesota" and insert "Minneapolis".

Page 1, line 3, delete "new employees into the".

Page 1, delete lines 4 to 7 and insert "miscellaneous amendments; establishment of a coordinated program; amending Minnesota Statutes 1976, Sections 422A.01, by adding subdivisions; 422A.06, Subdivision 6; 422A.08, Subdivisions 2 and 5; 422A.09, Subdivision 3; 422A.16, by adding a subdivision; 422A.18, Subdivision 2; 422A.23, Subdivision 7, and by adding a subdivision; and Chapters 355, by adding sections; and 422A, by adding sections."

With the recommendation that when so amended the bill pass.

The report was adopted.

Sieben, H., from the Committee on Governmental Operations to which was referred:

H. F. No. 906, A bill for an act relating to unemployment compensation; providing for the assignment of veterans employment representatives; amending Minnesota Statutes 1976, Section 268.14, by adding a subdivision.

Reported the same back with the recommendation that the bill pass.

The report was adopted.

Sieben, H., from the Committee on Governmental Operations to which was referred:

H. F. No. 908, A bill for an act relating to the city of White Bear Lake; firemen's service pensions and disability benefits; amending Laws 1971, Chapter 214, Section 1.

Reported the same back with the recommendation that the bill pass and be placed on the Consent Calendar.

The report was adopted.

Sieben, H., from the Committee on Governmental Operations to which was referred:

H. F. No. 952, A bill for an act relating to courts; sixth judicial district; authorizing the position of domestic relations referee in St. Louis county; amending Minnesota Statutes 1976, Chapter 484, by adding a section.

Reported the same back with the following amendments:

Page 2, after line 30, insert a new section as follows:

“Sec. 2. All actions of the St. Louis county domestic relations referee appointed pursuant to an order of the judges of the 6th judicial district dated December 24, 1974 are hereby ratified and confirmed.”

Renumber the remaining section.

With the recommendation that when so amended the bill pass.

The report was adopted.

Sieben, H., from the Committee on Governmental Operations to which was referred:

H. F. No. 1004, A bill for an act relating to worker's compensation; including legislators in coverage; requiring owners to elect non-coverage; increasing benefit levels; vesting certain benefits; excluding certain employment; regulating attorney's fees; providing for depending surviving spouses; providing for supplemental benefits; altering notice requirements; providing for adjustments to benefit payments; amending Minnesota Statutes 1976, Sections 176.011, Subdivisions 9 and 11a; 176.012; 176.021, Subdivision 3; 176.041, Subdivision 1; 176.051; 176.081, Subdivisions 1 and 2; 176.101; 176.111, Subdivisions 11 and 21; 176.132, Subdivision 1; 176.141; 176.215, by adding a subdivision; 176.221, Subdivision 1; 176.511, Subdivision 3; 176.645; and Chapter 176, by adding a section; repealing Minnesota Statutes 1976, Sections 79.30 and 176.185, Subdivision 8.

Reported the same back with the following amendments:

Page 2, line 15, after “corporation” insert *“except an officer of a family farm corporation as defined in section 500.24, subdivision 1, clause (c)”*.

Page 3, line 32, strike “worker's compensation court of”.

Page 4, line 1, strike “appeals” and insert *“trier of fact”*.

Page 4, after line 2, insert:

“(12) A voluntary uncompensated worker, accepted by the director of the Minnesota historical society, rendering services as a volunteer, pursuant to chapter 138, shall be an employee. The daily wage of the worker, for the purposes of calculating compensation payable under chapter 176, shall be the usual going wage paid at the time of injury or death for similar services where such services are performed by paid employees.”

Page 4, line 4, strike “worker’s compensation”.

Page 4, line 5, strike “court of appeals” and insert “*trier of fact*”.

Page 4, line 14, strike “members of the employer’s immediate family” and insert “*any spouse, parent or child, regardless of age, of a farmer employed by the farmer, or any executive officer of a family farm corporation as defined in section 500.24, subdivision 1, or any spouse, parent or child, regardless of age, of such an officer employed by that family farm corporation,*”.

Page 4, delete lines 19 to 22.

Page 4, line 28, strike “including” and insert “*executive officer of a family farm corporation as defined in section 500.24, subdivision 1, clause (c), and the spouse, parent, and child, regardless of age, of the farm owner or farm owners or executive officer and working therefor, or*”.

Page 4, line 31, strike “or”.

Page 4, line 31, after “partners” insert “*or corporation*”.

Page 4, line 32, strike “come” and insert “*bring themselves, an executive officer, or a spouse, parent, or child*”.

Page 5, line 4, strike “or” and insert a comma.

Page 5, line 4, after “partners” insert “*or corporations*”.

Page 6, line 18, after “compensation.” insert “*In the event that an employee’s death is not compensable under this chapter,*”.

Page 6, line 20, after “dependents” insert “*under this chapter*” and after “or” insert “*, if none, in his*” and delete “of”.

Page 6, line 21, delete “injury” and insert “*such disability can be ascertained*”.

Page 7, line 4, strike the comma and insert “; *partners engaged in any farm operation and the spouses, parents, and children, regardless of age, of any of the partners;*”.

Page 7, line 5, delete “*an active operator of a family farm corporation*”.

Page 7, delete the new language in lines 6 to 10, and insert: “*any spouse, parent, or child, regardless of age, of an executive officer of a family farm corporation as defined in section 500.24, subdivision 1, employed by that family farm corporation;*”.

Page 8, line 5, strike “a family farm” and insert “*any farm operation*” and delete the new language.

Page 8, lines 14 to 17, reinstate the stricken language.

Page 8, line 18, strike “a family farm” and insert “*any farm operation*” and delete the new language.

Page 8, line 19, delete “*corporation*”.

Page 8, line 22, after the period insert “*For purposes of this section, farm worker shall not include any spouse, parent or child, regardless of age, of any farmer or of any partner in a farm operation or of any officer of a family farm corporation as defined in section 500.24, subdivision 1, nor shall it include other farmers in the same community or members of their family exchanging work with the farmer employer or family farm corporation operation.*”.

Page 8, line 32, delete the new language.

Page 9, line 13, after “and” insert “*up to*”.

Page 9, line 26, delete the new language and strike “in charge of worker’s compensation”.

Page 10, after line 2, insert new sections:

“Sec. 9. Minnesota Statutes 1976, Section 176.081, Subdivision 3, is amended to read:

Subd. 3. An employee who is dissatisfied with his attorney fees, may file an application for review by the (DEPUTY) commissioner of the department of labor and industry (IN CHARGE OF WORKER’S COMPENSATION). Such application shall state the basis for the need of review and whether or not a hearing is requested. A copy of such application shall be served upon the attorney for the employee by the deputy and if a hearing is requested by either party, the matter shall be set for hearing.

The notice of hearing shall be served upon known interested parties. The attorney for the employee shall be served with a notice of the hearing. The (DEPUTY) commissioner of the department of labor and industry (IN CHARGE OF WORKER'S COMPENSATION) shall have the authority to raise the question of the issue of the attorney fees at any time upon his own motion and shall have continuing jurisdiction over attorney fees.

Sec. 10. Minnesota Statutes 1976, Section 176.081, Subdivision 4, is amended to read:

Subd. 4. The review of a determination by the (DEPUTY) commissioner of the department of labor and industry (IN CHARGE OF WORKER'S COMPENSATION) shall be only by supreme court by certiorari upon the ground that it is arbitrary and unwarranted by the evidence. There shall be no review under sections 176.421 and 176.442.

Sec. 11. Minnesota Statutes 1976, Section 176.081, Subdivision 6, is amended to read:

Subd. 6. The (DEPUTY) commissioner of the department of labor and industry (IN CHARGE OF WORKER'S COMPENSATION) may prescribe reasonable and proper rules and regulations to effect his and the division's obligations under this section without regard to the joint prescription required under section 175.17, subdivision 3."

Page 10, line 13, delete "*January 1, 1978*" and insert "*October 1, 1977*".

Page 10, line 14, delete "*not*".

Page 10, line 15, delete "*less than*".

Page 10, line 16, delete "*June 30, 1977*" and insert "*December 31, 1976*".

Page 10, line 18, delete "*not*".

Page 10, line 19, delete "*less than*".

Page 10, line 20, delete "*June 30, 1978*" and insert "*December 31, 1977*".

Page 10, line 22, delete "*not*".

Page 10, line 23, delete "*less than*".

Page 10, line 24, delete "*June 30, 1979*" and insert "*December 31, 1978*".

Page 10, line 27, delete "not less than".

Page 10, line 28, delete "for the period ending June 30" and insert "as calculated on or before July 1".

Page 15, delete lines 21 to 32.

Page 16, delete lines 1 to 14 and insert:

"(40) For permanent partial disability resulting from injury to any internal organ, including the heart, 66 2/3 percent of the daily wage at time of injury for that proportion of 500 weeks which is *the proportionate amount of permanent partial disability caused to the entire body by the injury and (REPRESENTED BY THE PERCENTAGE OF SUCH PERMANENT PARTIAL DISABILITY AS)* is determined from competent testimony adduced at a hearing before a compensation judge, a commissioner, or the worker's compensation court of appeals;"

Page 21, after line 27, insert new sections:

"Sec. 13. Minnesota Statutes 1976, Section 176.111, Subdivision 1, is amended to read:

176.111 [DEPENDENTS, ALLOWANCES.] Subdivision 1. [PERSONS WHOLLY DEPENDENT, PRESUMPTION.] For the purposes of this chapter the following persons are conclusively presumed to be wholly dependent:

((A) WIFE, UNLESS IT BE SHOWN THAT SHE WAS VOLUNTARILY LIVING APART FROM HER HUSBAND AT THE TIME OF HIS INJURY OR DEATH;)

((B)) children under 18 years of age, or a child under the age of 21 who is regularly attending as a full time student at a high school, college, or university, or regularly attending as a full time student in a course of vocational or technical training.

Sec. 14. Minnesota Statutes 1976, Section 176.111, Subdivision 6, is amended to read:

Subd. 6. [(WIDOW) SPOUSE, NO DEPENDENT CHILD.] If the deceased employee leave a (WIDOW) *dependent surviving spouse* and no dependent child, there shall be paid to the (WIDOW) *dependent surviving spouse* 50 percent of the daily wage at the time of the injury of the deceased."

Page 23, line 11, delete "who are not".

Page 23, line 12, delete "being supported by" and insert "if the support of such children is not the responsibility of".

Page 23, delete Section 12.

Page 24, after line 12, insert new sections to read:

"Sec. 18. Minnesota Statutes 1976, Section 176.132, Subdivision 2, is amended to read:

Subd. 2. [AMOUNT.] (a) The supplementary benefit payable under this section shall be the difference between the amount the employee receives on or after January 1, 1976, under section 176.101, subdivision 1 or subdivision 4, and (50) 60 percent of the statewide average weekly wage as computed annually.

(b) In the event an eligible recipient is currently receiving no compensation or is receiving a reduced level of compensation because of a credit being applied as the result of a third party liability or damages, the employer or insurer shall compute the offset credit as if the individual were entitled to the actual benefit or (50) 60 percent of the statewide average weekly wage as computed annually, whichever is greater. If this results in the use of a higher credit than otherwise would have been applied and the employer or insurer becomes liable for compensation benefits which would otherwise not have been paid, the additional benefits resulting shall be handled according to this section.

(c) In the event an eligible recipient is receiving no compensation or is receiving a reduced level of compensation because of a valid agreement in settlement of a claim, no supplementary benefit shall be payable under this section.

(d) In the event an eligible recipient is receiving no compensation or is receiving a reduced level of compensation because of prior limitations in the maximum amount payable for permanent total disability or because of reductions resulting from the simultaneous receipt of old age or disability benefits, the supplementary benefit shall be payable for the difference between the actual amount of compensation currently being paid and (50) 60 percent of the statewide average weekly wage as computed annually.

(e) In the event that an eligible recipient is receiving simultaneous benefits from any government disability program, the amount of supplementary benefits payable under this section shall be reduced by five percent.

Sec. 19. Minnesota Statutes 1976, Section 176.132, Subdivision 3, is amended to read:

Subd. 3. [PAYMENT.] The payment of supplementary benefits shall be the responsibility of the employer or insurer

currently paying total disability benefits, or any other payer of such benefits. When the eligible individual is not currently receiving benefits because the total paid has reached the maximum prescribed by law (PRIOR TO MARCH 1, 1974, THEN SUPPLEMENTARY BENEFITS WILL BE PAID DIRECTLY TO THE INDIVIDUAL BY THE ADMINISTRATORS OF THE SPECIAL COMPENSATION FUND) *the employer and insurer shall, nevertheless, pay the supplementary benefits that are prescribed by law.* The employer or insurer paying the supplementary benefit shall have the right of full reimbursement from the special compensation fund for the amount of such benefits paid.”.

Page 24, line 27, reinstate the stricken “within” and after the stricken “90” insert “180” and reinstate the stricken “days” and delete the new language.

Page 24, line 28, delete the new language.

Page 25, line 4, reinstate the stricken language.

Page 25, line 5, reinstate the stricken “knowledge is obtained or written notice given within” and after the stricken “90” insert “180” and reinstate the stricken “days”.

Page 25, lines 6 and 7, reinstate the stricken language.

Page 25, after line 7, insert:

“Sec. 21. Minnesota Statutes 1976, Section 176.155, Subdivision 1, is amended to read:

176.155 [EXAMINATIONS.] Subdivision 1. [EMPLOYER'S PHYSICIAN.] The injured employee must submit himself to examination by the employer's physician, if requested by the employer, and at reasonable times thereafter upon the employer's request. The employee is entitled upon request to have his own physician present at any such examination. Each party shall defray the cost of his own physician. *Any report or written statement made by the employer's physician as a result of an examination of the employee, regardless of whether the examination preceded the injury or was made subsequent to the injury, shall be made available, upon request and without charge, to the injured employee or his representative.”.*

Page 25, lines 19 to 32, delete Section 16 and insert a new section:

“Sec. 23. Minnesota Statutes 1976, Section 176.221, is amended by adding a subdivision to read:

Subd. 7. Any payment of compensation not made when due shall bear interest at the rate of eight percent per annum from the due date to the date the payment is made.”.

Page 26, line 23, reinstate the old language and delete the new.

Page 26, line 24, delete "and 6".

Page 27, after line 7, insert a new section to read:

"Sec. 26. Minnesota Statutes 1976, Section 79.30, is amended to read:

79.30 [SUBROGATION UPON INSOLVENCY.] The rating bureau shall be subrogated to the rights of the employee, or his dependents, as against the (EMPLOYER AND HIS) *employer's worker's compensation insurance* carrier, to the extent of payments made by the rating bureau under the provisions of sections 79.28 to 79.32 and shall take such legal proceedings as it shall deem necessary or advisable to recover thereon, and all sums so recovered shall constitute an additional fund for payment of these awards until the same are paid in full. *The rating bureau shall not be subrogated to the rights of the employee, or his dependents, if any, as against the employer. In such a proceeding against an insolvent carrier, the rating bureau shall have first priority in payment from the assets of the insolvent insurer.*"

Page 27, line 8, delete "79.30" and insert "176.111, Subdivision 13".

Renumber the sections in sequence.

Further amend the title:

Line 9, after "requirements;" insert "providing for the distribution of physician's reports;"

Line 11, after "Sections" insert "79.30;"

Line 13, after "Subdivisions 1" delete "and" and insert a comma and after "2" insert ", 3, 4, and 6".

Line 14, after "Subdivisions" insert "1, 6,"

Line 15, delete "Subdivision" and insert "Subdivisions" and after "1" insert ", 2, and 3".

Line 15, after "176.141;" insert "176.155, Subdivision 1;"

Line 16, after "176.221," delete "Subdivision 1" and insert "by adding a subdivision".

Line 17, delete "and Chapter 176, by adding".

Line 18, delete "a section;"

Line 19, delete "79.30" and insert "176.111, Subdivision 13;"

With the recommendation that when so amended the bill pass.

The report was adopted.

Sieben, H., from the Committee on Governmental Operations to which was referred:

H. F. No. 1040, A bill for an act relating to finance; deleting obsolete provisions; changing and clarifying cross-references; codifying certain provisions formerly in session laws; appropriating money; amending Minnesota Statutes 1976, Sections 12.24, Subdivision 2; 15.50, Subdivision 5; 16.172; 16.80, Subdivision 1; 16A.17, Subdivision 9; 18.69; 43.43, Subdivision 2; 121.48, Subdivision 2; 124.212, Subdivision 19; 136.11, Subdivision 5; 136.144; 136.37; 136.55, Subdivision 2; and Chapter 243, by adding a section; repealing Minnesota Statutes 1976, Sections 16.026, Subdivision 5; and 16A.05; and Laws 1945, Chapter 575, Sections 19 and 21.

Reported the same back with the following amendments:

Page 6, after line 10, insert:

"Sec. 5. Minnesota Statutes 1976, Section 16A.126, is amended to read:

16A.126 [COMMISSIONER TO APPROVE BILLING RATES FOR REVOLVING FUNDS.] The commissioner of finance shall approve the rates at which services are billed state departments or agencies by any revolving fund. *In order to reduce revolving fund reserves maintained for unforeseen needs and thereby reduce the rates which using agencies must pay, the commissioner may transfer moneys not otherwise appropriated in the general fund to a revolving fund if, in the commissioner's judgment, a bona fide, immediate expenditure is necessary and if there are insufficient moneys in the revolving fund to meet the expenditure. Any moneys so transferred, shall be repaid to the general fund within two calendar years from the revolving fund charges paid by benefited state departments and agencies.*"

Page 6, after line 22, insert:

"Sec. 7. Minnesota Statutes 1976, Chapter 16A, is amended by adding a section to read:

[16A.73] [STATE AIR TRAVEL ACCOUNT.] *The commissioner of finance may contract with any airline company*

regularly engaged in carrying passengers on scheduled flights in interstate commerce for the establishment of an air travel account for the state, subject to terms and conditions as may be necessary and proper to facilitate air travel by officers and employees of the state, and may deposit in the account not more than \$500.

Sec. 8. [BALANCE TRANSFERRED.] *The balance in the state air travel account now maintained by the commissioner of administration and repealed by this act is transferred to the commissioner of finance for the air travel account created by this act."*

Page 11, line 9, after "Sections" insert "16.02, Subdivision 21;".

Renumber the sections in sequence.

Further, amend the title.

Line 3, after the semicolon insert "authorizing commissioner of finance to transfer money to revolving funds in certain cases; transferring air travel account from commissioner of administration to commissioner of finance;".

Line 8, after "1;" insert "16A.126;".

Line 11, delete "Chapter" and insert "Chapters 16A, by adding a section, and".

Line 13, after "Sections" insert "16.02, Subdivision 21;".

With the recommendation that when so amended the bill pass.

The report was adopted.

Sieben, H., from the Committee on Governmental Operations to which was referred:

H. F. No. 1098, A bill for an act relating to workers' compensation; authorizing coverage for owners of a business; including family farms and family farm corporations; amending Minnesota Statutes 1976, Sections 176.011, Subdivisions 9 and 11a; 176.012 and 176.051.

Reported the same back with the following amendments:

Page 2, line 10, delete "a farm corporation or".

Page 4, lines 10 to 14, delete all the new language and insert "spouse, parent or child, regardless of age, of a farmer employed

by the farmer, or any executive officer of a family farm corporation as defined in section 500.24, subdivision 1, or any spouse, parent or child, regardless of age, of such an officer employed by that family farm corporation”.

Page 4, line 26, after “owner” insert “or farm owners”.

Page 5, after line 9 insert:

“Sec. 4. Minnesota Statutes 1976, Section 176.041, Subdivision 1, is amended to read:

176.041 [EXCLUDED EMPLOYMENTS; APPLICATION, EXCEPTIONS.] Subdivision 1. [EMPLOYMENTS EXCLUDED.] This chapter does not apply to persons employed by any common carrier by railroad engaged in interstate or foreign commerce, which persons are covered by the Federal Employers' Liability Act (45 U.S.C. 51-60) or other comparable Federal law; persons employed by family farms *as defined by section 176.011, subdivision 11a*, spouses, parents and children, regardless of their age, of a farmer employer working for him (OR ON A FAMILY FARM CORPORATION AS DEFINED IN SECTION 500.24, SUBDIVISION 1, CLAUSE (C) OR OTHERWISE,); *partners engaged in any farm operation and the spouses, parents, and children, regardless of age, of any of the partners; any spouse, parent, or child, regardless of age, or an executive officer of a family farm corporation as defined in section 500.24, subdivision 1, employed by that family farm corporation; or other farmers or members of their families exchanging work with the farmer employer or family farm corporation operator in the same community, or persons whose employment at the time of the injury is casual, and not in the usual course of the trade, business, profession, or occupation of his employer; nor does it apply to officers or members of veteran's organizations whose employment relationship arises solely by virtue of attending meetings or conventions of their organization, unless such veteran's organizations elect by resolution to provide coverage under this chapter for such officers or members. Professional athletes under contract for hire are not subject to this chapter if a written consent not to be bound thereby, signed by the professional athlete and the employer is filed with the board. Neither shall the chapter apply to any person employed as a household worker in, for, or about, a private home or household who earns less than \$500 in cash in any three month period from a single private home or household provided that any household or casual worker who has earned \$500 or more from his present employer in any three month period within the previous year shall be covered by Laws 1975, Chapter 359 regardless of whether or not he has in the present quarter earned \$500.”.*

Renumber the remaining section.

Page 5, line 27, delete "*domestic servants*" and insert "*household workers*".

Page 5, line 32, delete "*domestic servants*" and insert "*household workers*".

Page 6, line 6, delete "*domestic servant*" and insert "*household worker*".

Page 6, delete lines 10 to 14.

Page 6, line 15, delete "*the employer*" and insert "*not include any spouse, parent or child, regardless of age, of any farmer or of any partner in a farm operation or of any officer of a family farm corporation as defined in section 500.24, subdivision 1, nor shall it include other farmers in the same community or members of their family exchanging work with the farmer employer or family farm coporation operator*".

Amend the title:

Line 4, after the semicolon insert "excluding certain persons;"

Line 6, after "176.012" insert "; 176.041, Subdivision 1;"

With the recommendation that when so amended the bill pass and be placed on the Consent Calendar.

The report was adopted.

Sieben, H., from the Committee on Governmental Operations to which was referred:

H. F. No. 1105, A bill for an act relating to the city of Eveleth; firemen's pensions; amending Laws 1935, Chapter 208, Section 11, as added and amended.

Reported the same back with the following amendments:

Page 1, line 21, after "200," insert "*or Laws 1976, Chapter 78,*".

Page 1, line 21, after "act." insert "*The amount of any increase payable under section 1 of this act shall be paid retroactive to January 1, 1977. The retroactive increase payments shall be included with the first monthly payment after the effective date of this act.*".

Page 1, after line 21, insert new sections:

Sec. 2. [COVERAGE BY THE PUBLIC EMPLOYEES POLICE AND FIRE FUND.] *Notwithstanding any provisions of law to the contrary, as of the effective date of this act, all active employees of the police department and the fire department of the city of Eveleth shall cease to be members of the Eveleth police relief association or the Eveleth firemen's relief association respectively, and shall cease to have any accrual of service credits, rights, or benefits from the respective relief associations. From and after the effective date of this act, all active members of the police and fire departments of the city of Eveleth shall be members of the public employees police and fire fund established pursuant to Minnesota Statutes, Sections 353.63 to 353.68.*

Sec. 3. [PURCHASE OF PRIOR SERVICE IN THE PUBLIC EMPLOYEES POLICE AND FIRE FUND.] *Any active employee who has pension coverage transferred from the local relief association to the public employees police and fire fund pursuant to section 2 of this act shall be entitled to receive credit in the public employees police and fire fund for any or all periods of service as either a police officer employed by the Eveleth police department or a firefighter employed by the Eveleth fire department. Service credit in the public employees police and fire fund for each active employee who elects to purchase prior service credit shall be granted upon receipt of an amount equal to that percentage of the required reserves which the assets of the public employees police and fire fund bear to the accrued liability of the fund as determined by the most recent actuarial valuation submitted to the legislative commission on pensions and retirement pursuant to Minnesota Statutes, Chapter 356, for the period or periods of service which the employee elects to purchase as calculated by the actuary of the public employees police and fire fund and certified by the board of trustees of the public employees retirement association. The amount required to make the purchase of prior service credit under this section shall be made by the active employee and the city of Eveleth in a lump sum prior to July 1, 1979, and shall be apportioned between the active employee and the city of Eveleth as the active employee and the city shall agree.*

Sec. 4. [REFUND OF EMPLOYEE CONTRIBUTIONS.] *Any active employee who has pension coverage transferred from a local relief association to the public employees police and fire fund pursuant to section 2 of this act shall be entitled upon making written application prior to November 1, 1978 to a refund of the employee's accumulated contributions. Acceptance of the refund by the active employee shall terminate all rights which the active employee has to any benefits from the respective local association.*

Sec. 5. [TRUST FUND FOR RELIEF ASSOCIATION BENEFICIARIES.] *Notwithstanding any law to the contrary, effective January 1, 1978, the special funds of the Eveleth police relief association and the Eveleth firemen's relief association*

shall be transferred to the city of Eveleth. The city of Eveleth, on the same date, shall transfer an amount equal to \$123,600 to a special account established by the city which shall be maintained separately as a trust fund for the exclusive benefit of the retired members of the Eveleth police relief association and the Eveleth firemen's relief association who were receiving benefits on the effective date of this act and their surviving spouses if otherwise entitled to benefits under the laws governing the respective former relief associations. The trust fund shall be managed by a board of trustees composed of three members, with one member selected by the retired members of the former firemen's relief association, one member selected by the retired members of the former police relief association, and one member selected by the city council. The term of the board shall be indefinite and shall continue until a vacancy shall occur in one of the positions on the board. The city of Eveleth shall perform whatever services are necessary to administer the trust fund. The balance of the trust fund shall not revert to the city of Eveleth until all obligations of the trust fund are paid. The benefit provisions of the Eveleth police relief association and the Eveleth firemen's relief association which were in effect as of the effective date of this act shall continue in force to govern the respective benefits paid out of the trust fund.

Sec. 6. [FINANCIAL REQUIREMENTS OF THE TRUST FUND.] Commencing January 1, 1978, the city of Eveleth shall provide by annual levy an amount sufficient when added to the investment income of the trust fund to pay the benefits provided under the trust fund for the succeeding year as certified by the board of trustees of the trust fund. The annual levy under this section shall not be included in any limitation as to rate or amount set by charter and shall be a special levy for purposes of Minnesota Statutes, Section 275.50, Subdivision 5. All revenues generated by the levy required under this section shall be transferred to the trust fund.

Sec. 7. [FINANCIAL REQUIREMENTS FOR ACTIVE MEMBERS.] The city of Eveleth shall make the employer contribution to the public employees police and fire fund as specified in Minnesota Statutes, Sections 353.63 to 353.68. Notwithstanding any contrary provisions of Minnesota Statutes, Chapter 69, any fire state aid or police state aid received by Eveleth may be allocated by the city council between the financial requirements set forth in section 6 of this act and this section. Amounts allocated for use in meeting the financial requirements under section 6 of this act shall reduce the levy required pursuant to that section.

Sec. 8. [AUTHORITY TO BOND TO ACCOMPLISH THE PURPOSES OF THIS ACT.] The city of Eveleth is hereby authorized to sell bonds in such amount as will provide the necessary funds to pay the employer's share of the purchase of prior service in the public employees police and fire fund pursuant to

section 3 of this act. The maturity of such bonds shall not be more than 15 years from the date of sale. The bonds may be issued and sold without a vote of the electorate and shall not be included in the net debt of the city for purposes of any charter or statutory debt limitation. Taxes for the payment of the bonds and interest thereon shall not be subject to any statutory or charter limitation on the rate or the amount.

Sec. 9. [TWO HARBORS FIREMEN'S PENSIONS; VALIDATION OF PREVIOUS PAYMENTS.] *All retroactive payments of service pension increases granted to retired members from the special fund of the Two Harbors volunteer firemen's relief association made prior to April 1, 1977 in accordance with the bylaws of the association are hereby deemed authorized."*

Renumber remaining section in sequence.

Page 1, line 22, after "effective" insert "*with respect to the city of Eveleth*".

Page 2, line 1, after "council" insert "*and with respect to the city of Two Harbors upon approval by the governing body of the city of Two Harbors*".

Further amend the title:

Line 2, delete "the city of Eveleth" and insert "retirement".

Line 3, after "pensions" insert "*in the city of Eveleth and Two Harbors*".

With the recommendation that when so amended the bill pass and be placed on the Consent Calendar.

The report was adopted.

Sieben, H., from the Committee on Governmental Operations to which was referred:

H. F. No. 1184, A bill for an act relating to the city of Lakeville; authorizing an increase in firemen's service pensions; amending Laws 1975, Chapter 125, Section 1.

Reported the same back with the recommendation that the bill pass and be placed on the Consent Calendar.

The report was adopted.

Sieben, H., from the Committee on Governmental Operations to which was referred:

H. F. No. 1187, A bill for an act relating to retirement; membership of Hennepin county soil and water conservation district employees in the public employees retirement association; amending Minnesota Statutes 1976, Chapter 353, by adding a section.

Reported the same back with the following amendments:

Page 1, line 13, delete "county".

Page 1, line 16, after "and" insert ", notwithstanding section 353.01, subdivision 6,".

Amend the title:

Line 3, delete "county".

With the recommendation that when so amended the bill pass and be placed on the Consent Calendar.

The report was adopted.

Sieben, H., from the Committee on Governmental Operations to which was referred:

H. F. No. 1307, A bill for an act relating to public safety; excepting certain personnel in the department of public safety from the requirement of reimbursing the state for the cost of using state-owned vehicles; amending Minnesota Statutes 1976, Section 16.753, Subdivision 2.

Reported the same back with the recommendation that the bill pass.

The report was adopted.

Sieben, H., from the Committee on Governmental Operations to which was referred:

H. F. No. 1364, A bill for an act relating to the attorney general; changing appointments; removing restrictions on assignment of deputy and assistant attorneys general; amending Minnesota Statutes 1976, Sections 8.02 and 268.12, Subdivision 5; repealing Minnesota Statutes 1976, Sections 8.023; 8.024; 8.026, and 84.025, Subdivision 6.

Reported the same back with the recommendation that the bill pass.

The report was adopted.

Sieben, H., from the Committee on Governmental Operations to which was referred:

H. F. No. 1474, A bill for an act relating to employment services; authorizing the release of information to certain state agencies; amending Minnesota Statutes 1976, Section 268.12, Subdivision 12.

Reported the same back with the recommendation that the bill pass and be placed on the Consent Calendar.

The report was adopted.

Sieben, H., from the Committee on Governmental Operations to which was referred:

H. F. No. 1487, A bill for an act relating to state lands; authorizing the conveyance by the state of certain lands in Steele county.

Reported the same back with the recommendation that the bill pass and be placed on the Consent Calendar.

The report was adopted.

Sieben, H., from the Committee on Governmental Operations to which was referred:

S. F. No. 709, A bill for an act relating to the Hennepin county municipal court; clarifying fee exclusions for governmental units; amending Minnesota Statutes 1976, Section 488A.03, Subdivision 11a.

Reported the same back with the following amendments:

Page 1, line 21, before the period add "*Any fees collected by Hennepin county pursuant to this subdivision shall be used to reduce the special levy authorized by section 275.50, subdivision 5, clause (d)*".

With the recommendation that when so amended the bill pass and be re-referred to the Committee on Taxes.

The report was adopted.

Swanson from the Committee on Health and Welfare to which was referred:

H. F. No. 59, A bill for an act relating to ambulance services; reimbursing volunteer ambulance attendants for training school

expenses; appropriating money; amending Minnesota Statutes 1976, Chapter 144, by adding a section.

Reported the same back with the following amendments:

Strike everything after the enacting clause and insert:

“Section 1. Minnesota Statutes 1976, Chapter 144, is amended by adding a section to read:

[144.808] [REIMBURSEMENT TO NONPROFIT AMBULANCE SERVICES.] *Subdivision 1. Any political subdivision, or nonprofit hospital or nonprofit corporation operating a licensed ambulance service shall be reimbursed by the state board of health for the necessary expense of the initial training of a volunteer ambulance attendant upon successful completion by the attendant of an emergency care course which has been approved by the state board of health, pursuant to section 144.804. Reimbursable expense may include tuition, transportation, food, lodging, hourly payment for time spent in the training course, and other necessary expenditures, except that in no instance shall a volunteer ambulance attendant be reimbursed more than \$210.*

Subd. 2. For purposes of this section, “volunteer ambulance attendant” means a person who provides emergency medical services for a licensed ambulance service without the expectation of remuneration and who does not depend in any way upon the provision of these services for the person’s livelihood. An individual may be considered a volunteer ambulance attendant even though that individual receives an hourly stipend for each hour of actual service provision, except for hours on standby alert, even though this hourly stipend is regarded as taxable income for purposes of state or federal law, provided that this hourly stipend does not exceed \$500 in the year in which the individual received his training.

Subd. 3. Reimbursements authorized by subdivision 1 shall only be paid for volunteer ambulance attendants commencing and completing training after July 1, 1977.

Sec. 2. [APPROPRIATION.] *For purposes of this act there is appropriated from the general fund to the state board of health \$ for the biennium ending June 30, 1979.”.*

Further amend the title as follows:

Page 1, line 2, after “reimbursing” insert “certain operators of licensed ambulance services for expenses of training”.

Page 1, line 3, delete “for training school”.

Page 1, line 4, delete “expenses” and insert “; defining “volunteer ambulance attendants” ”.

With the recommendation that when so amended the bill pass and be re-referred to the Committee on Appropriations.

The report was adopted.

Swanson from the Committee on Health and Welfare to which was referred:

H. F. No. 980, A bill for an act relating to public health; regulations for the preservation of public health; authorizing the state board of health to regulate the establishment, operation and maintenance of certain non-hospital clinical laboratories; amending Minnesota Statutes 1976, Section 144.12, Subdivision 1.

Reported the same back with the following amendments:

Page 4, line 15, delete "*non-hospital clinical laboratories, except a laboratory*".

Page 4, delete the new language in lines 16 to 24 and insert "*clinical laboratories not owned, or functioning as a component of a licensed hospital. These laboratories shall not include laboratories owned or operated by five or less licensed practitioners of the healing arts, unless otherwise provided by federal law or regulation, and in which these practitioners perform tests or procedures solely in connection with the treatment of their patients. Rules promulgated under the authority of this clause, which shall not take effect until federal legislation relating to the regulation and improvement of clinical laboratories has been enacted, may relate at least to minimum requirements for external and internal quality control, equipment, facility environment, personnel, administration and records. These rules may include the establishment of a fee schedule for clinical laboratory inspections*".

With the recommendation that when so amended the bill pass.

The report was adopted.

Swanson from the Committee on Health and Welfare to which was referred:

H. F. No. 1051, A bill for an act relating to public welfare; aid to families with dependent children, medical assistance, and supplemental aid; altering eligibility criteria; amending Minnesota Statutes 1976, Sections 256.73, Subdivision 2; 256B.06, Subdivision 1; and 256D.37, Subdivision 2.

Reported the same back with the following amendments:

Page 2, line 8, strike "and".

Page 4, line 25, strike "both excess".

Page 4, line 25, after "income" and before "and" insert "*in excess of 133 percent of the payments made to a family of the same size without any income or resources pursuant to sections 256.72 to 256.87*".

Page 4, line 27, before the semicolon insert "*. The commissioner of public welfare shall establish a schedule of contributions to be made by the spouse of a nursing home resident to the cost of care and shall seek a waiver from federal regulations which establish the amount required to be contributed by the spouse of a nursing home resident*".

Page 5, after line 29, insert a new section to read:

"Sec. 4. Minnesota Statutes 1976, Section 256B.14, is amended to read:

256B.14 [RELATIVE'S RESPONSIBILITY.] *Subject to the provisions of section 256B.06, the financial responsibility of a relative for an applicant or recipient of medical assistance shall not extend beyond the relationship of a spouse, or a parent of an applicant who is under 18 years of age.*"

Further amend the title:

Line 6, before "and" insert "256B.14;".

With the recommendation that when so amended the bill pass and be re-referred to the Committee on Appropriations.

The report was adopted.

Swanson from the Committee on Health and Welfare to which was referred:

H. F. No. 1054, A bill for an act relating to welfare; aid to families with dependent children; changing certain eligibility qualifications; amending Minnesota Statutes 1976, Sections 256.-73, Subdivisions 1, 2, 4, and by adding subdivisions; and 256.79.

Reported the same back with the recommendation that the bill pass.

The report was adopted.

Swanson from the Committee on Health and Welfare to which was referred:

H. F. No. 1498, A bill for an act relating to public welfare; mandating the working of certain general assistance recipients; allowing the use of general assistance funds for the work equity

program; empowering the commissioner of public welfare to contract for recipient services and grant distribution; amending Minnesota Statutes 1976, Sections 256D.02, by adding subdivisions; 256D.04; 256D.06, by adding a subdivision; and 256D.11, Subdivisions 1 and 4, and by adding subdivisions.

Reported the same back with the following amendments:

Page 4, line 16, delete "*work*" and insert "*program*".

Page 4, line 17, after "*such*" insert "*community project*".

Page 4, line 21, delete "*country*" and insert "*county*".

With the recommendation that when so amended the bill pass.

The report was adopted.

Berg from the Committee on Local and Urban Affairs to which was referred:

H. F. No. 323, A bill for an act relating to Dakota county; providing that the office of administrative assistant and any specialized position agreed to by the board and the sheriff shall be unclassified.

Reported the same back with the following amendments:

Page 1, line 10, before "office" insert "Dakota county board may create the".

Page 1, line 11, after "county" insert ", which".

Page 1, line 11, delete "Any specialized position in".

Page 1, delete lines 12 and 13 and insert the following:

"Sec. 2. Notwithstanding Minnesota Statutes, Section 387.33, Subdivision 2, or any other law to the contrary, in Dakota county, a sheriff's civil service commissioner may, while serving as a commissioner, hold other office or employment under said county, any city, the United States, the state of Minnesota, or any public corporation or political subdivision thereof, if said office or employment does not conflict with or compromise the impartiality of the commissioner in carrying out the duties, obligations and responsibilities imposed on him by law as a commissioner.

Sec. 3. Notwithstanding Minnesota Statutes, Section 387.34, or any other law to the contrary, in Dakota county a sheriff's civil service commissioner may be paid a per diem, to be set by

the board of county commissioners, and actual and necessary travel expenses for travel incurred in attending meetings of the commission.”.

Renumber the remaining section accordingly.

Further, amend the title as follows:

Page 1, line 3, delete “and any”.

Page 1, delete line 4, and insert “to”.

With the recommendation that when so amended the bill pass and be placed on the Consent Calendar.

The report was adopted.

Berg from the Committee on Local and Urban Affairs to which was referred:

H. F. No. 325, A bill for an act relating to county planning and zoning; providing for enforcement of certain subdivision regulations by providing for approval of conveyancing instruments by a county planning and zoning officer prior to recording; amending Minnesota Statutes 1976, Section 394.37, Subdivision 1.

Reported the same back with the following amendments:

Page 1, line 19, after “that” insert “some or”.

Page 1, line 20, after “estate” insert “, and all plats,”.

Page 1, line 20, delete “county planning and”.

Page 1, delete line 21.

Page 1, line 22, delete “board,” and insert “designated administrative officer as provided in section 394.29”.

Page 2, line 4, after “conveyance” insert “or plat”.

Page 2, line 4, after “recorder” insert “or county registrar of titles”.

Page 2, line 5, delete “county planning and zoning” and insert “designated administrative”.

Amend the title as follows:

Page 1, line 5, delete "a county planning and zoning" and insert "an administrative".

With the recommendation that when so amended the bill pass.

The report was adopted.

Berg from the Committee on Local and Urban Affairs to which was referred:

H. F. No. 578, A bill for an act relating to the city of Saint Paul; authorizing the city council to adopt rules permitting payroll deductions for nonprofit entities.

Reported the same back with the following amendments:

Page 1, delete line 13.

Page 1, delete line 14 to the period and insert "The city council shall not preclude a nonprofit entity from payroll deduction contributions when 50 or more city employees have petitioned for an entity to be eligible for payroll deduction contributions from them".

With the recommendation that when so amended the bill pass and be placed on the Consent Calendar.

The report was adopted.

Berg from the Committee on Local and Urban Affairs to which was referred:

H. F. No. 931, A bill for an act relating to Ramsey county; inserting the county ditch law into the Ramsey county code; amending Laws 1974, Chapter 435, by adding a section; repealing Laws 1974, Chapter 180.

Reported the same back with the recommendation that the bill pass and be placed on the Consent Calendar.

The report was adopted.

Berg from the Committee on Local and Urban Affairs to which was referred:

H. F. No. 989, A bill for an act relating to port authorities; increasing the compensation of commissioners for attending regular and special meetings; eliminating the annual limitation on such compensation; amending Minnesota Statutes 1976, Section 458.195, Subdivision 3.

Reported the same back with the recommendation that the bill pass and be placed on the Consent Calendar.

The report was adopted.

Berg from the Committee on Local and Urban Affairs to which was referred:

H. F. No. 1194, A bill for an act relating to the city of Marshall; authorizing the issuance of general obligation airport bonds.

Reported the same back with the following amendments:

Page 1, line 15, after "States" insert "and the state of Minnesota".

With the recommendation that when so amended the bill pass and be placed on the Consent Calendar.

The report was adopted.

Berg from the Committee on Local and Urban Affairs to which was referred:

H. F. No. 1376, A bill for an act relating to cities; establishing a city shared administrator program of grants to be administered by the state planning agency; appropriating money.

Reported the same back with the following amendments:

Page 1, line 11, before "cities" insert "home rule charter and statutory".

Page 1, line 20, delete "75" and insert "50".

Page 1, line 21, after the period insert "No group of cities under this program shall receive grants for more than three years."

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

Page 2, delete lines 12 to 16 and insert "The state planning agency may promulgate emergency rules pursuant to section 15.0412, subdivision 5, until formal rules are adopted.

Sec. 2. [REPORT TO THE GOVERNOR AND THE LEGISLATURE.] The state planning agency shall evaluate the effectiveness of the shared city administrator grants program and no later than January 15 of each of the years 1979 and 1980

shall report to the governor and the legislature with an evaluation of the program.”.

Renumber the remaining section accordingly.

With the recommendation that when so amended the bill pass and be re-referred to the Committee on Appropriations.

The report was adopted.

Berg from the Committee on Local and Urban Affairs to which was referred:

S. F. No. 827, A bill for an act relating to the city of Duluth; authorizing the establishment and administration of a city housing finance program and expenditures for the purpose; providing for the issuance of revenue bonds.

Reported the same back with the recommendation that the bill pass.

The report was adopted.

SECOND READING OF HOUSE BILLS

H. F. Nos. 351, 962, 963, 515, 774, 830, 1283, 1387, 1086, 1248, 1513, 13, 139, 250, 525, 1028, 257, 297, 356, 451, 787, 788, 1030, 1179, 1201, 966, 1032, 106, 161, 163, 264, 314, 410, 411, 414, 460, 491, 536, 612, 685, 686, 791, 848, 906, 908, 952, 1004, 1040, 1098, 1105, 1184, 1187, 1307, 1364, 1474, 1487, 980, 1054, 1498, 323, 325, 578, 931, 989 and 1194 were read for the second time.

SECOND READING OF SENATE BILLS

S. F. Nos. 1072, 51, 213, 335 and 827 were read for the second time.

INTRODUCTION AND FIRST READING OF HOUSE BILLS

The following House Files were introduced:

Lemke, Birnstihl, Braun, Kalis and Mann introduced:

H. F. No. 1530, A bill for an act relating to agriculture; requiring annual inspection of grain moisture measuring devices; providing for the certification of operators of grain moisture measuring devices; authorizing collection of fees; amending Minnesota Statutes 1976, Chapter 17B, by adding a section.

The bill was read for the first time and referred to the Committee on Agriculture.

Brinkman and Patton introduced:

H. F. No. 1531, A bill for an act appropriating money for the repair of the Sauk river dam at the city of Cold Spring in Stearns county.

The bill was read for the first time and referred to the Committee on Appropriations.

Clark, Rice, Brandl, Enebo and Dean introduced:

H. F. No. 1532, A bill for an act relating to Hennepin county; city of Minneapolis; transferring ownership of certain land and correctional facilities; granting authority to the county to operate and maintain a correctional facility; appropriating funds to the county for the remodeling and rehabilitation of the Hennepin county adult correctional facility.

The bill was read for the first time and referred to the Committee on Appropriations.

Heinitz introduced:

H. F. No. 1533, A bill for an act relating to cosmetology; creating and regulating facial experts; amending Minnesota Statutes 1976, Sections 155.02, by adding a subdivision; 155.09, Subdivision 1; and 155.11, by adding a subdivision.

The bill was read for the first time and referred to the Committee on Commerce and Economic Development.

Lemke and Schulz introduced:

H. F. No. 1534, A bill for an act relating to natural resources; restricting acquisition of agricultural land for inclusion in the Richard J. Dorer Memorial Hardwood Forest.

The bill was read for the first time and referred to the Committee on Environment and Natural Resources.

Clawson, Sherwood, Forsythe, Kahn and Fjoslien introduced:

H. F. No. 1535, A bill for an act relating to McCarthy Beach state park; adding certain lands to the park; amending Laws 1945, Chapter 484, Section 1, as amended.

The bill was read for the first time and referred to the Committee on Environment and Natural Resources.

Searles and Knickerbocker introduced:

H. F. No. 1536, A bill for an act relating to bodies of water; allowing counties to exercise certain functions with approval of district; amending Minnesota Statutes 1976, Section 378.32, Subdivision 1.

The bill was read for the first time and referred to the Committee on Environment and Natural Resources.

Evans introduced:

H. F. No. 1537, A bill for an act relating to state lands; providing for the purchase of certain lands by the department of natural resources; providing an appropriation.

The bill was read for the first time and referred to the Committee on Environment and Natural Resources.

Brinkman; Kempe, A.; Friedrich; George and Fudro introduced:

H. F. No. 1538, A bill for an act relating to insurance; requiring certain insurance companies to establish policyholder security accounts; prescribing terms and conditions for their maintenance; providing improved security for claimants and policyholders; amending Minnesota Statutes 1976, Chapter 60C, by adding sections.

The bill was read for the first time and referred to the Committee on Financial Institutions and Insurance.

Pehler, Eken, Brinkman, Knickerbocker and Jaros introduced:

H. F. No. 1539, A bill for an act relating to bingo; exempting certain organizations from provisions of law relating to bingo; authorizing the certification of bingo auditors; amending Minnesota Statutes 1976, Sections 349.17, Subdivision 5; 349.19; 349.21, by adding a subdivision; and Chapter 349, by adding a section.

The bill was read for the first time and referred to the Committee on General Legislation and Veterans Affairs.

Esau, Sherwood, Kroening, McDonald and Carlson, A., introduced:

H. F. No. 1540, A bill for an act proposing an amendment to the Minnesota Constitution, Article IV, Section 6; limiting the consecutive terms of senators and representatives.

The bill was read for the first time and referred to the Committee on General Legislation and Veterans Affairs.

Simoneau and Fudro introduced:

H. F. No. 1541, A bill for an act relating to the city of Columbia Heights fire department relief association; establishment of paid and volunteer divisions and administration of each division; benefits and contributions; membership of certain fire personnel in the public employees' police and fire fund; amending Laws 1975, Chapter 424, Section 9; repealing Laws 1965, Chapter 605, Section 6; and Laws 1975, Chapter 424, Section 3.

The bill was read for the first time and referred to the Committee on Governmental Operations.

Kahn, Norton, Arlandson, Hanson and Anderson, D., introduced:

H. F. No. 1542, A bill for an act relating to public buildings; authorizing expenditures for works of art; requiring part of appropriation for building construction be designated for acquisition of works of art; amending Minnesota Statutes 1976, Chapters 16 and 139 by adding sections.

The bill was read for the first time and referred to the Committee on Governmental Operations.

Patton; Anderson, I.; Sieben, H., and Tomlinson introduced:

H. F. No. 1543, A bill for an act relating to the public employees retirement association; authorizing the acquisition of real estate and the construction of a building thereon; authorizing a lease with the state and specifying minimum rents; appropriating money.

The bill was read for the first time and referred to the Committee on Governmental Operations.

Eken introduced:

H. F. No. 1544, A bill for an act relating to state lands; authorizing the exchange of certain public lake access land in Polk county.

The bill was read for the first time and referred to the Committee on Governmental Operations.

Esau; Sherwood; Carlson, A.; McEachern and Nelsen, B., introduced:

H. F. No. 1545, A bill for an act relating to education; parents' rights; requiring school boards to furnish parents of pupils access to instructional materials, pupil records and tests; protecting privacy of pupil records.

The bill was read for the first time and referred to the Committee on Governmental Operations.

Corbid and Wieser introduced:

H. F. No. 1546, A bill for an act relating to public welfare; providing for payment of boarding home care for children having cerebral palsy; authorizing increased state reimbursement for boarding home care for handicapped children; amending Minnesota Statutes 1976, Section 252.27, Subdivision 1.

The bill was read for the first time and referred to the Committee on Health and Welfare.

Samuelson and Swanson introduced:

H. F. No. 1547, A bill for an act relating to public welfare; providing for payment of the costs of certain care and treatment for mentally retarded, epileptic and emotionally handicapped children; requiring the parents and child to provide reimbursement for certain care and treatment; amending Minnesota Statutes 1976, Section 252.27, Subdivisions 1 and 2.

The bill was read for the first time and referred to the Committee on Health and Welfare.

McEachern introduced:

H. F. No. 1548, A bill for an act relating to local government; establishing a loaned executive action program to aid in increasing local political subdivision efficiency; appropriating funds.

The bill was read for the first time and referred to the Committee on Local and Urban Affairs.

Metzen introduced:

H. F. No. 1549, A bill for an act relating to housing and redevelopment authorities; authority to make rehabilitation loans and grants broadened; amending Minnesota Statutes 1976, Section 462.445, Subdivision 9.

The bill was read for the first time and referred to the Committee on Local and Urban Affairs.

Anderson, B., introduced:

H. F. No. 1550, A bill for an act relating to Pipestone county; authorizing transfer of county nursing home equipment to certain private nursing homes in the county.

The bill was read for the first time and referred to the Committee on Local and Urban Affairs.

Pehler, Johnson, Norton, Stoa and Jaros introduced:

H. F. No. 1551, A bill for an act relating to local government aids; providing a reimbursement to cities and towns for state-owned buildings; amending Minnesota Statutes 1976, Sections 273.18; 275.51, by adding a subdivision; 477A.01, Subdivisions 1, 4a, and 4b; and Chapter 477A, by adding a section.

The bill was read for the first time and referred to the Committee on Taxes.

Wenzel and Anderson, I., introduced:

H. F. No. 1552, A bill for an act relating to highway traffic regulations; required equipment on certain vehicles; exempting military vehicles of the United States from wheel flap requirements; amending Minnesota Statutes 1976, Section 169.733.

The bill was read for the first time and referred to the Committee on Transportation.

Norton, for the Committee on Appropriations, introduced:

H. F. No. 1553, A bill for an act relating to the organization and operation of state government; appropriating money for welfare, corrections, health, and other purposes, including appropriations for the departments of public welfare, vocational rehabilitation, corrections, corrections ombudsman, health, health related boards, and public assistance programs; repealing Minnesota Statutes 1976, Section 261.233.

The bill was read for the first time and laid over one day.

HOUSE ADVISORIES

Pursuant to rule 5.3, the following House Advisory was introduced:

Prahl and Fugina introduced:

H. A. No. 27, A proposal for public nursing homes to identify and consider hidden costs in setting fees.

The advisory was referred to the Committee on Health and Welfare.

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Mr. Speaker:

I hereby announce the passage by the Senate of the following House File, herewith returned:

H. F. No. 489, A bill for an act relating to legal newspapers; simplifying procedures for receiving reimbursement for publication of proposed constitutional amendments; amending Minnesota Statutes 1976, Section 3.22.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

I hereby announce the passage by the Senate of the following House File, herewith returned:

H. F. No. 557, A bill for an act relating to highways; requiring reimbursement of fire fighting and protection expenses in certain instances.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

I hereby announce the passage by the Senate of the following House File, herewith returned, as amended by the Senate, in which amendment the concurrence of the House is respectfully requested:

H. F. No. 681, A bill for an act relating to commerce; providing for state procurement from small business; providing a bonding mechanism for small business; amending Minnesota Statutes

1976, Sections 16.082, by adding a subdivision; and 16.083, Subdivision 2.

PATRICK E. FLAHAVEN, Secretary of the Senate

CONCURRENCE AND REPASSAGE

Casserly moved that the House concur in the Senate amendments to H. F. No. 681 and that the bill be repassed as amended by the Senate. The motion prevailed.

H. F. No. 681, A bill for an act relating to commerce; providing for state procurement from small business; providing a bonding mechanism for small business; amending Minnesota Statutes 1976, Sections 16.082, by adding a subdivision; and 16.083, Subdivision 2.

The bill was read for the third time, as amended by the Senate, and placed upon its repassage.

The question was taken on the repassage of the bill and the roll was called. There were 123 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Abeln	Cohen	Jaros	Munger	Searles
Adams	Cummiskey	Jensen	Murphy	Sherwood
Albrecht	Dahl	Johnson	Neisen	Sieben, H.
Anderson, B.	Dean	Jude	Nelsen, B.	Sieben, M.
Anderson, D.	Den Ouden	Kahn	Nelsen, M.	Simoneau
Anderson, I.	Eckstein	Kaley	Nelson	Skoglund
Arlandson	Eken	Kalis	Niehaus	Smogard
Battaglia	Ellingson	Kelly, R.	Norton	Spanish
Beauchamp	Enebo	Kelly, W.	Novak	Stanton
Begich	Erickson	King	Osthoff	Stoa
Berg	Esau	Knickerbocker	Patton	Suss
Berglin	Evans	Kostohryz	Pehler	Swanson
Berkelman	Ewald	Kroening	Peterson	Waldorf
Biersdorf	Fariy	Kvam	Petrafaso	Welch
Birnstihl	Forsythe	Laidig	Pleasant	Wenstrom
Brandl	Friedrich	Langseth	Prahl	Wenzel
Braun	Fudro	Lehto	Reding	White
Brinkman	Fugina	Lemke	Rose	Wieser
Byrne	George	Mangan	St. Onge	Wigley
Carlson, A.	Gunter	Mann	Samuelson	Williamson
Carlson, D.	Hanson	McCollar	Sarna	Wynia
Carlson, L.	Haugerud	McDonald	Savelkoul	Zubay
Casserly	Heinitz	McEachern	Scheid	Speaker Sabo
Clark	Hokanson	Metzen	Schulz	
Clawson	Jacobs	Moe	Searle	

The bill was repassed, as amended by the Senate, and its title agreed to.

Mr. Speaker:

I hereby announce the passage by the Senate of the following House File, herewith returned, as amended by the Senate, which which amendment the concurrence of the House is respectfully requested:

H. F. No. 148, A bill for an act relating to the city of Minneapolis; selection of supervisor of license inspection for the Minneapolis police department; establishing minimum qualifications; amending Laws 1961, Chapter 108, Section 2, as amended.

PATRICK E. FLAHAVERN, Secretary of the Senate

CONCURRENCE AND REPASSAGE

Brandl moved that the House concur in the Senate amendments to H. F. No. 148 and that the bill be repassed as amended by the Senate. The motion prevailed.

H. F. No. 148, A bill for an act relating to the city of Minneapolis; providing for the selection of supervisor of license inspection for the Minneapolis police department; amending Laws 1961, Chapter 108, Section 2, as amended.

The bill was read for the third time, as amended by the Senate, and placed upon its repassage.

The question was taken on the repassage of the bill and the roll was called. There were 127 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Abeln	Clark	Haugerud	McCollar	St. Onge
Adams	Clawson	Heinitz	McDonald	Samuelson
Albrecht	Cohen	Hokanson	McEachern	Sarna
Anderson, B.	Cummiskey	Jacobs	Metzen	Savelkoul
Anderson, D.	Dahl	Jaros	Moe	Scheid
Anderson, I.	Dean	Jensen	Munger	Schulz
Anderson, R.	Den Ouden	Johnson	Murphy	Searle
Arlandson	Eckstein	Jude	Neisen	Sherwood
Battaglia	Eken	Kahn	Nelsen, B.	Sieben, H.
Beauchamp	Ellingson	Kaley	Nelsen, M.	Sieben, M.
Begich	Enebo	Kalis	Nelson	Simoneau
Berg	Erickson	Kelly, R.	Niehaus	Skoglund
Berglin	Esau	Kelly, W.	Norton	Smogard
Berkelman	Evans	King	Novak	Spanish
Biersdorf	Ewald	Knickerbocker	Osthoff	Stanton
Birnstihl	Faricy	Kostohryz	Patton	Stoa
Brandl	Fjoslien	Kroening	Pehler	Suss
Braun	Forsythe	Kvam	Peterson	Swanson
Brinkman	Friedrich	Laidig	Petrafeso	Vanasek
Byrne	Fudro	Langseth	Pleasant	Voss
Carlson, A.	Fugina	Lehto	Prahl	Waldorf
Carlson, D.	George	Lemke	Reding	Welch
Carlson, L.	Gunter	Mangan	Rice	Wenstrom
Casserly	Hanson	Mann	Rose	Wenzel

White
WieserWigley
Williamson

Wynia

Zubay

Speaker Sabo

The bill was repassed, as amended by the Senate, and its title agreed to.

Mr. Speaker:

I hereby announce the passage by the Senate of the following House File, herewith returned, as amended by the Senate, in which amendment the concurrence of the House is respectfully requested:

H. F. No. 339, A bill for an act relating to transportation construction contracts; providing for small business contracts; amending Minnesota Statutes 1976, Chapter 161, by adding a section.

PATRICK E. FLAHAVEN, Secretary of the Senate

Casserly moved that the House refuse to concur in the Senate amendments to H. F. No. 339, that the Speaker appoint a Conference Committee of 3 members of the House, and that the House requests that a like committee be appointed by the Senate to confer on the disagreeing votes of the two Houses. The motion prevailed.

Mr. Speaker:

I hereby announce the passage by the Senate of the following House File, herewith returned, as amended by the Senate, in which amendment the concurrence of the House is respectfully requested:

H. F. No. 437, A bill for an act relating to taxation; altering the definition of gross income for income tax purposes for individuals, trusts and estates; placing restrictions on certain deductions and allowing certain tax free distributions; extending time for certain sales or exchanges of residential property; making certain changes in treatment of small business corporations; amending Minnesota Statutes 1976, Sections 290.01, Subdivision 20; 290.09, Subdivisions 2 and 29; 290.13, Subdivision 9; 290.23, by adding a subdivision; 290.26, by adding a subdivision; 290.971, Subdivisions 1 and 3, and by adding subdivisions; 290.972, Subdivision 5; and 290A.03, Subdivision 3.

PATRICK E. FLAHAVEN, Secretary of the Senate

Kelly, W., moved that the House refuse to concur in the Senate amendments to H. F. No. 437, that the Speaker appoint a Conference Committee of 3 members of the House, and that the

House requests that a like committee be appointed by the Senate to confer on the disagreeing votes of the two Houses. The motion prevailed.

Mr. Speaker:

I hereby announce the passage by the Senate of the following House File, herewith returned, as amended by the Senate, in which amendment the concurrence of the House is respectfully requested:

H. F. No. 586, A bill for an act relating to taxation; information contained in tax returns; amending Minnesota Statutes 1976, Sections 290.081; 290.61; and 290A.17.

PATRICK E. FLAHAVEN, Secretary of the Senate

Kelly, W., moved that the House refuse to concur in the Senate amendments to H. F. No. 586, that the Speaker appoint a Conference Committee of 3 members of the House, and that the House requests that a like committee be appointed by the Senate to confer on the disagreeing votes of the two Houses. The motion prevailed.

Mr. Speaker:

I hereby announce the passage by the Senate of the following Senate File, herewith transmitted:

S. F. No. 816.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

I hereby announce the passage by the Senate of the following Senate Files, herewith transmitted:

S. F. Nos. 125, 265, 466, 569, 667 and 769.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

I hereby announce the passage by the Senate of the following Senate Files, herewith transmitted:

S. F. Nos. 388, 417, 562 and 620.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker

I hereby announce the passage by the Senate of the following Senate Files, herewith transmitted:

S. F. Nos. 348, 586, 640, 737 and 774.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

I hereby announce the passage by the Senate of the following Senate Files, herewith transmitted:

S. F. Nos. 389, 649, 831 and 916.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

I hereby announce the passage by the Senate of the following Senate Files, herewith transmitted:

S. F. Nos. 274, 477, 499, 506 and 845.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

I hereby announce the passage by the Senate of the following Senate Files, herewith transmitted:

S. F. Nos. 682, 766, 804 and 972.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

I hereby announce the passage by the Senate of the following Senate Files, herewith transmitted:

S. F. Nos. 1103, 1286 and 1387.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

I hereby announce the passage by the Senate of the following Senate Files, herewith transmitted:

S. F. Nos. 498, 582, 600 and 617.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

I hereby announce the passage by the Senate of the following Senate Files, herewith transmitted:

S. F. Nos. 96, 102, 191 and 362.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

I hereby announce the passage by the Senate of the following Senate Files, herewith transmitted:

S. F. Nos. 111, 880, 1331 and 1385.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

I hereby announce the passage by the Senate of the following Senate Files, herewith transmitted:

S. F. Nos. 1039, 1298 and 1415.

PATRICK E. FLAHAVEN, Secretary of the Senate

FIRST READING OF SENATE BILLS

S. F. No. 816, A bill for an act relating to taxation; exempting the department of revenue from certain administrative procedure act requirements in certain inheritance, iron ore, and occupation tax proceedings; authorizing the commissioner of revenue to enter into administrative agreements with the secretary of the treasury and the governing bodies of certain Indian reservations; changing requirements for orders of the commissioner; allowing commissioner to dismiss certain confiscation procedures; providing penalties for cigarette tax violations; appropriating money; amending Minnesota Statutes 1976, Sections 270.06; 270.10, Subdivision 1; 273.1104; 291.09, Subdivisions 1 and 2; 297.08, Subdivision 4; 297.12, Subdivision 1, and by adding a subdivision; 298.09, Subdivision 2; and Chapter 270, by adding a section.

The bill was read for the first time and referred to the Committee on Governmental Operations.

S. F. No. 125, A bill for an act relating to commerce; prohibiting discriminatory trade practices; providing a penalty; amending Minnesota Statutes 1976, Section 325.8018, Subdivision 2; and Chapter 325, by adding a section.

The bill was read for the first time and referred to the Committee on Commerce and Economic Development.

S. F. No. 265, A bill for an act relating to highways; providing that towns be reimbursed for repairing and restoring town roads damaged while utilized as a haul road in transporting road building materials used in construction or maintenance.

The bill was read for the first time and referred to the Committee on Transportation.

S. F. No. 466, A bill for an act relating to post conviction remedy; authorizing the court to determine whether a petitioner must be present at a post conviction hearing; amending Minnesota Statutes 1976, Section 590.04, Subdivision 3.

The bill was read for the first time and referred to the Committee on Criminal Justice.

S. F. No. 569, A bill for an act relating to Norman county; validating certain funds transfers.

The bill was read for the first time.

Eken moved that S. F. No. 569 and H. F. No. 651, now on the Consent Calendar, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 667, A bill for an act relating to the city of Minneapolis; authorizing a rehabilitation loan program for small and medium sized commercial buildings; and providing for the issuance and security of limited general obligation and revenue bonds to finance the program.

The bill was read for the first time.

Casserly moved that S. F. No. 667 and H. F. No. 697, now on General Orders, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 769, A bill for an act relating to the town of White and the city of Aurora; providing for their separation.

The bill was read for the first time and referred to the Committee on Local and Urban Affairs.

S. F. No. 388, A bill for an act relating to insurance; subrogation of claims; requiring subrogated insurers to pay a proportionate share of certain attorney fees and costs; amending Minnesota Statutes 1976, Section 65B.53, Subdivision 5, and by adding a subdivision.

The bill was read for the first time and referred to the Committee on Financial Institutions and Insurance.

S. F. No. 417, A bill for an act relating to highway traffic regulations; accidents; requiring certain information to be given; raising the amount of property damage required before an accident must be reported to the commissioner of public safety; providing penalties; amending Minnesota Statutes 1976, Section 169.09, Subdivisions 3, 7, and 14.

The bill was read for the first time and referred to the Committee on Transportation.

S. F. No. 562, A bill for an act relating to the practice of chiropractic; prescribing academic requirements for licensure, grounds for disciplinary action, and penalties; amending Minnesota Statutes 1976, Sections 148.06, Subdivision 1; and 148.10, Subdivision 1, and by adding a subdivision.

The bill was read for the first time and referred to the Committee on Health and Welfare.

S. F. No. 620, A bill for an act relating to sheriffs; salaries, fees and budgets; providing that the salary and budget of the sheriff shall be set by the county board in each county of the state; authorizing costs and reasonable attorney fees on appeal; amending Minnesota Statutes 1976, Section 387.20, Subdivisions 1, 2 and 7; repealing Minnesota Statutes 1976, Section 387.20, Subdivision 8.

The bill was read for the first time and referred to the Committee on Local and Urban Affairs.

S. F. No. 348, A bill for an act relating to municipalities; planning and regulating development in orderly annexation areas adjacent to cities; amending Minnesota Statutes 1976, Section 414.068.

The bill was read for the first time and referred to the Committee on Local and Urban Affairs.

S. F. No. 586, A bill for an act relating to insurance; legal expense insurance; authorizing the use of closed panel insurance plans; amending Minnesota Statutes 1976, Section 60A.03, Subdivision 10.

The bill was read for the first time and referred to the Committee on Financial Institutions and Insurance.

S. F. No. 640, A bill for an act relating to the county of Hennepin; permitting longer duration contracts for goods and services entered into by the county of Hennepin; amending Laws 1969, Chapter 476, Section 1.

The bill was read for the first time and referred to the Committee on Local and Urban Affairs.

S. F. No. 737, A bill for an act relating to local government; providing leaves of absence for certain governmental officers and employees elected to city or county office; amending Minnesota Statutes 1976, Section 3.088, Subdivisions 1, 2, 3 and 5.

The bill was read for the first time and referred to the Committee on Governmental Operations.

S. F. No. 774, A bill for an act relating to intoxicating liquor; permitting entertainment and coin-operated amusement devices in privately-owned and municipal liquor stores; amending Minnesota Statutes 1976, Sections 340.07, Subdivision 13; and 340.353, Subdivision 1.

The bill was read for the first time and referred to the Committee on Commerce and Economic Development.

S. F. No. 389, A bill for an act relating to taxation; providing that reduced property tax classification for homesteads of disabled persons be continued for their surviving spouses; extending the 3cc classification to property of persons receiving disability benefits from political subdivisions; amending Minnesota Statutes 1976, Section 273.13, Subdivision 7.

The bill was read for the first time and referred to the Committee on Taxes.

S. F. No. 649, A bill for an act relating to taxation; permitting certain appeals of assessments to the commissioner of revenue; providing for appointment of local assessors or termination of their offices; refining terms of senior citizens property tax freeze; eliminating assessors' bonds; eliminating certification of local treasurers' bonds; providing for appeal of property classification; defining certain powers of boards of equalization; clarifying redemption period for tax-forfeited lands; amending Minnesota Statutes 1976, Sections 270.11, Subdivision 7; 270.50; 273.011, Subdivision 4; 273.012, Subdivision 2; 273.04; 273.05, Subdivisions 1 and 2; 273.06; 273.061, Subdivision 3; 274.01, Subdivision 1; 274.13, Subdivision 1; 276.12; and 281.17; and Chapter 270, by adding a section.

The bill was read for the first time.

Kelly, W., moved that S. F. No. 649 and H. F. No. 552, now on General Orders, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 831, A bill for an act relating to port authorities; increasing the compensation of commissioners for attending regular and special meetings; eliminating the annual limitation on such compensation; amending Minnesota Statutes 1976, Section 458.195, Subdivision 3.

The bill was read for the first time.

Jaros moved that S. F. No. 831 and H. F. No. 989, now on the Technical Consent Calendar, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 916, A bill for an act relating to elections; precinct boundaries; including annexed area in adjacent precinct; amending Minnesota Statutes 1976, Section 204A.06, Subdivision 1; repealing Minnesota Statutes 1976, Section 204A.06, Subdivision 2.

The bill was read for the first time.

Osthoff moved that S. F. No. 916 and H. F. No. 1032, now on the Technical General Orders, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 274, A bill for an act relating to natural resources; authorizing additions to and deletions from certain state parks; authorizing land acquisition in relation thereto; amending Laws 1945, Chapter 484, Section 1, as amended.

The bill was read for the first time and referred to the Committee on Environment and Natural Resources.

S. F. No. 477, A bill for an act relating to taxation; allowing certain income adjusted homestead credit claims on behalf of decedents; amending Minnesota Statutes 1976, Section 290A.18.

The bill was read for the first time and referred to the Committee on Taxes.

S. F. No. 499, A bill for an act relating to the operation of state government; providing for a study on improving public access to state services and facilities; requiring a report.

The bill was read for the first time and referred to the Committee on Governmental Operations.

S. F. No. 506, A bill for an act relating to taxation; extending the tax credit for feedlot pollution control equipment and providing for a carryover of the credit from one year to another; amending Minnesota Statutes 1976, Section 290.06, Subdivision 9a.

The bill was read for the first time and referred to the Committee on Taxes.

S. F. No. 845, A bill for an act relating to St. Louis county Independent School District No. 710; providing for separate election districts.

The bill was read for the first time.

Fugina moved that S. F. No. 845 and H. F. No. 966, now on the Technical General Orders, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 682, A bill for an act relating to Anoka county; creating a housing and redevelopment authority; applying the provisions of the municipal housing and redevelopment act to Anoka county; providing for local approval of projects.

The bill was read for the first time and referred to the Committee on Local and Urban Affairs.

S. F. No. 766, A bill for an act relating to crimes; public safety and health; dangerous weapons; short-barreled shotguns; providing penalties; amending Minnesota Statutes 1976, Chapter 609, by adding a section.

The bill was read for the first time and referred to the Committee on Criminal Justice.

S. F. No. 804, A bill for an act relating to highway traffic regulations; driving under the influence of alcohol or controlled substances; chemical tests and consent therefor; providing for immediate notice of revocation of a driver license or permit, retention of the license or permit by a court or peace officer and the substitution of temporary licenses under certain circumstances; providing for county court jurisdiction over prosecution for certain offenses; prescribing penalties; amending Minnesota Statutes 1976, Sections 169.121; 169.123; 169.127; and Chapter 169, by adding sections; repealing Minnesota Statutes 1976, Section 171.245.

The bill was read for the first time and referred to the Committee on Criminal Justice.

S. F. No. 972, A bill for an act relating to probate; personal representatives; protecting certain good faith purchasers dealing

with personal representatives; amending Minnesota Statutes 1976, Section 524.3-714.

The bill was read for the first time and referred to the Committee on Governmental Operations.

S. F. No. 1103, A bill for an act relating to counties; providing for county appropriations for patrol of county highways and roads; eliminating the restriction on the Hennepin county board of commissioners in relation thereto; amending Minnesota Statutes 1976, Section 375.46, Subdivision 1.

The bill was read for the first time and referred to the Committee on Local and Urban Affairs.

S. F. No. 1286, A bill for an act relating to Chisago county; authorizing the issuance of general obligation bonds to finance the cost of facilities for the county nursing home; providing for the administration and rental of such facilities.

The bill was read for the first time and referred to the Committee on Local and Urban Affairs.

S. F. No. 1387, A bill for an act relating to state lands; authorizing the conveyance by the state of certain lands in Steele county.

The bill was read for the first time.

Biersdorf moved that S. F. No. 1387 and H. F. No. 1487, now on the Technical Consent Calendar, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 498, A bill for an act relating to public drainage systems; transferring the administration of judicial ditches to county boards; raising the interest rate limitation on ditch lien statements; increasing the interest rate limitation on certain penalties; increasing the authorized interest rates on bonds; limiting assessment levies for repairs and maintenance; providing for a redetermination of benefits and benefited areas; amending Minnesota Statutes 1976, Sections 106.015, Subdivision 5; 106.371, Subdivisions 2 and 4; 106.411, Subdivisions 3, 4 and 7; 106.471, Subdivision 2; 106.673; and Chapter 106, by adding a section.

The bill was read for the first time and referred to the Committee on Environment and Natural Resources.

S. F. No. 582, A bill for an act relating to motor vehicle common carriers; reinstating operating authority of certain irregular route common carriers.

The bill was read for the first time and referred to the Committee on Transportation.

S. F. No. 600, A bill for an act relating to education; trade schools; exempting certain courses in the arts from regulation by the commissioner of education; amending Minnesota Statutes 1976, Section 141.35.

The bill was read for the first time.

Johnson moved that S. F. No. 600 and H. F. No. 889, now on the Calendar, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 617, A bill for an act relating to the university of Minnesota; conferring university of Minnesota peace officers with limited powers of arrest; governing the operation and parking of vehicles upon property owned, leased or occupied by the regents of the university of Minnesota; amending Minnesota Statutes 1976, Section 137.12; 169.123, Subdivision 1; 169.965, Subdivision 1; 626.05, Subdivision 2; 626A.01, Subdivision 7; and Chapter 626, by adding a section.

The bill was read for the first time and referred to the Committee on Criminal Justice.

S. F. No. 96, A bill for an act relating to insurance; providing that individual persons may cancel certain policies of insurance within ten days after receipt; setting out notice requirements.

The bill was read for the first time and referred to the Committee on Financial Institutions and Insurance.

S. F. No. 102, A bill for an act relating to taxation; removing levy limitations on certain towns having population of less than 3,500; allowing electors of exempt towns to determine mill rates; amending Minnesota Statutes 1976, Sections 275.09, Subdivision 3; 275.10, Subdivision 1; 275.31; and 275.59.

The bill was read for the first time and referred to the Committee on Taxes.

S. F. No. 191, A bill for an act relating to adoption; authorizing release of birth information to adopted persons; requiring waiting period for objections from parents; amending Minnesota Statutes 1976, Sections 144.151, by adding subdivisions; 144.175, Subdivision 2; 260.241, by adding a subdivision; and Chapter 144, by adding a section.

The bill was read for the first time and referred to the Committee on Health and Welfare.

S. F. No. 362, A bill for an act relating to retirement; miscellaneous amendments to the teachers retirement law; amending Minnesota Statutes 1976, Sections 354.05, Subdivision 2; 354.06, Subdivision 2, and by adding a subdivision; 354.07, by adding a subdivision; 354.10; 354.41, Subdivision 6; 354.43, Subdivision 4; 354.49, Subdivision 5; 354.50, Subdivision 2; 354.53, Subdivision 1; and 354.58.

The bill was read for the first time.

Beauchamp moved that S. F. No. 362 and H. F. No. 365, now on General Orders, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 111, A bill for an act relating to the firemen's relief association of the city of Centerville, computation of years of service for volunteer firemen.

The bill was read for the first time.

Neisen moved that S. F. No. 111 and H. F. No. 161, now on the Technical Consent Calendar, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 880, A bill for an act relating to towns; granting certain towns the powers of statutory cities.

The bill was read for the first time and referred to the Committee on Local and Urban Affairs.

S. F. No. 1331, A bill for an act relating to the city of Litchfield; firemen's service pensions; validation of certain prior payments.

The bill was read for the first time.

Kvam moved that S. F. No. 1331 and H. F. No. 264, now on the Technical Consent Calendar, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 1385, A bill for an act relating to the city of Saint Paul and county of Ramsey; providing for a division of costs to maintain the joint court house and city hall.

The bill was read for the first time and referred to the Committee on Local and Urban Affairs.

S. F. No. 1039, A bill for an act relating to retirement; firemen's pensions in the cities of Eveleth and Two Harbors; consolidation of the police and firemen's relief associations in the city of Eveleth into the public employees police and fire fund; amending Laws 1935, Chapter 208, Section 11, as added and amended.

The bill was read for the first time.

Begich moved that S. F. No. 1039 and H. F. No. 1105, now on the Technical Consent Calendar, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 1298, A bill for an act relating to employments licensed by state; exempting registered professional engineers from water well contractor licensing provisions; amending Minnesota Statutes 1976, Section 156A.03, by adding a subdivision.

The bill was read for the first time and referred to the Committee on Commerce and Economic Development.

S. F. No. 1415, A bill for an act relating to Independent School District 625; providing for the severance pay of employees.

The bill was read for the first time and referred to the Committee on Education.

The following conference committee report was received:

CONFERENCE COMMITTEE REPORT ON H. F. NO. 38

A bill for an act relating to housing; providing statutory warranties on the sale of new housing; establishing a cause of action for breach of warranty; providing remedies; amending Minnesota Statutes 1976, Section 541.051, by adding a subdivision.

April 20, 1977

The Honorable Martin O. Sabo
Speaker of the House of Representatives
The Honorable Edward Gearty
President of the Senate

We, the undersigned conferees for H. F. No. 38 report that we have agreed upon the items in dispute and recommend as follows:

That the Senate recede from its amendments and H. F. No. 38 be amended as follows:

Page 1, line 11, delete "*this act*" and insert "*sections 1 to 7*".

Page 2, line 20, after "*sale*" and before the period, insert: "*, including the construction of dwellings on land owned by vendees*".

Page 2, lines 22 to 23, delete "*of this act*".

Page 3, line 12, delete "of this act".

Page 3, lines 15 and 16, delete "this act" and insert "sections 1 to 7".

Page 4, line 23, delete "subdivision" and insert "subdivisions".

Page 4, line 23, after "2" insert "and 3".

Page 4, lines 24 and 26, delete "this act" and insert "sections 1 to 7".

Page 4, line 27, delete "subdivision" and insert "subdivisions".

Page 4, line 27, after "2" insert "and 3".

Page 4, line 30, delete "this" and insert "section 2".

Page 4, line 31, delete "act".

Page 5, lines 7, 11, and 24, delete "of this act".

Page 5, after line 11, insert:

"Subd. 3. If a major construction defect is discovered prior to the sale of a dwelling, the statutory warranty set forth in section 2, subdivision 1, clause (c) may be waived for the defect identified in the waiver instrument, after full oral disclosure of the specific defect, by an instrument which sets forth in detail: the specific defect; the difference between the value of the dwelling without the defect and the value of the dwelling with the defect, as determined and attested to by an independent appraiser, contractor, insurance adjuster, engineer or any other similarly knowledgeable person selected by the vendee; the price reduction; the date the construction was completed; the legal description of the dwelling; the consent of the vendee to the waiver; and the signatures of the vendee, the vendor, and two witnesses.

A single waiver agreed to pursuant to this subdivision may not apply to more than one major construction defect in a dwelling.

The waiver shall not be effective unless filed for recording with the county recorder or registrar of titles who shall file the waiver for record."

Page 5, lines 13 and 22, delete "this act" and insert "section 2".

Page 5, line 26, delete the second "of".

Page 5, line 27, delete "*this act*".

Page 6, lines 2 and 7, delete "*of this act*".

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

House Conferees: MIKE SIEBEN, RAY PLEASANT and RAY FARICY.

Senate Conferees: HARMON T. OGDahl, GERRY SIKORSKI and JACK DAVIES.

Sieben, M., moved that the report of the Conference Committee on H. F. No. 38 be adopted and that the bill be repassed as amended by the Conference Committee. The motion prevailed.

H. F. No. 38, A bill for an act relating to housing; providing statutory warranties on the sale of new housing; establishing a cause of action for breach of warranty; providing remedies; amending Minnesota Statutes 1976, Section 541.051, by adding a subdivision.

The bill was read for the third time, as amended by Conference, and placed upon its repassage.

The question was taken on the repassage of the bill and the roll was called. There were 103 yeas and 25 nays as follows:

Those who voted in the affirmative were:

Abeln	Cohen	Jude	Nelsen, M.	Skoglund
Adams	Corbid	Kahn	Nelson	Smogard
Anderson, I.	Cummiskey	Kaley	Norton	Spanish
Anderson, R.	Dahl	Kelly, R.	Novak	Stanton
Arlandson	Dean	Kelly, W.	Osthoff	Stoa
Battaglia	Ellingson	King	Patton	Suss
Beauchamp	Enebo	Knickerbocker	Pehler	Swanson
Begich	Ewald	Kostohryz	Petrafeso	Tomlinson
Berg	Faricy	Kroening	Pleasant	Vanasek
Berglin	Forsythe	Laidig	Prahl	Voss
Berkelman	Friedrich	Lehto	Reding	Waldorf
Birnstihl	Fudro	Mangan	Rice	Welch
Brandl	Fugina	Mann	Rose	Wenstrom
Braun	George	McCollar	St. Onge	Wenzel
Brinkman	Gunter	McDonald	Sarna	White
Byrne	Hanson	McEachern	Savelkoul	Williamson
Carlson, A.	Haugerud	Metzen	Scheid	Wynia
Carlson, L.	Hokanson	Moe	Sherwood	Zubay
Casserly	Jacobs	Munger	Sieben, H.	Speaker Sabo
Clark	Jaros	Murphy	Sieben, M.	
Clawson	Jensen	Neisen	Simoneau	

Those who voted in the negative were:

Albrecht	Biersdorf	Den Ouden	Eken	Esau
Anderson, D.	Carlson, D.	Eckstein	Erickson	Evans

Fjoslien	Kalis	Lemke	Peterson	Searles
Heinitz	Kvam	Nelsen, B.	Samuelson	Wieser
Johnson	Langseth	Niehaus	Searle	Wigley

The bill was repassed, as amended by Conference, and its title agreed to.

CONSENT CALENDAR

H. F. No. 1208, A bill for an act relating to commerce; regulating mobile home lot payments; prohibiting entrance fees; specifying required notice for termination of tenancies; amending Minnesota Statutes 1976, Sections 327.43, Subdivision 1; and 327.44.

The bill was read for the third time and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 129 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Abeln	Cohen	Jacobs	Munger	Sherwood
Adams	Corbid	Jaros	Murphy	Sieben, H.
Albrecht	Cummiskey	Jensen	Neisen	Sieben, M.
Anderson, B.	Dahl	Johnson	Nelsen, B.	Simoneau
Anderson, D.	Dean	Jude	Nelsen, M.	Skoglund
Anderson, I.	Den Ouden	Kahn	Nelson	Smogard
Anderson, R.	Eckstein	Kaley	Niehaus	Spanish
Arlandson	Eken	Kalis	Norton	Stanton
Battaglia	Ellingson	Kelly, R.	Novak	Stoa
Beauchamp	Enebo	Kelly, W.	Osthoff	Suss
Begich	Erickson	King	Patton	Swanson
Berg	Esau	Knickerbocker	Pehler	Tomlinson
Berglin	Evans	Kostohryz	Petrafeso	Vanasek
Berkelman	Ewald	Kroening	Pleasant	Voss
Biersdorf	Fariy	Kvam	Prahl	Waldorf
Birnstihl	Fjoslien	Laidig	Reding	Welch
Brandl	Forsythe	Langseth	Rice	Wenstrom
Braun	Friedrich	Lehto	Rose	Wenzel
Brinkman	Fudro	Lemke	St. Onge	White
Byrne	Fugina	Mangan	Samuelson	Wieser
Carlson, A.	George	Mann	Sarna	Wigley
Carlson, D.	Gunter	McCollar	Savelkoul	Williamson
Carlson, L.	Hanson	McDonald	Scheid	Wynia
Casserly	Haugerud	McEachern	Schulz	Zubay
Clark	Heinitz	Metzen	Searle	Speaker Sabo
Clawson	Hokanson	Moe	Searles	

The bill was passed and its title agreed to.

H. F. No. 644, A bill for an act relating to public welfare; general assistance work programs; providing authority for local agencies to contract with nonprofit organizations for work program services; amending Minnesota Statutes 1976, Section 256D.11, Subdivision 4.

The bill was read for the third time and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 128 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Abeln	Corbid	Jaros	Neisen	Sieben, H.
Adams	Cummiskey	Jensen	Nelsen, B.	Sieben, M.
Albrecht	Dahl	Johnson	Nelsen, M.	Simoneau
Anderson, B.	Dean	Jude	Nelson	Skoglund
Anderson, D.	Den Ouden	Kahn	Niehaus	Smogard
Anderson, I.	Eckstein	Kaley	Norton	Spanish
Arlandson	Eken	Kalis	Novak	Stanton
Battaglia	Ellingson	Kelly, R.	Osthoff	Stoa
Beauchamp	Enebo	Kelly, W.	Patton	Suss
Begich	Erickson	King	Pehler	Swanson
Berg	Esau	Knickerbocker	Peterson	Tomlinson
Berglin	Evans	Kostohryz	Petrafeso	Vanasek
Berkelman	Ewald	Kroening	Pleasant	Voss
Biersdorf	Faricy	Kvam	Prahl	Waldorf
Birnstihl	Fjoslien	Laidig	Reding	Welch
Brandl	Forsythe	Langseth	Rice	Wenstrom
Braun	Friedrich	Lehto	Rose	Wenzel
Brinkman	Fudro	Lemke	St. Onge	White
Byrne	Fugina	Mangan	Samuelson	Wieser
Carlson, A.	George	Mann	Sarna	Wigley
Carlson, D.	Gunter	McCollar	Savelkoul	Williamson
Carlson, L.	Hanson	McDonald	Scheid	Wynia
Casserly	Haugerud	McEachern	Schulz	Zubay
Clark	Heinitz	Metzen	Searle	Speaker Sabo
Clawson	Hokanson	Moe	Searles	
Cohen	Jacobs	Murphy	Sherwood	

The bill was passed and its title agreed to.

H. F. No. 1095, A bill for an act relating to public health; requiring medical malpractice information from insurers; granting subpoena power to the board of medical examiners; amending Minnesota Statutes 1976, Section 147.072.

The bill was read for the third time and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 129 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Abeln	Beauchamp	Brinkman	Corbid	Erickson
Adams	Begich	Byrne	Cummiskey	Esau
Albrecht	Berg	Carlson, A.	Dahl	Evans
Anderson, B.	Berglin	Carlson, D.	Dean	Ewald
Anderson, D.	Berkelman	Carlson, L.	Den Ouden	Faricy
Anderson, I.	Biersdorf	Casserly	Eckstein	Fjoslien
Anderson, R.	Birnstihl	Clark	Eken	Forsythe
Arlandson	Brandl	Clawson	Ellingson	Friedrich
Battaglia	Braun	Cohen	Enebo	Fudro

Fugina	Knickerbocker	Murphy	Rose	Stoa
George	Kostohryz	Neisen	St. Onge	Suss
Gunter	Kroening	Nelsen, B.	Samuelson	Swanson
Hanson	Kvam	Nelsen, M.	Sarna	Vanasek
Haugerud	Laidig	Nelson	Savelkoul	Voss
Heinitz	Langseth	Niehaus	Scheid	Waldorf
Hokanson	Lehto	Norton	Schulz	Welch
Jacobs	Lemke	Novak	Searle	Wenstrom
Jaros	Mangan	Osthoff	Searles	Wenzel
Jensen	Mann	Patton	Sherwood	White
Johnson	McCarron	Pehler	Sieben, H.	Wieser
Jude	McCollar	Peterson	Sieben, M.	Wigley
Kahn	McDonald	Petrafeso	Simoneau	Williamson
Kaley	McEachern	Pleasant	Skoglund	Wynia
Kalis	Metzen	Prahl	Smogard	Zubay
Kelly, W.	Moe	Reding	Spanish	Speaker Sabo
King	Munger	Rice	Stanton	

The bill was passed and its title agreed to.

H. F. No. 1113, A bill for an act relating to welfare; clarifying the powers of guardianship by the commissioner; amending Minnesota Statutes 1976, Sections 252A.02, Subdivision 2; 252A.03, Subdivision 3; 252A.04, Subdivision 3; 252A.07, Subdivision 1; and 252A.18; repealing Minnesota Statutes 1976, Section 252.03.

The bill was read for the third time and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 128 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Abeln	Cohen	Jaros	Murphy	Sieben, H.
Adams	Cummiskey	Jensen	Neisen	Sieben, M.
Albrecht	Dahl	Johnson	Nelsen, B.	Simoneau
Anderson, B.	Dean	Kahn	Nelsen, M.	Skoglund
Anderson, D.	Den Ouden	Kaley	Nelson	Smogard
Anderson, I.	Eckstein	Kalis	Niehaus	Spanish
Anderson, R.	Eken	Kelly, R.	Norton	Stanton
Arlandson	Ellingson	Kelly, W.	Novak	Stoa
Battaglia	Enebo	King	Osthoff	Suss
Beauchamp	Erickson	Knickerbocker	Patton	Swanson
Begich	Esau	Kostohryz	Pehler	Tomlinson
Berg	Evans	Kroening	Peterson	Vanasek
Berglin	Ewald	Kvam	Petrafeso	Voss
Berkelman	Faricy	Laidig	Pleasant	Waldorf
Biersdorf	Fjoslien	Langseth	Prahl	Welch
Birnstihl	Forsythe	Lehto	Reding	Wenstrom
Brandl	Friedrich	Lemke	Rice	Wenzel
Braun	Fudro	Mangan	Rose	White
Brinkman	Fugina	Mann	St. Onge	Wieser
Byrne	George	McCarron	Samuelson	Wigley
Carlson, A.	Gunter	McCollar	Sarna	Williamson
Carlson, D.	Hanson	McDonald	Savelkoul	Wynia
Carlson, L.	Haugerud	McEachern	Schulz	Zubay
Casserly	Heinitz	Metzen	Searle	Speaker Sabo
Clark	Hokanson	Moe	Searles	
Clawson	Jacobs	Munger	Sherwood	

The bill was passed and its title agreed to.

H. F. No. 809, A bill for an act changing the boundary line between Lac qui Parle county and Big Stone county; amending Laws 1937, Chapter 423, Section 1.

The bill was read for the third time and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 123 yeas and 1 nay as follows:

Those who voted in the affirmative were:

Abeln	Corbid	Jacobs	Moe	Sieben, H.
Adams	Cummiskey	Jaros	Munger	Sieben, M.
Albrecht	Dahl	Jensen	Murphy	Simoneau
Anderson, B.	Dean	Johnson	Neisen	Skoglund
Anderson, D.	Den Ouden	Jude	Nelsen, B.	Spanish
Anderson, G.	Eckstein	Kahn	Nelsen, M.	Stanton
Anderson, I.	Eken	Kaley	Nelson	Stoa
Anderson, R.	Ellingson	Kalis	Niehaus	Suss
Battaglia	Enebo	Kelly, R.	Novak	Swanson
Beauchamp	Erickson	King	Osthoff	Tomlinson
Begich	Esau	Knickerbocker	Patton	Vanasek
Berg	Evans	Kostohryz	Pehler	Voss
Berglin	Ewald	Kroening	Peterson	Waldorf
Berkelman	Faricy	Kvam	Petrafeso	Welch
Birnstihl	Fjoslien	Laidig	Pleasant	Wenstrom
Braun	Forsythe	Langseth	Reding	Wenzel
Brinkman	Friedrich	Lehto	Rice	White
Byrne	Fudro	Lemke	Rose	Wieser
Carlson, A.	Fugina	Mangan	St. Onge	Wigley
Carlson, D.	George	Mann	Samuelson	Williamson
Carlson, L.	Gunter	McCarron	Sarna	Wynia
Casserly	Hanson	McCollar	Scheid	Zubay
Clark	Haugerud	McDonald	Searle	Speaker Sabo
Clawson	Heinitz	McEachern	Searles	
Cohen	Hokanson	Metzen	Sherwood	

Those who voted in the negative were:

Arlandson

The bill was passed and its title agreed to.

H. F. No. 937, A bill for an act relating to Ramsey county; deleting obsolete provisions in the Ramsey county code relating to parks and recreation; amending Laws 1974, Chapter 435, Section 1.0205.

The bill was read for the third time and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 130 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Abeln	Clawson	Hokanson	Metzen	Searle
Adams	Cohen	Jacobs	Moe	Searles
Albrecht	Corbid	Jaros	Munger	Sherwood
Anderson, B.	Cummiskey	Jensen	Murphy	Sieben, H.
Anderson, D.	Dahl	Johnson	Neisen	Sieben, M.
Anderson, G.	Dean	Jude	Nelsen, B.	Simoneau
Anderson, I.	Den Ouden	Kahn	Nelsen, M.	Skoglund
Anderson, R.	Eckstein	Kaley	Nelson	Smogard
Arlandson	Eken	Kalis	Niehaus	Spanish
Battaglia	Ellingson	Kelly, R.	Norton	Stanton
Beauchamp	Enebo	Kelly, W.	Novak	Stoa
Begich	Erickson	King	Osthoff	Suss
Berg	Esau	Knickerbocker	Patton	Swanson
Berglin	Evans	Kostohryz	Pehler	Tomlinson
Berkelman	Ewald	Kroening	Peterson	Voss
Biersdorf	Farcy	Kvam	Petrafeso	Waldorf
Birnstihl	Fjoslien	Laidig	Prahl	Welch
Brandl	Forsythe	Langseth	Reding	Wenstrom
Braun	Friedrich	Lehto	Rice	Wenzel
Brinkman	Fudro	Lemke	Rose	White
Byrne	Fugina	Mangan	St. Onge	Wieser
Carlson, A.	George	Mann	Samuelson	Wigley
Carlson, D.	Gunter	McCarron	Sarna	Williamson
Carlson, L.	Hanson	McCollar	Savelkoul	Wynia
Casserly	Haugerud	McDonald	Scheid	Zubay
Clark	Heinitz	McEachern	Schulz	Speaker Sabo

The bill was passed and its title agreed to.

H. F. No. 1129, A bill for an act relating to Ramsey county; codifying existing laws relating to the composition, terms, selection and redistricting of the board of commissioners; providing for the time and place of certain board meetings; authorizing rules of procedure and the keeping and publication of a board journal; amending Laws 1974, Chapter 435, Section 2.05, and by adding sections; repealing Laws 1974, Chapters 435, Sections 2.01, 2.02 and 2.06; and 576, Section 2, Subdivisions 1, 2, 3 and 5.

The bill was read for the third time and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 127 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Abeln	Begich	Carlson, D.	Eckstein	Friedrich
Adams	Berg	Carlson, L.	Eken	Fudro
Albrecht	Berglin	Casserly	Ellingson	Fugina
Anderson, B.	Berkelman	Clark	Enebo	George
Anderson, D.	Biersdorf	Clawson	Erickson	Gunter
Anderson, G.	Birnstihl	Cohen	Esau	Hanson
Anderson, I.	Brandl	Corbid	Evans	Heinitz
Anderson, R.	Braun	Cummiskey	Ewald	Hokanson
Arlandson	Brinkman	Dahl	Farcy	Jacobs
Battaglia	Byrne	Dean	Fjoslien	Jaros
Beauchamp	Carlson, A.	Den Ouden	Forsythe	Jensen

Johnson	McCarron	Osthoff	Schulz	Voss
Jude	McCollar	Patton	Searle	Waldorf
Kahn	McDonald	Pehler	Searles	Welch
Kaley	McEachern	Peterson	Sherwood	Wenstrom
Kelly, R.	Metzen	Petrafeso	Sieben, H.	Wenzel
King	Moe	Pleasant	Sieben, M.	White
Knickerbocker	Munger	Prahl	Simoneau	Wieser
Kostohryz	Murphy	Reding	Skoglund	Wigley
Kroening	Neisen	Rice	Smogard	Williamson
Laidig	Nelsen, B.	Rose	Spanish	Wynia
Langseth	Nelsen, M.	St. Onge	Stanton	Zubay
Lehto	Nelson	Samuelson	Stoa	Speaker Sabo
Lemke	Niehaus	Sarna	Suss	
Mangan	Norton	Savelkoul	Swanson	
Mann	Novak	Scheid	Tomlinson	

The bill was passed and its title agreed to.

H. F. No. 103, A bill for an act relating to highway traffic regulations; providing that a person may lawfully stop or park his motor vehicle on highways and streets under specified conditions for the purpose of aiding distressed motorists; amending Minnesota Statutes 1976, Chapter 169, by adding a section.

The bill was read for the third time and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 130 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Abein	Cohen	Jacobs	Munger	Searles
Adams	Corbid	Jaros	Murphy	Sherwood
Albrecht	Cummiskey	Jensen	Neisen	Sieben, H.
Anderson, B.	Dahl	Johnson	Nelsen, B.	Sieben, M.
Anderson, D.	Dean	Jude	Nelsen, M.	Simoneau
Anderson, G.	Den Ouden	Kahn	Nelson	Skoglund
Anderson, I.	Eckstein	Kaley	Niehaus	Smogard
Anderson, R.	Eken	Kalis	Norton	Spanish
Arlandson	Ellingson	Kelly, R.	Novak	Stanton
Battaglia	Enebo	Kelly, W.	Osthoff	Stoa
Beauchamp	Erickson	King	Patton	Suss
Begich	Esau	Knickerbocker	Pehler	Swanson
Berg	Evans	Kostohryz	Peterson	Tomlinson
Berglin	Ewald	Kroening	Petrafeso	Vanasek
Berkelman	Farcy	Kvam	Pleasant	Voss
Birnstihl	Fjoslien	Laidig	Prahl	Waldorf
Brandl	Forsythe	Langseth	Reding	Welch
Braun	Friedrich	Lehto	Rice	Wenstrom
Brinkman	Fudro	Lemke	Rose	Wenzel
Byrne	Fugina	Mangan	St. Onge	White
Carlson, A.	George	Mann	Samuelson	Wieser
Carlson, D.	Gunter	McCarron	Sarna	Wigley
Carlson, L.	Hanson	McCollar	Savelkoul	Williamson
Casserly	Haugerud	McDonald	Scheid	Wynia
Clark	Heinitz	Metzen	Schulz	Zubay
Clawson	Hokanson	Moe	Searle	Speaker Sabo

The bill was passed and its title agreed to.

S. F. No. 651, A bill for an act relating to health; developing standards for safe drinking water; providing penalties; defining terms; amending Minnesota Statutes 1976, Section 115.71, Subdivision 7; and 144.12, Subdivision 1.

The bill was read for the third time and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 84 yeas and 38 nays as follows:

Those who voted in the affirmative were:

Abeln	Dahl	Kahn	Murphy	Simoneau
Anderson, B.	Dean	Kaley	Neisen	Skoglund
Arlandson	Ellingson	Kalis	Nelson	Smogard
Berg	Enebo	Kelly, R.	Norton	Stanton
Berkelman	Evans	Kelly, W.	Novak	Stoa
Brandl	Ewald	King	Pehler	Suss
Braun	Fariely	Kostohryz	Petrafeso	Swanson
Brinkman	Forsythe	Kroening	Prahl	Tomlinson
Byrne	Fudro	Laidig	Reding	Vanasek
Carlson, A.	Fugina	Langseth	Rice	Voss
Carlson, D.	George	Lehto	St. Onge	Welch
Carlson, L.	Hanson	Mangan	Sarna	Wenstrom
Casserly	Haugerud	McCarron	Scheid	Wenzel
Clark	Hokanson	McCollar	Schulz	White
Clawson	Jacobs	McEachern	Sherwood	Williamson
Cohen	Jaros	Metzen	Sieben, H.	Wynia
Cummiskey	Jude	Munger	Sieben, M.	

Those who voted in the negative were:

Albrecht	Corbid	Heinitz	Nelsen, B.	Searles
Anderson, D.	Den Ouden	Jensen	Nelsen, M.	Spanish
Anderson, G.	Eckstein	Johnson	Niehaus	Waldorf
Anderson, I.	Eken	Knickerbocker	Peterson	Wieser
Battaglia	Erickson	Kvam	Rose	Wigley
Beauchamp	Esau	Lemke	Samuelson	Zubay
Begich	Fjoslien	Mann	Savelkoul	
Birnstihl	Gunter	McDonald	Searle	

The bill was passed and its title agreed to.

H. F. No. 492, A bill for an act relating to the city of Winona; placing the chief of police under the public employees police and fire fund.

The bill was read for the third time and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 126 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Abeln	Adams	Albrecht	Anderson, B.	Anderson, D.
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Anderson, G.	Dean	Johnson	Neisen	Simoneau
Anderson, I.	Den Ouden	Jude	Nelsen, B.	Skoglund
Anderson, R.	Eckstein	Kahn	Nelsen, M.	Smogard
Arlandson	Eken	Kaley	Nelson	Stanton
Battaglia	Ellingson	Kalis	Niehaus	Stoa
Beauchamp	Enebo	Kelly, R.	Norton	Suss
Begich	Erickson	Kelly, W.	Novak	Swanson
Berg	Esau	King	Patton	Tomlinson
Berglin	Evans	Knickerbocker	Pehler	Vanasek
Berkelman	Ewald	Kostohryz	Peterson	Voss
Birnstihl	Faricy	Kroening	Petrafeso	Waldorf
Brandl	Fjoslien	Kvam	Prahl	Welch
Braun	Forsythe	Laidig	Reding	Wenstrom
Brinkman	Friedrich	Langseth	Rice	Wenzel
Byrne	Fudro	Lehto	St. Onge	White
Carlson, A.	Fugina	Lemke	Samuelson	Wieser
Carlson, D.	George	Mangan	Sarna	Wigley
Carlson, L.	Gunter	Mann	Savelkoul	Williamson
Casserly	Hanson	McCarron	Scheid	Wynia
Clark	Haugerud	McCollar	Schulz	Zubay
Clawson	Heinitz	McDonald	Searle	Speaker Sabo
Cohen	Hokanson	McEachern	Searles	
Corbid	Jacobs	Metzen	Sherwood	
Cummiskey	Jaros	Moe	Sieben, H.	
Dahl	Jensen	Munger	Sieben, M.	

The bill was passed and its title agreed to.

H. F. No. 902, A bill for an act relating to state finance; authorizing payments pursuant to grievance resolutions; amending Minnesota Statutes 1976, Section 16A.17, Subdivision 7.

The bill was read for the third time and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 129 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Abeln	Carlson, L.	Fudro	Kvam	Patton
Adams	Casserly	Fugina	Laidig	Pehler
Albrecht	Clark	George	Langseth	Peterson
Anderson, B.	Clawson	Gunter	Lehto	Petrafeso
Anderson, D.	Cohen	Hanson	Lemke	Prahl
Anderson, G.	Corbid	Haugerud	Mangan	Reding
Anderson, I.	Cummiskey	Heinitz	Mann	Rice
Anderson, R.	Dahl	Hokanson	McCarron	Rose
Arlandson	Dean	Jacobs	McCollar	St. Onge
Battaglia	Den Ouden	Jaros	McDonald	Samuelson
Beauchamp	Eckstein	Jensen	McEachern	Sarna
Begich	Eken	Johnson	Metzen	Savelkoul
Berg	Ellingson	Jude	Moe	Scheid
Berglin	Enebo	Kahn	Munger	Schulz
Berkelman	Erickson	Kaley	Neisen	Searle
Birnstihl	Esau	Kalis	Nelsen, B.	Searles
Brandl	Evans	Kelly, R.	Nelsen, M.	Sherwood
Braun	Ewald	Kelly, W.	Nelson	Sieben, H.
Brinkman	Faricy	King	Niehaus	Sieben, M.
Byrne	Fjoslien	Knickerbocker	Norton	Simoneau
Carlson, A.	Forsythe	Kostohryz	Novak	Skoglund
Carlson, D.	Friedrich	Kroening	Osthoff	Smogard

Spanish	Swanson	Waldorf	White	Wynia
Stanton	Tomlinson	Welch	Wieser	Zubay
Stoa	Vanasek	Wenstrom	Wigley	Speaker Sabo
Suss	Voss	Wenzel	Williamson	

The bill was passed and its title agreed to.

H. F. No. 1038, A bill for an act relating to state lands; authorizing the commissioner of natural resources to convey the interests of the state in certain lands in Houston county.

The bill was read for the third time and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 129 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Abeln	Cohen	Jacobs	Moe	Searle
Adams	Corbid	Jaros	Munger	Searles
Albrecht	Cummiskey	Jensen	Murphy	Sherwood
Anderson, E.	Dahl	Johnson	Neisen	Sieben, H.
Anderson, D.	Dean	Jude	Nelsen, B.	Sieben, M.
Anderson, G.	Den Ouden	Kahn	Nelsen, M.	Simoneau
Anderson, I.	Eckstein	Kaley	Nelson	Skoglund
Anderson, R.	Eken	Kalis	Niehaus	Smogard
Arlandson	Ellingson	Kelly, R.	Norton	Stanton
Battaglia	Enebo	Kelly, W.	Novak	Stoa
Eauchamp	Erickson	King	Osthoff	Suss
Begich	Esau	Knickerbocker	Patton	Swanson
Berg	Evans	Kostohryz	Pehler	Tomlinson
Berglin	Ewald	Kroening	Peterson	Vanasek
Berkelman	Faricy	Kvam	Petrafeso	Voss
Birnstihl	Fjoslien	Laidig	Pleasant	Waldorf
Brandl	Forsythe	Langseth	Prahl	Welch
Braun	Friedrich	Lehto	Reding	Wenstrom
Brinkman	Fugina	Lemke	Rice	Wenzel
Byrne	George	Mangan	Rose	White
Carlson, A.	Gunter	Mann	St. Onge	Wieser
Carlson, D.	Hanson	McCarron	Samuelson	Wigley
Carlson, L.	Haugerud	McCollar	Sarna	Williamson
Cassery	Heinitz	McDonald	Savelkoul	Wynia
Clark	Hokanson	McEachern	Scheid	Zubay
Clawson		Metzen	Schulz	

The bill was passed and its title agreed to.

H. F. No. 1099, A bill for an act relating to the city of Excelsior; proportionate service pensions and financing requirements of the firemen's relief association.

The bill was read for the third time and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 129 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Abeln	Corbid	Jaros	Murphy	Sherwood
Adams	Cummiskey	Jensen	Neisen	Sieben, H.
Albrecht	Dahl	Johnson	Nelsen, B.	Sieben, M.
Anderson, B.	Dean	Jude	Nelsen, M.	Simoneau
Anderson, D.	Den Ouden	Kahn	Nelson	Skoglund
Anderson, G.	Eckstein	Kaley	Niehaus	Smogard
Anderson, I.	Eken	Kalis	Norton	Spanish
Anderson, R.	Ellingson	Kelly, R.	Novak	Stanton
Arlandson	Enebo	Kelly, W.	Osthoff	Stoa
Battaglia	Erickson	King	Patton	Suss
Beauchamp	Esau	Knickerbocker	Pehler	Swanson
Begich	Evans	Kostohryz	Peterson	Tomlinson
Berg	Ewald	Kroening	Petrafeso	Vanasek
Berglin	Faricy	Kvam	Pleasant	Voss
Berkelman	Fjoslien	Laidig	Prahl	Waldorf
Birnstihl	Forsythe	Langseth	Reding	Welch
Brandl	Friedrich	Lehto	Rice	Wenstrom
Braun	Fudro	Lemke	Rose	Wenzel
Brinkman	Fugina	Mangan	St. Onge	White
Byrne	George	Mann	Samuelson	Wieser
Carlson, A.	Gunter	McCarron	Sarna	Wigley
Carlson, D.	Hanson	McDonald	Savelkoul	Williamson
Casserly	Haugerud	McEachern	Scheid	Wynia
Clark	Heinitz	Metzen	Schulz	Zubay
Clawson	Hokanson	Moe	Searle	Speaker Sabo
Cohen	Jacobs	Munger	Searles	

The bill was passed and its title agreed to.

H. F. No. 1155, A bill for an act relating to the revisor of statutes; providing for engrossing and enrolling duties; clarifying disclosure of bill drafting records; amending Minnesota Statutes 1976, Sections 482.09; and 482.12, Subdivision 1.

The bill was read for the third time and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 130 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Abeln	Birnstihl	Eckstein	Hanson	Kostohryz
Adams	Brandl	Eken	Haugerud	Kroening
Albrecht	Braun	Ellingson	Heinitz	Kvam
Anderson, B.	Brinkman	Enebo	Hokanson	Laidig
Anderson, D.	Byrne	Erickson	Jacobs	Langseth
Anderson, G.	Carlson, A.	Esau	Jaros	Lehto
Anderson, I.	Carlson, D.	Evans	Jensen	Lemke
Anderson, R.	Carlson, L.	Ewald	Johnson	Mangan
Arlandson	Casserly	Faricy	Jude	Mann
Battaglia	Clark	Fjoslien	Kahn	McCarron
Beauchamp	Clawson	Forsythe	Kaley	McDonald
Begich	Cohen	Friedrich	Kalis	McEachern
Berg	Corbid	Fudro	Kelly, R.	Metzen
Berglin	Dahl	Fugina	Kelly, W.	Moe
Berkelman	Dean	George	King	Munger
Biersdorf	Den Ouden	Gunter	Knickerbocker	Murphy

Neisen	Peterson	Savelkoul	Smogard	Welch
Nelsen, B.	Petrafeso	Scheid	Spanish	Wenstrom
Nelsen, M.	Pleasant	Schulz	Stanton	Wenzel
Nelson	Prahl	Searle	Stoa	White
Niehaus	Reding	Searles	Suss	Wieser
Norton	Rice	Sherwood	Swanson	Wigley
Novak	Rose	Sieben, H.	Tomlinson	Williamson
Osthoff	St. Onge	Sieben, M.	Vanasek	Wynia
Patton	Samuelson	Simoneau	Voss	Zubay
Pehler	Sarna	Skoglund	Waldorf	Speaker Sabo

The bill was passed and its title agreed to.

H. F. No. 1259 was reported to the House.

Faricy moved to amend H. F. No. 1259, as follows:

Page 1, line 7, delete "firemens" and insert "firefighter's".

Further amend the title:

Page 1, line 2, delete "firemen's" and insert "firefighter's".

The motion prevailed and the amendment was adopted.

H. F. No. 1259, A bill for an act relating to the city of Savage; firefighter's service pensions.

The bill was read for the third time, as amended, and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 131 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Abeln	Carlson, D.	Friedrich	Kostohryz	Novak
Adams	Carlson, L.	Fudro	Kroening	Osthoff
Albrecht	Casserly	Fugina	Kvam	Patton
Anderson, B.	Clark	George	Laidig	Pehler
Anderson, D.	Clawson	Gunter	Langseth	Peterson
Anderson, G.	Cohen	Hanson	Lehto	Petrafeso
Anderson, I.	Corbid	Haugerud	Lenke	Pleasant
Anderson, R.	Cummiskey	Heinitz	Mangan	Prahl
Arlandson	Dahl	Hokanson	Mann	Reding
Battaglia	Dean	Jacobs	McCarron	Rice
Beauchamp	Den Ouden	Jaros	McCollar	Rose
Begich	Eckstein	Jensen	McDonald	St. Onge
Berg	Eken	Johnson	McEachern	Samuelson
Berglin	Ellingson	Jude	Metzen	Sarna
Berkelman	Enebo	Kahn	Moe	Savelkoul
Biersdorf	Erickson	Kaley	Munger	Scheid
Birnstihl	Esau	Kalis	Murphy	Schulz
Brandl	Evans	Kelly, R.	Neisen	Searle
Braun	Ewald	Kelly, W.	Nelsen, B.	Sherwood
Brinkman	Faricy	Kempe, R.	Nelson	Sieben, H.
Byrne	Fjoslien	King	Niehaus	Sieben, M.
Carlson, A.	Forsythe	Knickerbocker	Norton	Simoneau

Skoglund	Suss	Waldorf	Wieser	Speaker Sabo
Smogard	Swanson	Welch	Wigley	
Spanish	Tomlinson	Wenstrom	Williamson	
Stanton	Vanasek	Wenzel	Wynia	
Stoa	Voss	White	Zubay	

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

H. F. No. 1305, A bill for an act relating to Minnesota Statutes; providing for the correction of erroneous, ambiguous, omitted and obsolete references and text; reenacting a law; eliminating certain duplicitous and conflicting provisions superseded by or conflicting with other provisions of law; amending Minnesota Statutes 1976, Chapter 15, by adding a section; Sections 3.973; 4.12, Subdivision 2; 10.13; 15.55; 16A.129; 33.13; 38.02, Subdivision 2; 38.13; 41.57, Subdivision 1; 43.051, Subdivisions 1 and 2; 55.095; 83.26, Subdivision 3; 116.36, Subdivision 1; 116A.20, Subdivision 6; 121.02, Subdivision 1; 121.11, Subdivision 5; 125.05, Subdivision 3; 144.01, Subdivision 1; 144A.19, by adding a subdivision; 161.14, Subdivision 19; 168.013, Subdivision 17; 168.12, Subdivision 1; 168.27, Subdivision 22; 176.101, Subdivision 3; 179.65, Subdivision 2; 192.551; 193.149; 202A.25, Subdivision 1; 207.19, Subdivision 1; 222.50, Subdivision 5; 246.02, Subdivision 2; 252.24, Subdivision 1; 256B.04, Subdivisions 10 and 11; 260.171, Subdivision 6; 270.50; 273.13, Subdivisions 6 and 7; 297.13, Subdivision 1; 336.9-104; 336.9-105; 336.9-404; 336.9-501; 340.039; 353.01, Subdivisions 2a and 6; 355.30; 375.18, Subdivision 8; 458.19; 462.364; 462A.04, Subdivision 1; 462A.22, Subdivision 10; 465.58; 485.01; 549.06; 609.556, Subdivision 1; and 645.44, Subdivision 5a; reenacting Laws 1976, Chapter 127; repealing Minnesota Statutes 1976, Sections 15.055; 17B.22, Subdivision 3; 43.37; 136A.02, Subdivision 2; 144.952; 169.132; Laws 1971, Chapter 427, Section 17; Laws 1974, Chapters 22, Section 5; and 256.

The bill was read for the third time and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 133 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Abeln	Berglin	Clawson	Evans	Hokanson
Adams	Berkelman	Cohen	Ewald	Jacobs
Albrecht	Biersdorf	Corbid	Faricy	Jaros
Anderson, B.	Birnstihl	Cummiskey	Fjoslien	Jensen
Anderson, D.	Brandl	Dahl	Forsythe	Johnson
Anderson, G.	Braun	Dean	Friedrich	Jude
Anderson, I.	Brinkman	Den Ouden	Fudro	Kahn
Anderson, R.	Byrne	Eckstein	Fugina	Kaley
Arlandson	Carlson, A.	Eken	George	Kalis
Battaglia	Carlson, D.	Ellingson	Gunter	Kelly, R.
Beauchamp	Carlson, L.	Enebo	Hanson	Kelly, W.
Begich	Casserly	Erickson	Haugerud	Kempe, R.
Berg	Clark	Esau	Heinitz	King

Knickerbocker	Metzen	Peterson	Searles	Voss
Kostohryz	Moe	Petrafozo	Sherwood	Waldorf
Kroening	Munger	Pleasant	Sieben, H.	Welch
Kvam	Murphy	Prahl	Sieben, M.	Wenstrom
Laidig	Neisen	Reding	Simoneau	Wenzel
Langseth	Nelsen, B.	Rice	Skoglund	White
Lehto	Nelsen, M.	Rose	Smogard	Wieser
Lemke	Nelson	St. Onge	Spanish	Wigley
Mangan	Niehaus	Samuelson	Stanton	Williamson
Mann	Norton	Sarna	Stoa	Wynia
McCarron	Novak	Savelkoul	Suss	Zubay
McCollar	Osthoff	Scheid	Swanson	Speaker Sabo
McDonald	Patton	Schulz	Tomlinson	
McEachern	Pehler	Searle	Vanasek	

The bill was passed and its title agreed to.

H. F. No. 1161, A bill for an act relating to education; correcting and eliminating certain erroneous and obsolete references and text relating to state universities and community colleges; amending Minnesota Statutes 1976, Sections 136.60, Subdivision 1, and by adding a subdivision; 136.603; 136.62, Subdivisions 1, 2, 4 and 5; 136.621, Subdivision 1; repealing Minnesota Statutes 1976, Sections 136.016; 136.60, Subdivision 2; 136.601; 136.602; 136.62, Subdivision 3; 136.621, Subdivisions 2 and 3; and 136.66.

The bill was read for the third time and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 132 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Abeln	Cohen	Jaros	Munger	Sieben, H.
Adams	Corbid	Jensen	Murphy	Sieben, M.
Albrecht	Cummiskey	Johnson	Neisen	Simoneau
Anderson, B.	Dahl	Jude	Nelsen, B.	Skoglund
Anderson, D.	Dean	Kahn	Nelsen, M.	Smogard
Anderson, G.	Den Ouden	Kaley	Nelson	Spanish
Anderson, I.	Eckstein	Kalis	Niehaus	Stanton
Anderson, R.	Eken	Kelly, R.	Norton	Stoa
Arlandson	Ellingson	Kelly, W.	Novak	Suss
Battaglia	Enebo	Kempe, R.	Osthoff	Swanson
Beauchamp	Erickson	King	Patton	Tomlinson
Begich	Esau	Knickerbocker	Pehler	Vanasek
Berg	Evans	Kostohryz	Peterson	Voss
Berglin	Ewald	Kroening	Petrafozo	Waldorf
Berkelman	Fariicy	Kvam	Pleasant	Welch
Biersdorf	Fjoslien	Laidig	Prahl	Wenstrom
Birnstihl	Forsythe	Langseth	Reding	Wenzel
Brandl	Friedrich	Lehto	Rice	White
Braun	Fudro	Lemke	Rose	Wieser
Brinkman	Fugina	Mangan	St. Onge	Wigley
Byrne	George	Mann	Samuelson	Williamson
Carlson, A.	Gunter	McCarron	Sarna	Wynia
Carlson, D.	Hanson	McCollar	Savelkoul	Zubay
Carlson, L.	Haugerud	McDonald	Scheid	Speaker Sabo
Casserly	Heinitz	McEachern	Schulz	
Clark	Hokanson	Metzen	Searle	
Clawson	Jacobs	Moe	Sherwood	

The bill was passed and its title agreed to.

H. F. No. 577 was reported to the House.

Norton moved to amend H. F. No. 577 as follows:

Page 1, line 20, before the period add "Except that operation pursuant to said license shall only be permitted on the regular meeting nights of the St. Paul Trades and Labor Assembly prior to 10:00 o'clock P.M."

Upon objection of ten members H. F. No. 577 was stricken from the Consent Calendar and returned to General Orders.

H. F. No. 1469, A bill for an act relating to transportation; extending the time for submission by the commissioner of certain proposals relating to certain modes of transportation; amending Minnesota Statutes 1976, Section 174.06, Subdivision 7.

The bill was read for the third time and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 126 yeas and 1 nay as follows:

Those who voted in the affirmative were:

Abeln	Dahl	Johnson	Neisen	Sieben, M.
Adams	Dean	Jude	Nelsen, B.	Simoneau
Albrecht	Den Ouden	Kahn	Nelson	Skoglund
Anderson, B.	Eckstein	Kaley	Niehaus	Smogard
Anderson, D.	Eken	Kalis	Norton	Spanish
Anderson, I.	Ellingson	Kelly, R.	Novak	Stanton
Arlandson	Enebo	Kelly, W.	Osthoff	Stoa
Battaglia	Erickson	Kempe, R.	Patton	Suss
Beauchamp	Esau	King	Pehler	Swanson
Bagich	Evans	Knickerbocker	Peterson	Tomlinson
Berg	Ewald	Kostohryz	Petrafeso	Vanasek
Berkelman	Faricy	Kroening	Pleasant	Voss
Biersdorf	Fjoslien	Kvam	Prahl	Waldorf
Birnstihl	Forsythe	Langseth	Reding	Welch
Brandl	Friedrich	Lehto	Rice	Wenstrom
Braun	Fudro	Lemke	Rose	Wenzel
Brinkman	Fugina	Mangan	St. Onge	White
Byrne	George	Mann	Samuelson	Wieser
Carlson, A.	Gunter	McCarron	Sarna	Wigley
Carlson, D.	Hanson	McCollar	Savelkoul	Williamson
Carlson, L.	Haugerud	McDonald	Scheid	Zubay
Casserly	Heinitz	McEachern	Schulz	Speaker Sabo
Clark	Hokanson	Metzen	Searle	
Clawson	Jacobs	Moe	Searles	
Cohen	Jaros	Munger	Sherwood	
Corbid	Jensen	Murphy	Sieben, H.	

Those who voted in the negative were:

Anderson, G.

The bill was passed and its title agreed to.

H. F. No. 1471, A bill for an act relating to aeronautics; requiring boards of adjustment to grant or deny applications for zoning variances within six months; authorizing the commissioner of transportation to develop an air transportation system; amending Minnesota Statutes 1976, Section 360.015, Subdivision 14; 360.017, Subdivision 1; and 360.067, Subdivision 2.

The bill was read for the third time and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 131 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Abeln	Cohen	Jensen	Murphy	Sieben, M.
Adams	Corbid	Johnson	Neisen	Simoneau
Albrecht	Cummiskey	Jude	Nelsen, B.	Skoglund
Anderson, B.	Dahl	Kahn	Nelson	Smogard
Anderson, D.	Dean	Kaley	Niehaus	Spanish
Anderson, G.	Den Ouden	Kalis	Norton	Stanton
Anderson, I.	Eckstein	Kelly, R.	Novak	Stoa
Anderson, R.	Eken	Kelly, W.	Osthoff	Suss
Arlandson	Ellingson	Kempe, R.	Patton	Swanson
Battaglia	Enebo	King	Peher	Tomlinson
Beauchamp	Erickson	Knickerbocker	Peterson	Vanasek
Begich	Esau	Kostohryz	Petrafeso	Voss
Berg	Evans	Kroening	Pleasant	Waldorf
Berglin	Faricy	Kvam	Prahl	Welch
Berkelman	Fjoslien	Laidig	Reding	Wenstrom
Biersdorf	Forsythe	Langseth	Rice	Wenzel
Birnstihl	Friedrich	Lehto	Rose	White
Brandl	Fudro	Lemke	St. Onge	Wieser
Braun	Fugina	Mangan	Samuelson	Wigley
Brinkman	George	Mann	Sarna	Williamson
Byrne	Gunter	McCarron	Saveikoul	Wynia
Carlson, A.	Hanson	McCollar	Scheid	Zubay
Carlson, D.	Haugerud	McDonald	Schulz	Speaker Sabo
Carlson, L.	Heinitz	McEachern	Searle	
Casserly	Hokanson	Metzen	Searles	
Clark	Jacobs	Moe	Sherwood	
Clawson	Jaros	Munger	Sieben, H.	

The bill was passed and its title agreed to.

S. F. No. 72, A bill for an act relating to natural resources; authorizing the conveyance by the state of certain lands known as Battle Point to Todd county; amending Minnesota Statutes 1976, Section 84.163.

The bill was read for the third time and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 127 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Abeln	Cohen	Jensen	Munger	Sherwood
Adams	Corbid	Johnson	Murphy	Sieben, H.
Albrecht	Dahl	Jude	Neisen	Sieben, M.
Anderson, B.	Dean	Kahn	Nelsen, B.	Simoneau
Anderson, D.	Den Ouden	Kaley	Nelson	Skoglund
Anderson, G.	Eckstein	Kalis	Niehaus	Smogard
Anderson, I.	Eken	Kelly, R.	Norton	Spanish
Anderson, R.	Ellingson	Kelly, W.	Novak	Stanston
Arlandson	Enebo	Kempe, R.	Osthoff	Stoa
Battaglia	Erickson	King	Patton	Suss
Beauchamp	Esau	Knickerbocker	Pehler	Swanson
Begich	Evans	Kostohryz	Peterson	Tomlinson
Berg	Faricy	Kroening	Petrafeso	Vanasek
Berkelman	Fjoslien	Kvam	Pleasant	Voss
Biersdorf	Forsythe	Laidig	Prahl	Waldorf
Birnstihl	Friedrich	Langseth	Reding	Welch
Brandl	Fudro	Lehto	Rice	Wenstrom
Braun	Fugina	Lemke	Rose	Wenzel
Brinkman	George	Mangan	St. Onge	White
Byrne	Gunter	Mann	Samuelson	Wieser
Carlson, A.	Hanson	McCarron	Sarna	Wigley
Carlson, D.	Haugerud	McCollar	Savelkoul	Zubay
Carlson, L.	Heimitz	McDonald	Scheid	Speaker Sabo
Casserly	Hokanson	McEachern	Schulz	
Clark	Jacobs	Metzen	Searle	
Clawson	Jaros	Moe	Searles	

The bill was passed and its title agreed to.

S. F. No. 108 was reported to the House.

There being no objection, S. F. No. 108 was continued on the Consent Calendar for one day.

CALENDAR

S. F. No. 345, A bill for an act relating to the Minnesota municipal board; providing for per diem compensation and reimbursement of expenses for board members; amending Minnesota Statutes 1976, Section 414.01, Subdivision 6a.

The bill was read for the third time and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 82 yeas and 45 nays as follows:

Those who voted in the affirmative were:

Adams	Berglin	Carlson, L.	Dahl	George
Anderson, B.	Berkelman	Casserly	Dean	Gunter
Anderson, I.	Birnstihl	Clark	Eken	Haugerud
Arlandson	Braun	Clawson	Ellingson	Hokanson
Battaglia	Brinkman	Cohen	Enebo	Jacobs
Begich	Byrne	Corbid	Fudro	Jaros
Berg	Carlson, A.	Cummiskey	Fugina	Jensen

Johnson	Mangan	Nelson	Schulz	Voss
Jude	Mann	Novak	Sieben, H.	Wenstrom
Kahn	McCarron	Osthoff	Sieben, M.	White
Kalis	McCollar	Petrafeso	Simoneau	Williamson
Kelly, W.	McEachern	Prahl	Skoglund	Wynia
King	Metzen	Reding	Smogard	Zubay
Knickerbocker	Moe	Rice	Spanish	Speaker Sabo
Langseth	Munger	St. Onge	Stanton	
Lehto	Murphy	Samuelson	Swanson	
Lemke	Neisen	Sarna	Tomlinson	

Those who voted in the negative were:

Abeln	Esau	Kaley	Niehaus	Searles
Albrecht	Evans	Kelly, R.	Norton	Sherwood
Anderson, D.	Ewald	Kempe, R.	Pehler	Stoa
Anderson, G.	Faricy	Kostohryz	Peterson	Suss
Anderson, R.	Fjoslien	Kroening	Pleasant	Waldorf
Biersdorf	Forsythe	Kvam	Rose	Welch
Carlson, D.	Friedrich	Laidig	Savelkoul	Wenzel
Den Ouden	Hanson	McDonald	Scheid	Wieser
Erickson	Heinitz	Nelsen, B.	Searle	Wigley

The bill was passed and its title agreed to.

H. F. No. 676, A bill for an act relating to intoxicating liquor; civil liability for illegal sale, barter or gift thereof; amending Minnesota Statutes 1976, Sections 340.95 and 340.951.

The bill was read for the third time and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 100 yeas and 31 nays as follows:

Those who voted in the affirmative were:

Abeln	Clawson	Hanson	Mann	Schulz
Adams	Cohen	Haugerud	McCarron	Searle
Albrecht	Corbid	Heinitz	McEachern	Searles
Anderson, B.	Cummiskey	Jacobs	Metzen	Simoneau
Anderson, G.	Dahl	Jaros	Munger	Smogard
Anderson, I.	Dean	Jensen	Murphy	Spanish
Battaglia	Den Ouden	Johnson	Neisen	Stanton
Beauchamp	Eckstein	Jude	Nelsen, B.	Stoa
Begich	Eken	Kahn	Niehaus	Tomlinson
Berkelman	Ellingson	Kaley	Novak	Vanasek
Biersdorf	Enebo	Kalis	Osthoff	Voss
Birnstihl	Esau	Kelly, R.	Pehler	Welch
Brandl	Evans	Kelly, W.	Peterson	Wenstrom
Braun	Fjoslien	King	Pleasant	Wenzel
Brinkman	Forsythe	Knickerbocker	Prahl	White
Carlson, A.	Friedrich	Kvam	Reding	Wieser
Carlson, D.	Fudro	Langseth	Rose	Wigley
Carlson, L.	Fugina	Lehto	Samuelson	Williamson
Casserly	George	Lemke	Sarna	Zubay
Clark	Gunter	Mangan	Savelkoul	Speaker Sabo

Those who voted in the negative were:

Anderson, D.	Ewald	McCollar	St. Onge	Swanson
Anderson, R.	Faricy	McDonald	Scheid	Waldorf
Arlandson	Hokanson	Moe	Sherwood	Wynia
Berg	Kempe, R.	Nelson	Sieben, H.	
Berglin	Kostohryz	Norton	Sieben, M.	
Byrne	Kroening	Petrafeso	Skoglund	
Erickson	Laidig	Rice	Suss	

The bill was passed and its title agreed to.

H. F. No. 707, A bill for an act relating to taxation; changing certain procedures for objecting to real or personal property taxes; providing for city and town attorneys to handle prosecutions; amending Minnesota Statutes 1976, Sections 277.011, Subdivisions 1 and 5; 278.01 and 278.05.

The bill was read for the third time and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 131 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Abeln	Cohen	Jaros	Murphy	Sieben, M.
Adams	Corbid	Jensen	Neisen	Simoneau
Albrecht	Cummiskey	Johnson	Nelsen, B.	Skoglund
Anderson, B.	Dahl	Jude	Nelson	Smogard
Anderson, D.	Dean	Kahn	Niehaus	Spanish
Anderson, G.	Den Ouden	Kaley	Norton	Stanton
Anderson, I.	Eckstein	Kalis	Novak	Stoa
Anderson, R.	Eken	Kelly, R.	Osthoff	Suss
Arlandson	Ellingson	Kelly, W.	Patton	Swanson
Battaglia	Enebo	Kempe, R.	Pehler	Tomlinson
Beauchamp	Erickson	King	Peterson	Vanasek
Begich	Esau	Knickerbocker	Petrafeso	Voss
Berg	Evans	Kostohryz	Pleasant	Waldorf
Berglin	Ewald	Kroening	Prahl	Welch
Berkelman	Faricy	Kvam	Reding	Wenstrom
Biersdorf	Fjoslien	Langseth	Rice	Wenzel
Birnstihl	Foraythe	Lehto	Rose	White
Brandl	Friedrich	Lemke	St. Onge	Wieser
Braun	Fudro	Mangan	Samuelson	Wigley
Brinkman	Fugina	Mann	Sarna	Williamson
Byrne	George	McCarron	Savelkoul	Wynia
Carlson, A.	Gunter	McCollar	Scheid	Zubay
Carlson, D.	Hanson	McDonald	Schulz	Speaker Sabo
Carlson, L.	Haugerud	McEachern	Searle	
Casserly	Heinitz	Metzen	Searles	
Clark	Hokanson	Moe	Sherwood	
Clawson	Jacobs	Munger	Sieben, H.	

The bill was passed and its title agreed to.

H. F. No. 993, A bill for an act relating to taxation; providing an alternative tax on liquor in metric containers; authorizing commissioner of revenue to order metric conversion; increasing

bonding requirements; defining certain responsibilities of commissioners of public safety and revenue; amending Minnesota Statutes 1976, Sections 299A.02, Subdivision 1; 340.44; 340.47, by adding subdivisions; 340.485, Subdivisions 1 and 2; 340.51; 340.54, Subdivision 1; and 340.55.

The bill was read for the third time and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 130 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Abeln	Clawson	Jacobs	Moe	Searles
Adams	Cohen	Jaros	Munger	Sherwood
Albrecht	Corbid	Jensen	Murphy	Sieben, H.
Anderson, B.	Dahl	Johnson	Neisen	Sieben, M.
Anderson, D.	Dean	Jude	Nelsen, B.	Simoneau
Anderson, G.	Den Ouden	Kahn	Nelson	Skoglund
Anderson, I.	Eckstein	Kaley	Niehaus	Smogard
Anderson, R.	Eken	Kalis	Norton	Spanish
Arlandson	Ellingson	Kelly, R.	Novak	Stanton
Battaglia	Enebo	Kelly, W.	Osthoff	Stoa
Beauchamp	Erickson	Kempe, R.	Patton	Suss
Begich	Esau	King	Pehler	Swanson
Berg	Evans	Knickerbocker	Peterson	Tomlinson
Berglin	Ewald	Kostohryz	Petrafaso	Vanasek
Berkelman	Faricy	Kroening	Pleasant	Voss
Biersdorf	Fjoslien	Kvam	Prahl	Waldorf
Birnstihl	Forsythe	Laidig	Reding	Welch
Brandl	Friedrich	Langseth	Rice	Wenstrom
Braun	Fudro	Lehto	Rose	Wenzel
Brinkman	Fugina	Lemke	St. Onge	White
Byrne	George	Mangan	Samuelson	Wieser
Carlson, A.	Gunter	Mann	Sarna	Wigley
Carlson, D.	Hanson	McCarron	Savelkoul	Williamson
Carlson, L.	Haugerud	McCollar	Scheid	Wynia
Casserly	Heinitz	McEachern	Schulz	Zubay
Clark	Hokanson	Metzen	Searle	Speaker Sabo

The bill was passed and its title agreed to.

H. F. No. 79, A bill for an act relating to real estate; placing restrictions on who may acquire title; providing enforcement powers; providing penalty; amending Minnesota Statutes 1976, Chapter 500, by adding a section; repealing Minnesota Statutes 1976, Section 500.22.

The bill was read for the third time and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 128 yeas and 2 nays as follows:

Those who voted in the affirmative were:

Abeln	Adams	Albrecht	Anderson, B.	Anderson, D.
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Anderson, G.	Dahl	Johnson	Murphy	Sieben, H.
Anderson, I.	Dean	Jude	Neisen	Sieben, M.
Anderson, R.	Den Ouden	Kahn	Nelsen, B.	Simoneau
Arlandson	Eckstein	Kaley	Nelson	Smogard
Battaglia	Eken	Kalis	Niehaus	Spanish
Beauchamp	Ellingson	Kelly, R.	Norton	Stanton
Begich	Enebo	Kelly, W.	Osthoff	Stoa
Berg	Erickson	Kempe, R.	Patton	Suss
Berglin	Esau	King	Pehler	Swanson
Berkelman	Evans	Knickerbocker	Peterson	Tomlinson
Biersdorf	Ewald	Kostohryz	Petraleso	Vanasek
Birnstihl	Faricy	Kroening	Pleasant	Voss
Brandl	Fjoslien	Kvam	Prahl	Waldorf
Braun	Forsythe	Laidig	Reding	Welch
Brinkman	Friedrich	Langseth	Rice	Wenstrom
Byrne	Fudro	Lehto	Rose	Wenzel
Carlson, A.	Fugina	Lemke	St. Onge	White
Carlson, D.	George	Mangan	Samuelson	Wieser
Carlson, L.	Gunter	Mann	Sarna	Wigley
Casserly	Hanson	McCarron	Savelkoul	Williamson
Clark	Haugerud	McCollar	Scheid	Wynia
Clawson	Hokanson	McEachern	Schulz	Zubay
Cohen	Jacobs	Metzen	Searle	Speaker Sabo
Corbid	Jaros	Moe	Searles	
Cummiskey	Jensen	Munger	Sherwood	

Those who voted in the negative were:

Heinitz Skoglund

The bill was passed and its title agreed to.

H. F. No. 882, A bill for an act relating to commerce; providing for disclosure of mileage traveled by motor vehicles; amending Minnesota Statutes 1976, Sections 168A.04, Subdivision 1; 168A.05, Subdivision 3; 168A.10, Subdivision 1; and 168A.11, Subdivisions 1 and 3.

The bill was read for the third time and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 129 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Abeln	Berkelman	Corbid	Fjoslien	Johnson
Adams	Biersdorf	Cummiskey	Forsythe	Jude
Albrecht	Birnstihl	Dahl	Friedrich	Kahn
Anderson, B.	Brandl	Dean	Fudro	Kaley
Anderson, D.	Braun	Den Ouden	Fugina	Kalis
Anderson, G.	Brinkman	Eckstein	George	Kelly, R.
Anderson, I.	Byrne	Eken	Gunter	Kempe, R.
Anderson, R.	Carlson, A.	Ellingson	Hanson	King
Arlandson	Carlson, D.	Enebo	Haugerud	Knickerbocker
Battaglia	Carlson, L.	Erickson	Heinitz	Kostohryz
Beauchamp	Casserly	Esau	Hokanson	Kroening
Begich	Clark	Evans	Jacobs	Laidig
Berg	Clawson	Ewald	Jaros	Langseth
Berglin	Cohen	Faricy	Jensen	Lehto

Lemke	Nelson	Rice	Sieben, M.	Waldorf
Mangan	Niehaus	Rose	Simoneau	Welch
Mann	Norton	St. Onge	Skoglund	Wenstrom
McCarron	Novak	Samuelson	Smogard	Wenzel
McCollar	Osthoff	Sarna	Spanish	White
McEachern	Patton	Savelkoul	Stanton	Wieser
Metzen	Pehler	Scheid	Stoa	Wigley
Moe	Peterson	Schulz	Suss	Williamson
Munger	Petrafaso	Searle	Swanson	Wynia
Murphy	Pleasant	Searles	Tomlinson	Zubay
Neisen	Prahl	Sherwood	Vanasek	Speaker Sabo
Nelsen, B.	Reding	Sieben, H.	Voss	

The bill was passed and its title agreed to.

H. F. No. 482, A bill for an act relating to education; teachers; interpreters for the deaf; including interpreters for the deaf in licensing requirements for teachers and interns under the jurisdiction of the board of teaching; amending Minnesota Statutes 1976, Section 125.185, Subdivision 4.

The bill was read for the third time and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 129 yeas and 2 nays as follows:

Those who voted in the affirmative were:

Abeln	Clawson	Jacobs	Metzen	Searles
Adams	Cohen	Jaros	Moe	Sherwood
Albrecht	Corbid	Jensen	Munger	Sieben, H.
Anderson, B.	Cummiskey	Johnson	Murphy	Sieben, M.
Anderson, D.	Dahl	Jude	Neisen	Simoneau
Anderson, G.	Dean	Kahn	Nelsen, B.	Skoglund
Anderson, I.	Den Ouden	Kaley	Niehaus	Smogard
Anderson, R.	Eckstein	Kalis	Norton	Spanish
Arlandson	Eken	Kelly, R.	Novak	Stanton
Battaglia	Ellingson	Kelly, W.	Osthoff	Stoa
Beauchamp	Enebo	Kempe, R.	Patton	Suss
Begich	Erickson	King	Pehler	Swanson
Berg	Esau	Knickerbocker	Peterson	Vanasek
Berglin	Evans	Kostohryz	Petrafaso	Voss
Berkelman	Ewald	Kroening	Pleasant	Waldorf
Biersdorf	Faricy	Kvam	Prahl	Welch
Birnstihl	Fjoslien	Laidig	Reding	Wenstrom
Brandl	Forsythe	Langseth	Rice	Wenzel
Braun	Friedrich	Lehto	Rose	White
Brinkman	Fudro	Lemke	St. Onge	Wieser
Byrne	Fugina	Mangan	Samuelson	Wigley
Carlson, A.	George	Mann	Sarna	Williamson
Carlson, D.	Gunter	McCarron	Savelkoul	Wynia
Carlson, L.	Haugerud	McCollar	Scheid	Zubay
Casserly	Heinitz	McDonald	Schulz	Speaker Sabo
Clark	Hokanson	McEachern	Searle	

Those who voted in the negative were:

Nelson Tomlinson

The bill was passed and its title agreed to.

H. F. No. 541, A bill for an act relating to labor; prohibiting the deduction of certain losses from wages without authorization by the employee; providing a cause of action for wrongful deduction.

The bill was read for the third time and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 125 yeas and 5 nays as follows:

Those who voted in the affirmative were:

Abeln	Clawson	Hokanson	Metzen	Sherwood
Adams	Cohen	Jacobs	Moe	Sieben, H.
Anderson, B.	Corbid	Jaros	Munger	Sieben, M.
Anderson, D.	Cummiskey	Jensen	Murphy	Simoneau
Anderson, G.	Dahl	Johnson	Neisen	Skoglund
Anderson, I.	Dean	Jude	Nelsen, B.	Smogard
Anderson, R.	Den Ouden	Kahn	Nelson	Spanish
Arlandson	Eckstein	Kaley	Norton	Stanton
Battaglia	Eken	Kalis	Novak	Stoa
Beauchamp	Ellingson	Kelly, W.	Osthoff	Suss
Begich	Enebo	Kempe, R.	Patton	Swanson
Berg	Esau	King	Pehler	Tomlinson
Berglin	Evans	Krickerbocker	Peterson	Vanasek
Berkelman	Ewald	Kostohryz	Petraffeso	Voss
Biersdorf	Farcy	Kroening	Prahl	Waldorf
Birnstihl	Fjoslien	Kvam	Reding	Welch
Brandl	Forsythe	Laidig	Rice	Wenstrom
Braun	Friedrich	Langseth	Rose	Wenzel
Brinkman	Fudro	Lehto	St. Onge	White
Byrne	Fugina	Lemke	Samuelson	Wieser
Carlson, A.	George	Mangan	Sarna	Wigley
Carlson, D.	Gunter	Mann	Savelkoul	Williamson
Carlson, L.	Hanson	McCarron	Scheid	Wynia
Casserly	Haugerud	McCollar	Schulz	Zubay
Clark	Heinitz	McDonald	Searles	Speaker Sabo

Those who voted in the negative were:

Albrecht	Erickson	Niehaus	Pleasant	Searle
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The bill was passed and its title agreed to.

H. F. No. 763, A bill for an act relating to labor; prohibiting certain terms in employment contracts relating to inventions by employees.

The bill was read for the third time and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 131 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Abeln	Corbid	Jensen	Murphy	Sieben, M.
Adams	Cummiskey	Johnson	Neisen	Simoneau
Albrecht	Dahl	Jude	Nelsen, B.	Skoglund
Anderson, B.	Dean	Kahn	Nelson	Smogard
Anderson, D.	Den Ouden	Kaley	Niehaus	Spanish
Anderson, G.	Eckstein	Kalis	Norton	Stanton
Anderson, I.	Eken	Kelly, R.	Novak	Stoa
Anderson, R.	Ellingson	Kelly, W.	Osthoff	Suss
Arlandson	Enebo	Kempe, R.	Patton	Swanson
Battaglia	Erickson	King	Pehler	Tomlinson
Beauchamp	Esau	Knickerbocker	Peterson	Vanasek
Begich	Evans	Kostohryz	Petrafeso	Voss
Berg	Ewald	Kroening	Pleasant	Waldorf
Berglin	Faricy	Kvam	Prahl	Welch
Berkelman	Fjoslien	Laidig	Reding	Wenstrom
Biersdorf	Forsythe	Langseth	Rice	Wenzel
Birnstihl	Friedrich	Lehto	Rose	White
Brandl	Fudro	Lemke	St. Onge	Wieser
Braun	Fugina	Mangan	Samuelson	Wigley
Brinkman	George	Mann	Sarna	Williamson
Byrne	Gunter	McCarron	Savelkoul	Wynia
Carlson, A.	Hanson	McCollar	Scheid	Zubay
Carlson, D.	Haugerud	McDonald	Schulz	Speaker Sabo
Carlson, L.	Heinitz	McEachern	Searle	
Cassery	Hokanson	Metzen	Searles	
Clark	Jacobs	Moe	Sherwood	
Cohen	Jaros	Munger	Sieben, H.	

The bill was passed and its title agreed to.

Suss was excused for the remainder of today's session.

H. F. No. 805 was reported to the House and given its third reading.

There being no objection, H. F. No. 805 was continued on the Calendar for one day.

H. F. No. 920, A bill for an act relating to labor; providing for union notification of a member's injury or death; amending Minnesota Statutes 1976, Chapter 181, by adding a section.

The bill was read for the third time and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 117 yeas and 7 nays as follows:

Those who voted in the affirmative were:

Abeln	Battaglia	Birnstihl	Cassery	Eckstein
Adams	Beauchamp	Brandl	Clark	Eken
Anderson, D.	Begich	Braun	Clawson	Ellingson
Anderson, G.	Berg	Byrne	Cohen	Enebo
Anderson, I.	Berglin	Carlson, A.	Corbid	Erickson
Anderson, R.	Berkelman	Carlson, D.	Dahl	Faricy
Arlandson	Biersdorf	Carlson, L.	Dean	Fjoslien

Friedrich	Kelly, W.	Metzen	Reding	Spanish
Fudro	Kempe, A.	Moe	Rice	Stanton
Fugina	Kempe, R.	Munger	Rose	Stoa
George	King	Murphy	St. Onge	Swanson
Gunter	Knickerbocker	Neisen	Samuelson	Tomlinson
Hanson	Kostohryz	Nelsen, B.	Sarna	Vanasek
Haugerud	Kroening	Nelsen, M.	Savelkoul	Waldorf
Heinitz	Laidig	Nelson	Scheid	Wenstrom
Hokanson	Langseth	Norton	Schulz	Wenzel
Jacobs	Lehto	Novak	Searle	White
Jaros	Lemke	Osthoff	Searles	Wieser
Jensen	Mangan	Patton	Sherwood	Williamson
Johnson	Mann	Pehler	Sieben, H.	Wynia
Jude	McCarron	Peterson	Sieben, M.	Zubay
Kaley	McCollar	Petrafeso	Simoneau	
Kalis	McDonald	Pleasant	Skoglund	
Kelly, R.	McEachern	Prahl	Smogard	

Those who voted in the negative were:

Albrecht	Evans	Kvam	Niehaus	Wigley
Den Ouden	Forsythe			

The bill was passed and its title agreed to.

S. F. No. 919, A bill for an act relating to highway traffic regulations; prescribing the width of vehicles; amending Minnesota Statutes 1976, Section 169.80, Subdivision 2.

The bill was read for the third time and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 124 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Abeln	Casserly	Hanson	Mangan	Reding
Adams	Clark	Haugerud	Mann	Rice
Albrecht	Clawson	Heinitz	McCarron	Rose
Anderson, B.	Corbid	Hokanson	McCollar	St. Onge
Anderson, D.	Dahl	Jacobs	McDonald	Samuelson
Anderson, G.	Dean	Jaros	McEachern	Sarna
Anderson, I.	Den Ouden	Jensen	Metzen	Savelkoul
Anderson, R.	Eckstein	Johnson	Moe	Scheid
Arlandson	Eken	Jude	Munger	Schulz
Battaglia	Ellingson	Kaley	Murphy	Searle
Beauchamp	Enebo	Kalis	Neisen	Searles
Begich	Erickson	Kelly, R.	Nelsen, B.	Sherwood
Berg	Esau	Kelly, W.	Nelsen, M.	Sieben, H.
Berglin	Evans	Kempe, A.	Nelson	Sieben, M.
Berkelman	Ewald	Kempe, R.	Niehaus	Skoglund
Biersdorf	Faricy	King	Norton	Smogard
Birnsthil	Fjoslien	Knickerbocker	Novak	Stanton
Braun	Forsythe	Kostohryz	Patton	Stoa
Brinkman	Friedrich	Kroening	Pehler	Swanson
Byrne	Fudro	Kvam	Peterson	Tomlinson
Carlson, A.	Fugina	Laidig	Petrafeso	Vanasek
Carlson, D.	George	Langseth	Pleasant	Voss
Carlson, L.	Gunter	Lemke	Prahl	Waldorf

Wenstrom
WenzelWhite
WieserWigley
WilliamsonWynia
Zubay

Speaker Sabo

The bill was passed and its title agreed to.

H. F. No. 1079, A bill for an act relating to agriculture; seeds; changing the basis for listing restricted noxious weed seeds on labels; prohibiting certain acts; increasing fees; amending Minnesota Statutes 1976, Sections 21.48, Subdivision 3; 21.49, Subdivision 1; 21.53, Subdivision 3; and 21.54, Subdivision 2.

The bill was read for the third time and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 107 yeas and 19 nays as follows:

Those who voted in the affirmative were:

Abeln	Corbid	Kahn	Neisen	Sieben, M.
Adams	Cummiskey	Kalis	Nelsen, M.	Simoneau
Anderson, B.	Dahl	Kelly, R.	Nelson	Skoglund
Anderson, I.	Dean	Kelly, W.	Norton	Smogard
Anderson, R.	Eckstein	Kempe, A.	Novak	Spanish
Arlandson	Eken	King	Osthoff	Stanton
Battaglia	Ellingson	Knickerbocker	Patton	Stoa
Beauchamp	Enebo	Kostohryz	Pehler	Swanson
Begich	Evans	Kroening	Peterson	Tomlinson
Berg	Farcy	Laidig	Petrafesio	Vanasek
Berglin	Forsythe	Langseth	Prahl	Voss
Berkelman	Fudro	Lehto	Reding	Waldorf
Birnstihl	Fugina	Lemke	Rice	Wenstrom
Brandl	George	Mangan	Rose	Wenzel
Braun	Hanson	Mann	St. Onge	White
Brinkman	Haugerud	McCarron	Samuelson	Williamson
Byrne	Hokanson	McCollar	Sarna	Wynia
Carlson, A.	Jacobs	McEachern	Scheid	Zubay
Carlson, L.	Jaros	Metzen	Schulz	Speaker Sabo
Casserly	Jensen	Moe	Searles	
Clark	Johnson	Munger	Sherwood	
Clawson	Jude	Murphy	Sieben, H.	

Those who voted in the negative were:

Albrecht	Erickson	Gunter	Kvam	Savelkoul
Anderson, D.	Esau	Heinitz	McDonald	Wieser
Biersdorf	Ewald	Kaley	Nelsen, B.	Wigley
Den Ouden	Friedrich	Kempe, R.	Niehaus	

The bill was passed and its title agreed to.

Neisen was excused at 5:05 p.m.

GENERAL ORDERS

Pursuant to rules of the House, the House resolved itself into the Committee of the Whole, with Sabo in the Chair, for the con-

sideration of bills pending on General Orders of the Day. After some time spent therein the Committee arose.

REPORT OF COMMITTEE OF THE WHOLE

The Speaker resumed the Chair, whereupon the following proceedings of the Committee as kept by the Chief Clerk were reported to the House:

H. F. Nos. 967, 130 and 823 which it recommended progress.

On the motion of Anderson, I., the report of the Committee of the Whole was adopted.

ROLL CALLS IN COMMITTEE OF THE WHOLE

Pursuant to rule 1.6, the following roll calls were taken in the Committee of the Whole:

The question was taken on the motion by St. Onge to re-refer H. F. No. 823 to the Committee on Health and Welfare and the roll was called. There were 3 yeas and 113 nays as follows:

Those who voted in the affirmative were:

Farcy	Lehto	St. Onge
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Those who voted in the negative were:

Abeln	Casserly	Haugerud	McDonald	Sieben, H.
Adams	Clark	Hejnitz	Metzen	Sieben, M.
Albrecht	Clawson	Hokanson	Murphy	Simoneau
Anderson, B.	Cohen	Jacobs	Nelsen, B.	Skoglund
Anderson, D.	Corbid	Jaros	Nelsen, M.	Smogard
Anderson, G.	Cummiskey	Jensen	Nelson	Spanish
Anderson, R.	Dean	Johnson	Niehaus	Stanton
Arlandson	Den Ouden	Jude	Norton	Stoa
Battaglia	Eckstein	Kaley	Novak	Tomlinson
Beauchamp	Eken	Kalis	Pehler	Vanasek
Begich	Ellingson	Kelly, R.	Peterson	Voss
Berg	Erickson	Kelly, W.	Pleasant	Waldorf
Berglin	Esau	Kempe, A.	Prahl	Wenstrom
Berkelman	Evans	Kempe, R.	Reding	Wenzel
Biersdorf	Ewald	Knickerbocker	Rice	White
Birnstihl	Fjoslien	Kroening	Rose	Wieser
Brandl	Forsythe	Kvam	Samuelson	Wigley
Braun	Friedrich	Laidig	Sarna	Williamson
Brinkman	Fudro	Langseth	Savelkoul	Wynia
Byrne	Fugina	Lemke	Scheid	Zubay
Carlson, A.	George	Mangan	Schulz	Speaker Sabo
Carlson, D.	Gunter	Mann	Searle	
Carlson, L.	Hanson	McCollar	Searles	

The motion did not prevail.

MOTIONS AND RESOLUTIONS

Berglin moved that the name of Pehler be added as an author on H. F. No. 512. The motion prevailed.

Patton moved that the name of Biersdorf be added as an author on H. F. No. 1543. The motion prevailed.

George moved that his name be stricken as an author on H. F. No. 860. The motion prevailed.

Swanson moved that H. F. No. 1498, now on Technical General Orders, be re-referred to the Committee on Appropriations. The motion prevailed.

ANNOUNCEMENTS BY THE SPEAKER

The Speaker announced the appointment of the following members of the House to the Conference Committee on H. F. No. 339: Casserly, Hanson and Ewald.

The Speaker announced the appointment of the following members of the House to the Conference Committee on H. F. No. 437: Kelly, W.; Jacobs and Pleasant.

The Speaker announced the appointment of the following members of the House to the Conference Committee on H. F. No. 586: Kelly, W.; Skoglund and Savelkoul.

ADJOURNMENT

Anderson, I., moved that the House adjourn. The motion prevailed, and the Speaker declared the House stands adjourned until 2:00 p.m., Tuesday, April 26, 1977.

EDWARD A. BURDICK, Chief Clerk, House of Representatives

STATE OF MINNESOTA

SEVENTIETH SESSION - 1977

FORTY-FIRST DAY

SAINT PAUL, MINNESOTA, TUESDAY, APRIL 26, 1977

The House of Representatives convened at 2:00 p.m. and was called to order by the Speaker.

Prayer was offered by the Chaplain.

The roll was called and the following members were present:

Abeln	Cohen	Jaros	Moe	Searles
Adams	Corbid	Jensen	Munger	Sherwood
Albrecht	Cummiskey	Johnson	Murphy	Sieben, H.
Anderson, B.	Dahl	Jude	Neisen	Sieben, M.
Anderson, D.	Dean	Kahn	Nelsen, B.	Simoneau
Anderson, G.	Den Ouden	Kaley	Nelsen, M.	Skoglund
Anderson, I.	Eckstein	Kalis	Nelson	Smogard
Anderson, R.	Eken	Kelly, R.	Niehaus	Spanish
Arlandson	Ellingson	Kelly, W.	Norton	Stanton
Battaglia	Enebo	Kempe, A.	Novak	Stoa
Beauchamp	Erickson	Kempe, R.	Osthoff	Swanson
Begich	Esau	King	Patton	Tomlinson
Berg	Evans	Knickerbocker	Pehler	Vanasek
Berglin	Ewald	Kostohryz	Peterson	Voss
Berkelman	Faricy	Kroening	Petrafeso	Waldorf
Biersdorf	Fjoslien	Kvam	Pleasant	Wenstrom
Birnstihl	Forsythe	Laidig	Prahl	Wenzel
Brandl	Friedrich	Langseth	Reding	White
Braun	Fudro	Lehto	Rice	Wieser
Brinkman	Fugina	Lemke	Rose	Wigley
Byrne	George	Mangan	St. Onge	Williamson
Carlson, A.	Gunter	Mann	Samuelson	Wynia
Carlson, D.	Hanson	McCarron	Sarna	Zubay
Carlson, L.	Haugerud	McCollar	Savelkoul	Speaker Sabo
Casserly	Heinitz	McDonald	Scheid	
Clark	Hokanson	McEachern	Schulz	
Clawson	Jacobs	Metzen	Searle	

A quorum was present.

Suss was excused. Welch was excused until 3:00 p.m.

The Chief Clerk proceeded to read the Journal of the preceding day. Vanasek moved that further reading of the Journal be dispensed with and that the Journal be approved as corrected by the Chief Clerk. The motion prevailed.

REPORTS OF CHIEF CLERK

Pursuant to Rules of the House, printed copies of H. F. Nos. 1387, 1518, 13, 139, 525, 788, 1179, 1032, 163, 686, 906, 908, 1184, 1307, 1364, 1474, 1487, 1054, 931, 989, 323, 966, 1283, 536, 250, 351, 774, 962, 963, 1187, 1248, 1259, 325, 356, 451, 578, 685, 1201, 787, 952, 161, 297, 314, 791, 830, 980, 1040, 106, 414, 460, 515, 1004, 1194, 410, 1086, 411, 848, 1030, 1105, 264, 1098, 257, 491, 1028 and 612 and S. F. Nos. 213, 335, 51, 816, 125, 265, 1286, 417, 667, 466, 389, 640, 649, 569, 769, 831, 916, 498, 582, 600, 620, 617, 1103, 1387, 586, 737, 1039, 1298, 1415, 111, 774, 880, 1331, 1385, 388, 96, 102, 191, 362, 562, 274, 477, 499, 348, 506, 845, 682, 766, 804 and 972 have been placed in the members' files.

S. F. No. 111 and H. F. No. 161, which had been referred to the Chief Clerk for comparison, were examined and found to be identical.

Neisen moved that S. F. No. 111 be substituted for H. F. No. 161 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 569 and H. F. No. 651, which had been referred to the Chief Clerk for comparison, were examined and found to be identical with certain exceptions.

SUSPENSION OF RULES

Eken moved that the rules be so far suspended that S. F. No. 569 be substituted for H. F. No. 651 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 600 and H. F. No. 889, which had been referred to the Chief Clerk for comparison, were examined and found to be identical.

Johnson moved that S. F. No. 600 be substituted for H. F. No. 889 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 831 and H. F. No. 989, which had been referred to the Chief Clerk for comparison, were examined and found to be identical.

Jaros moved that S. F. No. 831 be substituted for H. F. No. 989 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 845 and H. F. No. 966, which had been referred to the Chief Clerk for comparison, were examined and found to be identical.

Fugina moved that S. F. No. 845 be substituted for H. F. No. 966 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 1387 and H. F. No. 1487, which had been referred to the Chief Clerk for comparison, were examined and found to be identical with certain exceptions.

SUSPENSION OF RULES

Biersdorf moved that the rules be so far suspended that S. F. No. 1387 be substituted for H. F. No. 1487 and that the House File be indefinitely postponed. The motion prevailed.

REPORTS OF STANDING COMMITTEES

Norton from the Committee on Appropriations to which was referred:

H. F. No. 600, A bill for an act relating to elections; providing for uniform reporting dates for and disclosure of campaign contributions and expenditures of political committees and candidates; providing for statements of economic interest for candidates and persons elected to public office; defining certain terms; providing exemption from disclosure requirements for certain persons and political committees; providing restrictions on the use of government publications; prohibiting sample ballots which appear to be official ballots; giving the secretary of state and filing officers certain duties with respect to elections; permitting codes of ethics for counties, cities, and school districts; providing penalties; amending Minnesota Statutes 1976, Sections 210A.01, Subdivisions 1, 3, 5, 6, and 8, and by adding subdivisions; 210A.05, Subdivision 1; 210A.16; 210A.21; 210A.24; 210A.27, Subdivision 1; 210A.29; 210A.32; and 290.09, Subdivision 2; and Chapters 123, by adding a section; 210A, by adding sections; 375, by adding a section; and 471, by adding a section; repealing Minnesota Statutes 1976, Sections 123.015; 210.22; 210A.01, Subdivisions 4, 7, and 9; 210A.22; 210A.23; 210A.25; 210A.26; 210A.28; 210A.30; 210A.31; and 210A.33.

Reported the same back with the following amendments:

Page 6, line 32, after "of" insert "any".

Page 7, line 1, delete "reports and publications" and insert "report or publication".

Page 7, line 2, delete "tend" and insert "tends".

With the recommendation that when so amended the bill pass.

The report was adopted.

Johnson from the Committee on Education to which was referred:

H. F. No. 782, A bill for an act relating to education; school district organization; eliminating the requirement that a school district maintain certain grades; amending Minnesota Statutes 1976, Sections 122.41; 122.43, Subdivision 1; and 122.44, Subdivision 1.

Reported the same back with the following amendments:

Page 1, lines 19 and 20, restore the stricken language.

Page 1, line 20, before the period insert "*, unless such district has entered into an agreement with another district as provided in section 4*".

Page 2, lines 3 and 4, restore the stricken language.

Page 2, line 4, before "such" insert "*unless such district has entered into an agreement with another district as provided in section 4,*".

Page 2, line 9, after "Subdivision 1." insert "*Upon notice and hearing, as provided in section 122.22 for the attachment of dissolved districts,*".

Page 2, lines 13 and 14, restore the stricken language.

Page 2, strike line 15.

Page 2, strike line 16 to the period and insert "*, unless such district has entered into an agreement with another district as provided in section 4*".

Page 2, line 17, delete the new language.

Page 2, delete line 18 to the period and insert "Minnesota Statutes 1976, Chapter 122, is amended by adding a section to read:

[122.411] [DISCONTINUANCE OF GRADES.] *Subdivision 1. The board of any school district may enter into an agreement with another district or districts providing for the discontinuance by one district of any grades kindergarten through twelve and the instruction in the other district or districts of the pupils in the discontinued grades; provided, boards of districts entering such agreements shall continue to maintain a school enrolling pupils in at least three grades.*

Subd. 2. Districts entering into the agreements permitted in subdivision 1 shall count their resident pupils who are edu-

cated in the other district or districts as resident pupils in the calculation of pupil units for all purposes including foundation aid and levy limitations. Notwithstanding the provisions of section 124.18, subdivision 2, the agreements permitted in subdivision 1 shall provide for such tuition payments as the participating districts determine are necessary and equitable to compensate each district for the instruction of any nonresident pupils.

Subd. 3. As used in this section, the term "teacher" shall have the meaning given it in section 125.12, subdivision 1.

Subd. 4. The school board and exclusive bargaining representative of the teachers in each district discontinuing grades pursuant to an agreement permitted in subdivision 1 may negotiate a plan for the assignment or employment in the other district or districts or the placement on unrequested leave of absence of any teachers whose positions are discontinued as a result of the agreement. The school board and exclusive bargaining representative of the teachers in each district providing instruction to nonresident pupils pursuant to an agreement permitted in subdivision 1 may negotiate a plan for the employment of teachers from the other district or districts whose positions are discontinued as a result of the agreement. If such plans are negotiated in any districts and if the plans are compatible with one another, the boards of those districts shall include the plans in their agreement.

Subd. 5. If compatible plans are not negotiated pursuant to subdivision 4 before the March 1 preceding the effective date of the agreement permitted in subdivision 1, the participating districts shall be governed by the provisions of this subdivision. Insofar as possible, teachers who have acquired continuing contract rights and whose positions are discontinued as a result of the agreement shall be employed by the other district or districts or assigned to teach in the other district as exchange teachers pursuant to section 125.13. If necessary, teachers who are employed in affected grade levels and who have acquired continuing contract rights shall be placed on unrequested leave of absence as provided in section 125.12, subdivision 6b, in fields in which they are certified in the inverse order in which they were employed by one of the participating districts, according to a combined seniority list of teachers in affected grades in the districts.

Sec. 5. Minnesota Statutes 1976, Chapter 122, is amended by adding a section to read:

[122.412] Before districts enter an agreement pursuant to section 4 of this act, they shall submit to the commissioner for his review and comment their proposed agreement and any other information he requests concerning the agreement. The commissioner shall review and comment on each proposed agreement within 60 days after receiving it. An information copy of the final agreement shall be filed with the commissioner. The com-

missioner shall report to the legislature each year by February 1 on the agreements entered pursuant to section 4 of this act. This report shall include any recommendations he may have for legislation which is needed as a result of these agreements.

Sec. 6. *This act shall be effective the day following final enactment, but no agreements pursuant to section 4 of this act shall be implemented before the 1978-1979 school year”.*

Further, amend the title as follows:

Line 3, delete “eliminating the requirement that a”.

Line 4, delete “school district maintain certain grades” and insert “authorizing school districts to discontinue certain grades and provide instruction by contract with other districts; providing for aids, levies, and the contractual rights of teachers in participating districts”.

Line 6, before the period insert “; and Chapter 122, by adding sections”.

With the recommendation that when so amended the bill pass.

The report was adopted.

Rice from the Committee on General Legislation and Veterans Affairs to which was referred:

H. F. No. 17, A bill for an act relating to elections; providing that vacancies in the United States senate be filled by special election; amending Minnesota Statutes 1976, Section 202A.61; repealing Minnesota Statutes 1976, Section 202A.72.

Reported the same back with the following amendments:

Strike everything after the enacting clause and insert:

“Section 1. Minnesota Statutes 1976, Section 202A.62, Subdivision 1, is amended to read:

202A.62 [VACANCIES IN CERTAIN CASES.] Subdivision 1. **[VACANCY FILLED AT GENERAL ELECTION.]** When a vacancy (OCCURS MORE THAN 150 DAYS) *in the office of representative in congress occurs more than 35 days and less than 90 days before the next general election, (AND IF THERE WILL NOT BE ANY SESSION OF THE CONGRESS OR THE LEGISLATURE BEFORE THE TIME FIXED BY LAW FOR THE FINAL CANVASS OF THE GENERAL ELECTION RETURNS) or when a legislative vacancy, which is not covered by subdivision 2, occurs in an even numbered year*

and more than 35 days before the next general election, the governor shall issue his writ directing that the vacancy be filled at the general election and that nominations therefor be made as provided in section 202A.63, subdivision 1.

Sec. 2. Minnesota Statutes 1976, Section 202A.62, Subdivision 2, is amended to read:

Subd. 2. [VACANCY FILLED AT SPECIAL ELECTION.] If the congress or the legislature will be in session so that a person elected as provided by this section could take office and exercise the functions thereof immediately after his election, the governor shall issue and file his writ within five days after the vacancy occurs, calling the special election for the earliest possible time thereafter which will permit the giving of notice of the special election and the primary therefor as provided in section 202A.63, subdivision 3, and in any event not more than (28)35 days after the issuance of the writ.

Sec. 3. Minnesota Statutes 1976, Section 202A.62, Subdivision 3, is amended to read:

Subd. 3. [VACANCY FILLED AT SPECIAL OR OTHER ELECTION.] In all cases other than those provided in subdivisions 1 and 2 and notwithstanding subdivision 2, if any vacancy in the legislature occurs after the last day of the session in odd-numbered years but more than 33 days prior to the date set for convening the legislature in the next even-numbered year, the governor shall issue his writ, seasonably calling the special election for such time that the person elected may take office at the opening of the next session (OF THE CONGRESS OR) of the legislature, or at the reconvening of a session (OF THE CONGRESS OR) of the legislature, so that candidates for the special election may be nominated as provided in section 202A.63.

Sec. 4. Minnesota Statutes 1976, Section 202A.63, is amended to read:

202A.63 [CANDIDATES TO FILL VACANCIES.] Subdivision 1. [NOMINATIONS AT REGULAR PRIMARY ELECTION.] Candidates for nomination to fill a vacancy shall be nominated at the regular primary election when the vacancy is to be filled at the next general election as provided in section 202A.62, subdivision 1, *except when such vacancy occurs less than 14 days before the regular primary election.*

(SUBD. 2. CANDIDATES FOR NOMINATION TO FILL A VACANCY SHALL BE NOMINATED AT A SEPARATE SPECIAL PRIMARY ELECTION ON THE DAY OF THE REGULAR PRIMARY ELECTION WHEN THE VACANCY IS TO BE FILLED AT A SPECIAL ELECTION TO BE HELD MORE THAN 14 DAYS AFTER THE REGULAR PRIMARY ELECTION.)

Subd. (3) 2. [NOMINATION AT SPECIAL PRIMARY ON OTHER DAY.] In all cases other than those provided in (SUBDIVISIONS) *subdivision* 1 (AND 2) a special primary for the nomination of candidates shall be held on a date specified in the governor's writ not later than the fourteenth day before the election at which the vacancy is to be filled.

Sec. 5. Minnesota Statutes 1976, Section 202A.65, Subdivision 3, is amended to read:

Subd. 3. [NOMINATING PETITIONS, TIME FOR FILING.] In all cases other than those provided in subdivision 2, nominating petitions shall be filed not later than the (SEVENTH) day (PRECEDING THE ELECTION AT WHICH THE VACANCY IS TO BE FILLED) *on which the special primary is or would be held.*

Sec. 6. Minnesota Statutes 1976, Section 202A.66, Subdivision 3, is amended to read:

Subd. 3. [NOTICE OF ELECTION, POSTING.] The auditor also shall direct posted notice of the primary and of the election to be given in the manner provided in section 204A.04, subdivision 1 at least (SEVEN) *14* days before the primary and at least 14 days before the election; but in any case where the primary is to be held on the fourteenth day before the election both may be included in the same notice to be posted (SEVEN) *14* days before the primary.

Sec. 7. Minnesota Statutes 1976, Section 202A.67, Subdivision 3, is amended to read:

Subd. 3. [AFFIDAVITS, FILED AT OTHER TIMES.] In all cases other than those provided in subdivision 2 the writ shall state that the affidavits may be filed not later than the (SEVENTH) *fourteenth* day before the primary, and all the affidavits shall be so filed.

Sec. 8. Minnesota Statutes 1976, Section 202A.67, Subdivision 2, is amended to read:

Subd. 2. [AFFIDAVITS, FILED AT REGULAR TIME.] When the nominations are to be made on the regular primary election day, the writ shall be issued and shall state that the affidavits may be filed within the time prescribed by law for the regular primary election, and all the affidavits shall be so filed, *except where the vacancy occurs on or after the fifth day preceding the last day of the regular filing period."*

Further, delete the title in its entirety and insert:

"A bill for an act relating to elections; providing for special elections to the Minnesota legislature and the United States house of representatives; amending Minnesota Statutes 1976, Sections 202A.62, Subdivisions 1, 2 and 3; 202A.63; 202A.65, Subdivision 3; 202A.66, Subdivision 3; and 202A.67, Subdivisions 2 an 3."

With the recommendation that when so amended the bill pass.

The report was adopted.

Rice from the Committee on General Legislation and Veterans Affairs to which was referred:

H. F. No. 789, A bill for an act relating to elections; establishing voter registration in all counties; changing required voter registration information; providing for reports of changes; amending Minnesota Statutes 1976, Sections 201.021; 201.061, Subdivisions 3 and 6; 201.071; 201.091, Subdivision 6, and by adding a subdivision; 201.14; 201.15; and Chapter 201, by adding a section; repealing Minnesota Statutes 1976, Section 201.061, Subdivision 2.

Reported the same back with the following amendments:

Page 1, line 25, strike "A person" and insert "*An individual*" and after "who" insert "*is eligible to vote but is not registered and who*".

Page 2, strike line 2.

Page 2, line 3, strike "nevertheless" and strike "upon registering. A person may".

Page 2, line 4, strike "register at this time by" and insert "*after*" and after "completing" insert "*and signing*".

Page 2, line 6, strike "An" and insert "*The*".

Page 2, line 7, after "(1)" strike "the" and after "showing" strike "of".

Page 2, line 10, after "commissioner" insert "*or accepted by the election judge*" and after "having" strike "an" and insert "*any other*".

Page 2, line 11, after "individual" insert "*, including an election judge other than the election judge who is registering the individual,*".

Page 2, line 14, after the period insert *"The signed oath shall be kept on file by the auditor until the address of the applicant is verified."*

Page 2, lines 15 to 17, delete the new language.

Page 2, line 18, delete *"card."*

Page 2, line 32, after *"The"* and before *"auditor"* insert *"clerk of each municipality or the"* and after *"auditor"* insert *"for unincorporated areas of the county"*.

Page 3, line 1, after *"map"* insert *"or precinct finder"*.

Page 3, after line 24, insert *"Date of birth"*.

Page 3, line 25, restore the stricken *"5."*

Page 3, line 29, restore the stricken language and delete the new language.

Page 4, line 14, restore the stricken language and delete the new language.

Page 5, delete section 6.

Page 7, line 9, delete *"When a person"*.

Page 7, delete lines 10 to 13.

Page 7, line 14, delete *"mail as a voter."*

Page 7, after line 16, add a new section to read:

"Sec. 9. Minnesota Statutes 1976, Section 204A.37, Subdivision 1, is amended to read:

204A.37 [PERSONS IN POLLING PLACE.] Subdivision 1. ([CHALLENGERS.] EXCEPT AS PROVIDED IN THIS SUBDIVISION AND EXCEPT WHEN A VOTER IS UNABLE TO READ ENGLISH OR IS PHYSICALLY DISABLED AND A VOTER IS CALLED UPON TO ASSIST HIM, NO PERSON MAY REMAIN INSIDE THE POLLING PLACE EXCEPT MEMBERS OF THE ELECTION BOARD, PEACE OFFICERS, CHALLENGERS, AND VOTERS WHO ARE ABOUT TO VOTE) *No individual other than an election judge, peace officer or challenger may remain inside the polling place unless he is in the process of voting, is providing proof of residence for an individual who is registering to vote, or is assisting a physically handicapped voter or a voter unable to read English to vote"*.

Renumber the sections accordingly.

And further, amend the title as follows:

Page 1, line 7, delete "Subdivision 6, and".

Page 1, line 8, after "201.15;" insert "204A.37, Subdivision 1;".

With the recommendation that when so amended the bill pass.

The report was adopted.

Rice from the Committee on General Legislation and Veterans Affairs to which was referred:

H. F. No. 843, A bill for an act relating to elections; providing for training of all election officials; prescribing certain duties for the secretary of state; appropriating money.

Reported the same back with the following amendments:

Strike everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 1976, Section 204A.13, Subdivision 2, is amended to read:

Subd. 2. [ELECTION LAW; INSTRUCTIONAL MATERIALS, TESTS.] On or before July 1 of every even-numbered year the secretary of state shall furnish to the county auditors sufficient copies of the Minnesota election law. The secretary of state *shall* also (MAY) prepare and transmit to the county auditors (GUIDES FOR ELECTION OFFICERS IN PAMPHLET FORM, FOR THE CONDUCT OF THEIR DUTIES AS PRESCRIBED BY LAW) *detailed written instructions on election laws relating to the conduct of elections, conduct of voter registration and voting procedures.*

Sec. 2. Minnesota Statutes 1976, Section 204A.13, is amended by adding subdivisions to read:

Subd. 5. [CONFERENCES FOR COUNTY AUDITORS.] *Before each statewide primary election the secretary of state shall conduct conferences for county auditors for the purpose of giving instructions on the administration of election laws and the training of local election officials and election judges.*

Subd. 6. [ELECTION JUDGES TRAINING.] *The secretary of state shall formulate a training program for election judges throughout the state and for this purpose shall adopt rules in accordance with chapter 15.*

Sec. 3. Minnesota Statutes 1976, Section 204A.14, Subdivision 1, is amended to read:

204A.14 [CLERKS, ELECTION SUPPLIES, DUTIES.] Subdivision 1. [INSTRUCTION MEETINGS FOR ELECTION OFFICIALS.] Before each (STATE) *statewide* primary election, the auditor of each county shall *conduct a program of in service training for local election officials, and for this purpose may require the clerks of the municipalities and the chairmen of the several election boards within the county to meet with him at the time the clerks are required to secure the election supplies from him (; AND).* The auditor shall conduct the meeting in such manner as he deems proper to instruct the clerks and chairmen of the several election boards as to election procedures including, but not to be restricted to, duties of municipal clerks and election judges. The expenses incidental to attending (THE MEETING) *an in service training program with the county auditor shall be borne by the municipalities.*

Sec. 4. Minnesota Statutes 1976, Chapter 204A, is amended by adding a section to read:

[204A.175] [TRAINING FOR ELECTION JUDGES; DUTIES OF THE COUNTY AUDITOR.] *The county auditor of each county shall train all election judges who are appointed to serve at any election to be held in the county. Training shall be in accordance with the rules adopted by the secretary of state pursuant to section 2, subdivision 6. The county auditor may delegate to a municipal election official the duties to train election judges for any municipality.*

Sec. 5. Minnesota Statutes 1976, Section 204A.18, is amended by adding a subdivision to read:

Subd. 5. Except as provided in section 204A.20, no person may be a judge unless he has received training as provided in section 4 prior to the election at which he is to serve.

Sec. 6. Minnesota Statutes 1976, Section 204A.20, is amended to read:

204A.20 [VACANCIES IN JUDGES.] When any judge fails to attend at the time and place appointed for holding an election, within 30 minutes after the opening of the polls, or after entering upon the discharge of his duties, becomes unable, or for any reason fails or refuses, to complete the performance of his duties, the remaining judges of the precinct shall elect a qualified person from the precinct to fill the vacancy. *A person need not have received training pursuant to section 4 to be qualified to serve as a judge pursuant to this section.*

Sec. 7. [APPROPRIATION.] *The following sums are appropriated from the general fund to the secretary of state for the biennium ending June 30, 1979: (a) For the purpose of formulating a training program for election judges pursuant to section 2, subdivision 6 \$5,500. (b) For the purpose of preparing written instructions for county auditors pursuant to section 1 \$2,500."*

Amend the title as follows:

Page 1, line 4, before the period insert "; amending Minnesota Statutes 1976, Sections 204A.13, Subdivision 2, and by adding subdivisions; 204A.14, Subdivision 1; 204A.18, by adding a subdivision; 204A.20; and Chapter 204A, by adding a section".

With the recommendation that when so amended the bill pass and be re-referred to the Committee on Appropriations.

The report was adopted.

Sieben, H., from the Committee on Governmental Operations to which was referred:

H. F. No. 415, A bill for an act relating to collection and dissemination of data; clarifying information practices; defining terms; classifying data; prescribing penalties; amending Minnesota Statutes 1976, Sections 15.162, Subdivisions 3, 5, and 6; 15.163, Subdivision 1, and by adding subdivisions; 15.165; 15.1671; 15.17, by adding a subdivision; 138.18; 144.065; 144.346; 297A.43; 435.194; and Chapters 15, 134, 144, 273, 299C, 327 and 375, by adding sections; repealing Minnesota Statutes 1976, Sections 15.162, Subdivisions 1a, 2a, 5a, and 5b; 15.163, Subdivision 2; 15.1641; and 15.1642.

Reported the same back with the following amendments:

Strike everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 1976, Chapter 15, is amended by adding a section to read:

[15.1611] [GOVERNMENT DATA.] *Subdivision 1. All state agencies, political subdivisions and statewide systems shall be governed by this act.*

Subd. 2. Sections 1 to 8 of this act may be cited as the "Minnesota government data practices act."

Sec. 2. Minnesota Statutes 1976, Chapter 15, is amended by adding a section to read:

[15.1613] [DEFINITIONS.] *Subdivision 1. For the purposes of this act the following terms shall have the meaning given them in this section.*

Subd. 2. "Board" means the government data access board.

Subd. 3. "Commissioner" means the commissioner of administration.

Subd. 4. "Confidential data on individuals" means data on individuals which by statute or federal law is made not public and not accessible to the subject of data.

Subd. 5. "Data on individuals" means government data in which an individual is or can be identified.

Subd. 6. "Government data" means all data collected, created, received, maintained or disseminated by any state agency, political subdivision, or statewide system regardless of its physical form, storage media or conditions of use.

Subd. 7. "Individual" means a natural person. In the case of a minor individual under the age of 18, "individual" means a parent or guardian acting in a representative capacity, except where the minor individual indicates otherwise.

Subd. 8. "Person" means any individual, partnership, corporation, association, business trusts, or a legal representative of an organization.

Subd. 9. "Political subdivision" means counties, statutory cities, home rule charter cities, towns, school districts, special districts and any boards, commissions, districts or authorities created pursuant to law, local ordinance or charter provision.

Subd. 10. "Private data on individuals" means data on individuals which by statute or federal law is made not public.

Subd. 11. "Responsible authority" at the state level means the officer or governing body of a state agency authorized or required by law to collect, create, receive, maintain or disseminate government data. "Responsible authority" in a political subdivision means the governing body of the political subdivision or, with respect to government data under his jurisdiction, an officer authorized or required by statute to collect, create, receive, maintain or disseminate government data. With respect to statewide systems, "responsible authority" means the state official designated by the commissioner.

Subd. 12. "State agency" means any office, officer, department, division, bureau, board, commission, authority, district

or agency in the executive branch of the state, and shall include the university of Minnesota.

Subd. 13. "Statewide system" includes any record-keeping system in which government data is collected, created, received, maintained or disseminated and used by means of a system common to one or more state agencies or more than one of its political subdivisions or any combination of state agencies and political subdivisions.

Sec. 3. Minnesota Statutes 1976, Chapter 15, is amended by adding a section to read:

[15.1614] [ACCESS TO GOVERNMENT DATA.] *Subdivision 1. All government data collected, created, received, maintained or disseminated by a state agency, political subdivision or statewide systems shall be public unless classified by statute or federal law as not public, or with respect to data on individuals, as private or confidential.*

Subd. 2. The responsible authority in every state agency, political subdivision and statewide system shall establish procedures, consistent with this act and rules of the commissioner, to insure that requests for government data are received and complied with in an appropriate and prompt manner. A responsible authority shall designate individuals to receive and comply with requests for government data.

Subd. 3. Upon request to a responsible authority or designee a person shall be permitted to inspect and copy government data at reasonable times and places, and if the person requests he shall be informed of the data's meaning. The responsible authority or designee shall provide photocopies of government data upon request. The responsible authority may require the requesting person to pay the actual costs of making and compiling the photocopies. If the responsible authority or designee is not able to provide copies at the time a request is made he shall supply copies as soon as reasonably possible.

If the responsible authority or designee determines that the requested data is classified so as to deny the requesting person access the responsible authority or designee shall so inform the requesting person orally at the time of the request and in writing as soon thereafter as possible and shall cite the statute or federal law on which the determination is based.

Subd. 4. [SUMMARY DATA.] Upon request a responsible authority shall summarize data classified as not public into a report which fairly and adequately presents the meaning of the data but which does not disclose the identity of the persons who are the subjects of the data. The costs of summarizing the data and producing the report of its meaning shall be borne by the requesting person. The summary data and report shall be public.

Subd. 5. [INTERGOVERNMENTAL ACCESS OF DATA.] A responsible authority shall allow another responsible authority access to data classified as not public only when the access is authorized or required by statute, federal law or an order of the board.

Sec. 4. Minnesota Statutes 1976, Section 15.1642, is amended to read:

15.1642 [EMERGENCY CLASSIFICATION.] Subdivision 1. [APPLICATION.] (THE) A responsible authority of a state agency, political subdivision or statewide system may apply to the commissioner for permission to classify data or types of data (UNDER SECTION 15.162, SUBDIVISION 2A OR 5A) *on individuals, as private or confidential* for its own use and for the use of other similar agencies, subdivisions or systems on an emergency basis until a proposed statute can be acted upon by the legislature. (THE) An application for *an* emergency classification is public (DATA).

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

(a) That no statute currently exists which either allows or forbids *the* classification (UNDER SECTION 15.162, SUBDIVISION 2A OR 5A);

(b) That the data on individuals has been treated as either private or confidential by custom of long standing (WHICH HAS BEEN RECOGNIZED BY OTHER SIMILAR STATE AGENCIES OR OTHER SIMILAR POLITICAL SUBDIVISIONS, IF ANY, AND BY THE PUBLIC) *within the state agency or within the political subdivision;*

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

No later than August 1, 1977 the commissioner of administration shall either approve or disapprove any application that was submitted to him pursuant to this section before June 30, 1977. Any application submitted after June 30, 1977 shall be either approved or disapproved by the commissioner not more than thirty days past the date on which the application is received.

If the commissioner grants the emergency classification, it shall be submitted with the complete record relating to the application to the attorney general, who shall review the classification

as to form and legality. The attorney general shall, within 20 days, either approve or disapprove the classification.

If either the commissioner or the attorney general disapproves the application, the data applied for shall be classified as public.

Subd. 3. [EXPIRATION OF EMERGENCY CLASSIFICATION.] All emergency classifications granted under this section and still in effect shall expire on June 30, (1977) 1978. No emergency classifications shall be granted after June 30, (1977) 1978.

Sec. 5. Minnesota Statutes 1976, Section 15.165 is amended to read:

15.165 [DATA ON INDIVIDUALS.] *Subdivision 1. Data on individuals classified as private shall be not public but shall be disclosed to the subject of the data upon request as provided for in this act.*

Subd. 2. Data on individuals classified as confidential shall be not public and shall not be disclosed to the subject of the data.

Subd. 3. [DATA ON INDIVIDUALS; RIGHTS OF SUBJECTS OF DATA.] The rights of individuals on whom the data is stored or to be stored shall be as follows:

(a) An individual asked to supply private or confidential data concerning himself shall be informed of: (1) both the purpose and intended use of the requested data, (2) whether he may refuse or is legally required to supply the requested data, and (3) any known consequence arising from his supplying or refusing to supply private or confidential data.

(b) Upon request to a responsible authority or designee, an individual shall be informed whether he is the subject of stored data on individuals, whether it be classified as public, private or confidential. Upon his further request, an individual who is the subject of stored public or private data on individuals shall be shown the data without any charge to him and, if he desires, informed of the content and meaning of that data. After an individual has been shown the data and informed of its meaning, the data need not be disclosed to him for six months thereafter unless a dispute or action pursuant to this section is pending or additional data on the individual has been collected. The responsible authority or designee shall provide copies of the data upon request by the individual subject of the data, provided that the cost of providing copies is borne by the requesting individual.

(c) An individual may contest the accuracy or completeness of public or private data concerning himself. To exercise this right, an individual shall notify in writing the responsible au-

thority or designee describing the nature of the disagreement. The responsible authority or designee shall within 30 days correct the data if the data is found to be inaccurate or incomplete and attempt to notify past recipients of inaccurate or incomplete data, or notify the individual of disagreement. Data in dispute shall (NOT) be disclosed (EXCEPT UNDER CONDITIONS OF DEMONSTRATED NEED AND THEN) only if the individual's statement of disagreement is included with the disclosed data. The determination of the responsible authority is appealable in accordance with the provisions of the administrative procedure act relating to contested cases.

Sec. 6. Minnesota Statutes 1976, Chapter 15, is amended by adding a section to read:

[15.1654] [ADMINISTRATIVE REMEDY.] *Subdivision 1. [GOVERNMENT DATA ACCESS BOARD; ESTABLISHED.] The government data access board is hereby created to consist of five members appointed by the governor with the consent of the senate and the house of representatives, acting separately. Terms, compensation and removal of members shall be governed by Minnesota Statutes, Section 15.0575. The board shall elect necessary officers and establish procedures for the administration of its powers and duties. The procedures of the board shall provide for the protection of government data that has been classified as not public when such data is presented to the board for review. The board may conduct a closed meeting to review government data classified as not public, but shall deliberate and make its decision on an appeal in an open meeting.*

Subd. 2. [HEARING APPEALS.] Any person aggrieved by the decision or inaction of a responsible authority or designee under this act may file an appeal with the board. All appeals shall be considered and decided by the board in accordance with the contested case procedures of chapter 15.

Subd. 3. [SUBPOENA POWER.] In all matters pending before it, the board shall have the power to issue subpoenas to compel the attendance of witnesses and the production of government data. Any person failing or refusing to appear or testify regarding any matter about which he may be lawfully questioned or to produce government data after having been required by order or subpoena of the board to do so may, upon application to the district court by the board, be ordered to comply. Upon failure to comply with an order of the court the person may be held in contempt by the court.

Subd. 4. [ORDERS.] In deciding an appeal the board shall have the power to order a responsible authority to comply with any provision of this act. In an appeal involving a request for government data under section 3 the board shall base its decision on the manner in which the data is classified by statute or federal

law. A responsible authority shall comply with an order of the board.

Subd. 5. [STAFF; FACILITIES.] The commissioner shall provide the board with staff, equipment and facilities necessary to the execution of the board's duties.

Subd. 6. When considering whether information is properly classified, the board shall require clear and convincing proof that statute or federal law supports the classification of the data as not public.

Subd. 7. The government data access board shall expire July 1, 1979.

Sec. 7. Minnesota Statutes 1976, Chapter 15, is amended by adding a section to read:

[15.1655] [JUDICIAL REMEDY.] Subdivision 1. Any person aggrieved by the decision or inaction of a responsible authority may seek judicial remedy as provided for in this section without first bringing an appeal to the board. However, a person may not maintain an appeal before the board if a judicial remedy is sought under this section, and if a board decision has been made on an appeal it shall be subject to judicial review as provided for in chapter 15 for contested cases.

Subd. 2. [CIVIL ACTION.] Any person aggrieved by the decision or inaction of a responsible authority or his designee under section 3 of this act may file an action against the responsible authority in district court. The matter shall be given immediate priority and shall be heard as soon as possible. The court shall inspect in camera the government data in dispute and shall conduct its hearing in public and in a manner that protects the security of data classified as not public and base its decision on the manner in which the data is classified by statute or federal law. On the bases of the determination the court shall order the responsible authority to comply with or not comply with the request for access.

If the court orders a responsible authority to comply with a request for government data or determines that the responsible authority has acted improperly the court shall award costs, witness fees, and attorney fees to the person who filed the action. If the court determines that the responsible authority has willfully violated this act the responsible authority shall be liable for exemplary damages of from \$100 to \$1000 for each violation, notwithstanding any other law or claim of immunity to the contrary.

If the court determines that the responsible authority has acted improperly the court may enjoin the responsible authority from such action.

An action filed pursuant to this section may be heard in the county in which the office of the responsible authority is located or in the county in which the request for government data was received.

Subd. 3. [CRIMINAL PENALTY.] Any person who willfully violates a provision of this act is guilty of a misdemeanor.

Subd. 4. [BURDEN.] When considering whether information is properly classified, the court shall require clear and convincing proof that statute or federal law supports the classification of the data as not public.

Sec. 8. Minnesota Statutes 1976, Chapter 15, is amended by adding a section to read:

[15.1656] [DATA MANAGEMENT.] *Subdivision 1. Government data management techniques, standards and procedures for the administration of this act and for the application of efficient and economical management methods to data collection, utilization, maintenance, retention, preservation and disposal shall be promulgated as rules by the commissioner of administration. The commissioner shall require every responsible authority to comply with the techniques, standards and procedures he establishes. To insure that government data of historical value is adequately maintained, retained and preserved, the commissioner shall consult with the director of the Minnesota historical society and the state archivist in the promulgation of the rules required by this subdivision.*

Subd. 2. [DUTIES OF RESPONSIBLE AUTHORITIES.] A responsible authority shall collect and maintain all data necessary for the management of government activities and to provide for a full and accurate public knowledge of such government activities. A responsible authority shall establish procedures, consistent with this act and rules of the commissioner, to insure that all government data is accurate, complete and current and that the security of data classified as not public is protected. A responsible authority shall preserve all government data from deterioration, mutilation, loss and destruction. A responsible authority shall maintain and make available upon request a current index, reasonably detailed, by subject matter of all public data collected, maintained or disseminated by the responsible authority. A responsible authority may, in conformity with the techniques, standards and procedures established by the commissioner, photocopy government data and substitute the photocopy for the original. A properly made photocopy shall be admissible as evidence or for any other legal purpose in courts or other proceedings.

Subd. 3. [DATA DISPOSAL.] In a manner approved by the commissioner, a responsible authority shall submit to the

commissioner a schedule specifying the length of time government data within his jurisdiction will be retained and when it will be disposed of. The commissioner shall submit the schedule to the attorney general, legislative auditor, state auditor and state archivist for review. If the commissioner receives no objection from any of the above officials within 90 days he shall approve the schedule. A responsible authority shall retain and dispose of government data only in compliance with a schedule approved by the commissioner. The commissioner may require that government data be photocopied before it is disposed of, or may require that government data be disposed of by gift to the Minnesota historical society, sale for salvage or other means.

Sec. 9. Minnesota Statutes 1976, Chapter 138, is amended by adding a section to read:

[138.171] [STATE ARCHIVE.] *Subdivision 1. [ESTABLISHED.] The Minnesota historical society, as a trustee for the state of Minnesota, shall establish a state archive to be the repository for all government data and other records received by the society and deemed to be of historical value. The state archive shall be administered so as to allow for maximum possible public use; however, the governing board of the society shall establish standards and procedures to insure the security and responsible use of government data classified as not public.*

Subd. 2. [STATE ARCHIVIST.] The director of the Minnesota historical society shall appoint and the society shall employ a professional archivist, who shall be known as the state archivist, to administer the state archive. The society may also employ other personnel as necessary to administer the state archive.

Subd. 3. [DESTRUCTION OF DATA.] Before any government data transferred to the state archive is destroyed the state archivist shall notify the responsible authority that transferred the data, the attorney general, state auditor and legislative auditor of the planned destruction. If no objection is received within 30 days from one of the above the government data may be destroyed.

Subd. 4. [COPIES.] The state archivist may photocopy government data transferred to the state archive and may certify such a copy as a true copy for admission as evidence or other legal purposes in courts or other proceedings.

Sec. 10. *Notwithstanding any other provision in this act, from April 1, 1977, until July 1, 1978, government data other than data on individuals, may be classified by a responsible authority as not public if (a) on the effective date of this act the data was classified as not public by a rule, ordinance or other legally binding action of a responsible authority; or if (b) the*

responsible authority makes a written agreement with the source of the data to maintain the data as not public, under the terms of this act, and the agreement is consistent with the long standing practice of the responsible authority to maintain similar data as not public. Any classification made pursuant to this section shall expire July 1, 1978.

Sec. 11. *Minnesota Statutes 1976, Sections 15.162; 15.163; 15.1641; 15.166; 15.167; 15.1671; 15.169; 15.17; 15.171; 15.172; 15.173; 15.174; 138.161; 138.162; 138.163; 138.17; 138.18; 138.19; 138.20; 138.21; and 138.22 are repealed.*

Sec. 12. [APPROPRIATION.] *There shall be appropriated by the legislature to the department of administration \$ for the biennium for its responsibilities of administration and management of this act, promulgating the rules required by this act, and staffing and providing equipment and facilities to the government data access board.*

Sec. 13. *This act is effective the day following final enactment."*

Further, delete the title in its entirety and insert:

"A bill for an act relating to collection and dissemination of data; clarifying information practices; defining terms; prescribing remedies; prescribing penalties; appropriating money; amending Minnesota Statutes 1976, Sections 15.1642; 15.165; Chapters 15, by adding sections; and 138, by adding a section; repealing Minnesota Statutes 1976, Sections 15.162; 15.163; 15.1641; 15.166; 15.167; 15.1671; 15.169; 15.17; 15.171; 15.172; 15.173; 15.174; 138.161; 138.162; 138.163; 138.17; 138.18; 138.19; 138.20; 138.21; and 138.22."

With the recommendation that when so amended the bill pass and be re-referred to the Committee on Appropriations.

The report was adopted.

Sieben, H., from the Committee on Governmental Operations to which was referred:

H. F. No. 611, A bill for an act relating to retirement; date for payment of monthly annuities and benefits; amending Minnesota Statutes 1976, Chapter 356, by adding a section.

Reported the same back with the following amendments:

Page 1, after line 6, insert new sections:

"Section 1. Minnesota Statutes 1976, Section 352.01, Subdivision 21, is amended to read:

Subd. 21. [ACCRUED ANNUITY.] For the purposes of this chapter and chapters 3A, 352B, 352C and 490 "accrued annuity" means an annuity which had become payable to a retired employee in his lifetime. An annuity or benefit authorized as provided in this chapter and chapters 3A, 352B, 352C and 490 becomes payable on the first day of each calendar month for (THE PRECEDING) that calendar month and is to be paid (DURING THE FIRST WEEK) on the first day of each calendar month beginning with benefits payable on and after December 1, 1977.

Notwithstanding any provision to the contrary in this chapter and chapters 3A, 352B, 352C and 490, benefit payment authorized as "payable for life" shall be payable for the entire month in which death occurs and the benefit payment for the month of death shall be payable to the surviving spouse or other beneficiary only if the annuitant dies before negotiating the check.

Sec. 2. Minnesota Statutes 1976, Section 354.46, Subdivision 3, is amended to read:

Subd. 3. [PAYMENT AFTER DEATH OF RETIREE.] If a former member dies after his retirement, (THERE SHALL BE PAID TO) he or his designated beneficiary (AN AMOUNT EQUAL TO THE) shall be entitled to the annuity payment (COMPUTED TO THE DATE OF DEATH) due for the full month during which death occurs if no optional or reversionary annuity was designated by the member. If an optional or reversionary annuity has been designated by the member, a death benefit shall be paid in accordance with the provisions of such annuity as described in section 354.45."

Page 1, line 11, delete "*the effective date of this act*" and insert "*December 1, 1977*".

Page 1, line 12, delete "*356.35*" and insert "*356.30*".

Page 1, line 13, delete "*5*" and insert "*3*".

Page 1, line 15, after "*accordingly.*" insert "*In no event, however, shall this section authorize more than one payment in any one month where the law governing the applicable retirement fund as of the effective date of this act already provides for the full payment or accrual of annuities and benefits in advance for each month or as of the first day of the month, nor shall it authorize the payment of both a retirement annuity and a surviving spouse's benefit in one month where the law governing the applicable retirement fund provides for the payment of the re-*

tired member's retirement annuity to the surviving spouse for the month in which the retired member dies."

Page 1, after line 15, insert new sections to read:

"Sec. 4. [LUMP SUM PAYMENTS.] Subdivision 1. Any person who is receiving as of November 30, 1977, a retirement annuity, a disability benefit, or a surviving spouse's annuity or benefit from the teachers retirement fund, the public employees retirement fund including the public employees police and fire fund, or the regular fund of the Minnesota state retirement system, and whose annuity or benefit was computed under laws in effect prior to July 1, 1973, shall receive in addition to such annuity or benefit a lump sum payment of \$225 if the annuity or benefit is coordinated with social security, or a lump sum payment of \$250 if the annuity or benefit is not coordinated with social security.

Subd. 2. Any person who is receiving as of November 30, 1977, a retirement annuity, a disability benefit or surviving spouse's annuity or benefit from the highway patrolmen's retirement fund and whose annuity or benefit was computed under laws in effect prior to June 1, 1973, shall receive in addition to such annuity or benefit a lump sum payment of \$250.

Subd. 3. Any person who is receiving as of November 30, 1977 a retirement annuity, a disability benefit or surviving spouse annuity or benefit under retirement allowance options II, III, or IV, from the Minneapolis municipal employees retirement fund, and whose annuity or benefit was computed under laws in effect prior to June 27, 1973, and any person who is receiving as of November 30, 1977 a benefit for surviving spouses of active members from the Minneapolis municipal employees retirement fund and whose benefit was computed under laws in effect prior to April 25, 1959, shall receive in addition to such annuity or benefit a lump sum payment of \$250.

Subd. 4. The lump sum payments provided in this section for any person who is entitled to receive more than one such payment shall be reduced by dividing the amount of each such payment by the total number of such payments to which such person is entitled.

Subd. 5. Notwithstanding Minnesota Statutes, Section 356.18, additional payments pursuant to this act will be made automatically unless the intended recipient files written notice with the retirement fund requesting that the additional payment not be made. Nothing in this act shall authorize payment to an estate. The additional payments provided in this section shall be payable December 1, 1977 and may be included in the regular monthly annuity payments for the month of November 1977. The amounts necessary to make such additional payments for persons receiv-

ing annuities or benefits from the Minnesota adjustable fixed benefit fund are hereby appropriated from the Minnesota adjustable fixed benefit fund and the amounts necessary to make such additional payments for persons receiving benefits directly from the retirement funds are hereby appropriated from the retirement funds enumerated in this section.

Sec. 5. [EFFECT ON FUTURE MINNESOTA ADJUSTABLE FIXED BENEFIT FUND ADJUSTMENTS.] *For purposes of the calculation of the increase adjustment from the Minnesota adjustable fixed benefit fund pursuant to section 11.25, payable January 1, 1978, an amount equal to the total of the additional lump sum payments which are appropriated from the Minnesota adjustable fixed benefit fund pursuant to section 2 of this act shall be considered appropriated as of June 30, 1977 and shall be subtracted from the reserves otherwise available to fund that increase adjustment."*

Page 1, line 16, delete "July 1" and insert "June 30".

Renumber the sections in sequence.

Further amend the title:

Line 3, after "benefits;" insert "additional lump sum payments to certain retirees, disabilitants and surviving spouses;"

Line 4, after "section" insert "; Sections 352.01, Subdivision 21; and 354.46, Subdivision 3".

With the recommendation that when so amended the bill pass.

The report was adopted.

Sieben, H., from the Committee on Governmental Operations to which was referred:

H. F. No. 954, A bill for an act relating to juries; enacting the uniform juror selection and service act; providing for the selection and service of grand and petit jurors; providing penalties; repealing Minnesota Statutes 1976, Sections 3.081; 192.24; 357.26; 488A.07; 546.09; 593.03; 593.04; 593.05; 593.06; 593.07; 593.09; 593.10; 593.11; 593.12; 593.13; 593.14; 593.20; 628.42; 628.43; 628.44; 628.45; 628.46; 628.47; 628.49; 628.50; 628.51; 628.52; 628.53; and 631.33.

Reported the same back with the following amendments:

Page 3, line 9, delete "judicial district" and insert "county".

Page 3, line 20, delete "judicial".

Page 3, line 21, delete "district" and insert "county".

Page 3, line 22, delete "district" and insert "county".

Page 3, line 26, delete "The plan".

Page 3, delete lines 27 to 32.

Page 4, delete lines 1 to 6.

Page 5, line 3, delete "judicial district" and insert "county".

Page 5, line 12, delete "judicial district" and insert "county".

Page 6, line 20, delete "district's" and insert "county's".

Page 7, line 3, delete "an alphabetical" and insert "a".

Page 7, line 15, after "juror" insert "if it identifies the question as optional, for statistical purposes only".

Page 8, line 29, delete "or".

Page 8, line 32, after "years" insert "; or

(9) Is a member of the legislature".

Page 9, line 24, delete "prospective".

Page 10, line 29, delete "explicitly".

Page 10, line 29, delete "district's" and insert "county's".

Page 10, after line 32, insert a new subdivision:

"Subd. 4. An office or employee of the legislature is excused from jury service while the legislature is in session."

Pages 12 and 13, delete all of section 20.

Renumber sections in sequence.

With the recommendation that when so amended the bill pass.

The report was adopted.

Sieben, H., from the Committee on Governmental Operations to which was referred:

H. F. No. 1310, A bill for an act relating to unemployment compensation; providing for conformity with federal requirements; providing for agricultural and domestic service employees; defining independent contractors; altering covered employment; changing certain accounting periods; regulating employer's contributions; permitting joint employer accounts; providing for the noncharging of certain benefits; providing for extended benefits; providing for certain public employees; providing for release of certain information; amending Minnesota Statutes 1976, Sections 268.04, Subdivisions 10, 12 and 22, and by adding a subdivision; 268.05, Subdivision 5; 268.06, Subdivisions 1, 5, 21, 22, 25 and 28, and by adding subdivisions; 268.07, by adding a subdivision; 268.071, Subdivisions 1 and 6; 268.08, Subdivision 5, and by adding subdivisions; 268.09, Subdivision 1; 268.11, Subdivision 2; and 268.12, Subdivision 12; repealing Minnesota Statutes 1976, Section 268.08, Subdivision 5.

Reported the same back with the following amendments:

Page 5, lines 10 to 32, reinstate all stricken language and delete all new language.

Page 6, delete lines 1 to 7.

Page 6, line 10, reinstate the stricken "(a)" and delete the new "(b)".

Page 6, line 11, reinstate the stricken "or".

Page 6, line 12, reinstate the stricken "(b)" and delete the new "(c)".

Page 6, line 27, reinstate the stricken "(b)" and delete the new "(c)".

Page 11, line 3, after "body" insert: "*or as a temporary employee of the state legislature or of a legislative commission*".

Page 21, delete lines 2 to 16.

Page 23, after line 7, insert a new section to read:

"Sec. 4. Minnesota Statutes 1976, Section 268.04, Subdivision 23, is amended to read:

Subd. 23. "Unemployment." An individual shall be deemed "unemployed" in any week during which he performs no service and with respect to which no wages are payable to him, or in any week of less than full time work if the wages payable to him with respect to such week are less than his weekly benefit amount, *provided that no permanent employee of the legislature or a leg-*

islative commission shall be deemed to be unemployed while on a leave of absence. Any individual unemployed as a result of a uniform vacation shutdown shall not be deemed to be voluntarily unemployed. The commissioner may, in his discretion, prescribe regulations relating to the payment of benefits to such unemployed individuals."

Page 23, line 13, after "120.10" insert "*, or any school (1) which admits only prekindergarten children, (2) which has as its primary purpose the education of its students as determined by the commissioner of public welfare pursuant to section 245.791, clause (15), and (3) which operates on a regular basis for at least eight months and no more than nine months a year"*.

Pages 23 to 25, delete all of section 5.

Pages 27 to 29, delete all of sections 8 and 9.

Page 35, line 3, delete "7" and insert "4".

Page 41, after line 3, insert new sections:

"Sec. 15. Minnesota Statutes 1976, Section 268.08, Subdivision 3, is amended to read:

Subd. 3. [NOT ELIGIBLE.] An individual shall not be eligible to receive benefits for any week with respect to which he is receiving, has received, or has filed a claim for remuneration in an amount equal to or in excess of his weekly benefit amount in the form of

(1) termination, severance, or dismissal payment or wages in lieu of notice whether legally required or not; provided that if a termination, severance, or dismissal payment is made in a lump sum, the employer may allocate such lump sum payment over a period of weeks equal to the lump sum divided by the employee's regular pay while employed by such employer; provided any such payment shall be applied for a period of weeks immediately following the last day of work but not to exceed four weeks; or

(2) vacation allowance, except that vacation allowance paid with respect to periods following termination or indefinite separation from employment shall not be treated as deductible income; or

(3) compensation for loss of wages under the worker's compensation law of this state or any other state or under a similar law of the United States, or under other insurance or fund established and paid for by the employer; or

(4) a primary insurance benefit under Title II of the federal social security act, as amended, or similar old age benefits under any act of congress, or this state or any other state(,) *provided that this clause shall apply only if the individual has voluntarily terminated employment; or*

(5) benefit payments from any fund, annuity, or insurance provided by or through the employer and to which the employer contributes 50 percent or more of the total of the entire premiums or contributions to the fund, except that remuneration in the form of a pension received as a consequence of service in the armed forces of the United States up to an amount of \$700 monthly or its weekly equivalent shall not effect the eligibility of an employee of the United States to receive benefits.

Provided, that if such remuneration is less than the benefits which would otherwise be due under sections 268.03 to 268.24, he shall be entitled to receive for such week, if otherwise eligible, benefits reduced by the amount of such remuneration; provided, further, that if the appropriate agency of such other state or the federal government finally determines that he is not entitled to such benefits, this provision shall not apply.

Sec. 16. Minnesota Statutes 1976, Section 268.08, Subdivision 4, is amended to read:

Subd. 4. [SOCIAL SECURITY AMOUNT DEDUCTED FROM BENEFITS.] Any claimant aged 62 or over *who voluntarily terminates employment* shall be required to state in writing at the time of the filing of his claim whether he intends to seek Title II social security benefits for any week during which he will receive unemployment benefits, and if he so intends there shall be withheld from his weekly unemployment benefits an amount sufficient to cover the weekly equivalent of his social security benefit. Any claimant *as described above* disclaiming such intention but who nevertheless receives such social security benefits for weeks for which he previously received unemployment benefits shall be liable for repayment of such unemployment benefits and otherwise subject to the provisions of section 268.18.”

Page 42, line 25, after “years” insert “or terms”.

Page 43, line 7, delete “except” and insert “or”.

Page 43, line 15, after “terms” delete the period and insert “, and (c) With respect to any services described in clause (a) or (b), compensation payable on the basis of such services shall not be paid to any individual for any week which commences during an established and customary vacation period or holiday recess if such individual performs such services in the period immediately before such vacation period or holiday recess, and

there is a reasonable assurance that such individual will perform such services in the period immediately following such vacation period or holiday recess."

Pages 43 and 44, delete all of clause (a) and insert:

"(a) Benefits shall not be paid on the basis of services performed by an alien unless such alien is an individual who was lawfully admitted for permanent residence at the time such services were performed, was lawfully present for the purposes of performing such services, or was permanently residing in the United States under color of law at the time such services were performed (including an alien who was lawfully present in the United States as a result of the application of the provision of section 203(a)(7) or section 212(d)(5) of the Immigration and Nationality Act)."

Page 44, delete lines 11 to 20.

Pages 44 to 52, delete all of sections 19, 20 and 21, and insert:

"Sec. 18. Minnesota Statutes 1976, Section 268.09, Subdivision 3, as amended by Laws 1977, Chapter 4, is amended to read:

Subd. 3. [LABOR DISPUTE.] *An individual shall be disqualified for benefits if such individual has left or partially or totally lost his employment with an employer because of a strike or other labor dispute. Such disqualification shall prevail for each week during which such strike or other labor dispute is in progress at the establishment in which he is or was employed, except that such disqualification shall be for one week following commencement of the strike or other labor dispute for any employee who is not participating in or directly interested in the labor dispute which caused such individual to leave or partially or totally lose such employment. Failure or refusal of an individual to accept and perform available and customary work in the establishment constitutes participation. For the purpose of this section the term "labor dispute" shall have the same definition as provided in the Minnesota labor relations act. Nothing in this subdivision shall be deemed to deny benefits to any employee:*

(a) who becomes unemployed because of a strike or lockout caused by an employer's willful failure to observe the terms of the safety and health section of a union contract or failure to comply with an official citation for a violation of federal and state laws involving occupational safety and health; provided, however, that benefits paid in accordance with this provision shall not be charged to the employer's experience rating account if, following official appeal proceedings, it is held that there was no willful failure on the part of the employer,

- (b) who becomes unemployed because of a lockout,
- (c) who is dismissed during the period of negotiation in any labor dispute and prior to the commencement of a strike, or
- (d) unless he is unemployed because of a jurisdictional dispute between two or more unions.

Provided, however, that voluntary separation during the time that such strike or other labor dispute is in progress at such establishment shall not be deemed to terminate such individual's participation in or direct interest in such strike or other labor dispute for purposes of this subdivision.

Benefits paid to an employee who has left or partially or totally lost his employment because of a strike or other labor dispute *at his primary place of employment* shall not be charged to his employer's account unless the employer was a party to the particular strike or labor dispute.

Notwithstanding any other provision of this section, an individual whose last separation from employment with an employer occurred prior to the commencement of the strike or other labor dispute and was permanent or for an indefinite period, shall not be denied benefits or waiting week credit solely by reason of his failure to apply for or to accept recall to work or re-employment with the employer during any week in which the strike or other labor dispute is in progress at the establishment in which he was employed.

Sec. 19. Minnesota Statutes 1976, Section 268.12, Subdivision 5, is amended to read:

Subd. 5. [ASSISTANCE.] (1) Subject to the provisions of the state civil service act and to the other provisions of sections 268.03 to 268.24 the commissioner is authorized to appoint, and prescribe the duties and powers of, such offices, accountants, attorneys, experts, and other persons as may be necessary in the performance of his duties thereunder. The commissioner may delegate to any such person so appointed such power and authority as he deems reasonable and proper for the effective administration of those sections and may, in his discretion, bond any person handling moneys or signing checks thereunder. The commissioner is authorized to adopt such personnel and fiscal regulations as he deems necessary to satisfy fiscal and personnel standards required by the secretary of labor pursuant to the Social Security Act, as amended, and the act of Congress entitled "An act to provide for the establishment of a national employment system and to cooperate with the states in the promotion of such system and for other purposes," approved June 6, 1933, as amended. The commissioner may, subject to the approval of the commissioner of administration, also adopt regulations relating

to reimbursement to department employees for travel expenses incurred while traveling on official business including allowances on a per diem basis in lieu of actual subsistence expenses incurred. The commissioner is also hereby authorized to purchase liability and property damage automobile insurance to cover any automobiles owned by the Minnesota department of employment services for the protection of its employees who may be required to operate the same in pursuit of their duties for the department.

The attorney general shall appoint an assistant attorney general and two special assistant attorneys general, to be in addition to the number now authorized by law. The assistant attorney general shall be the attorney and the chief counsel for the department of employment services. Such assistant and special assistant attorneys general, shall receive the same salary as the other assistant and special assistant attorneys general, but devote their entire time to this department. Such assistant and special assistant attorneys general shall have the power to act for and represent the attorney general in all matters in which the attorney general is authorized to act for the commissioner of these sections. The compensation and all expenses and disbursements of such assistant and special assistant attorneys general shall be paid from the moneys appropriated to and for the use of the commissioner.

((2)(A) NO OFFICER OR EMPLOYEE ENGAGED IN THE ADMINISTRATION OF THESE SECTIONS SHALL USE HIS OFFICIAL AUTHORITY TO INFLUENCE FOR THE PURPOSE OF INTERFERING WITH AN ELECTION OR AFFECTING THE RESULTS THEREOF. NO PERSON ENGAGED IN THE ADMINISTRATION OF THESE SECTIONS WHO HOLDS A POSITION IN THE STATE CLASSIFIED SERVICE PURSUANT TO PROVISIONS CONTAINED IN THE STATE CIVIL SERVICE ACT, WHILE RETAINING THE RIGHT TO VOTE AS HE PLEASURES AND TO EXPRESS PRIVATELY HIS OPINION ON ALL POLITICAL SUBJECTS SHALL TAKE AN ACTIVE PART IN POLITICAL MANAGEMENT OR CAMPAIGNS;))

((B) NO OFFICER OR EMPLOYEE ENGAGED IN THE ADMINISTRATION OF THESE SECTIONS SHALL SOLICIT OR RECEIVE OR BE IN ANY MANNER CONCERNED IN SOLICITING OR RECEIVING ANY ASSESSMENT, SUBSCRIPTION, OR CONTRIBUTION FOR ANY POLITICAL PURPOSE FOR ANY PERSON;))

((C)) (2) No officer or employee engaged in the administration of these sections shall, for political purposes, furnish or disclose, or aid or assist in furnishing or disclosing, any list or names of persons obtained in the administration of these sections, to a political candidate, committee, campaign manager, or to any person for delivery to a political candidate, committee,

or campaign manager, and it shall be unlawful for any person to receive any such list or names for political purposes.”.

Renumber sections in sequence.

Page 52, line 22, after “5”, delete “is” and insert: “and that portion of Laws 1975, Chapter 433, Section 11, Subdivision 4, referring to Minnesota Statutes, Section 268.08, Subdivision 5, clause (b), are”.

Page 52, line 23, delete “5, 6, 9, 13, 17,”.

Page 52, line 24, delete “19, 20, 21, and 22” and insert: “4, 6, 11, 15, 16, 17, 20 and 21”.

Page 52, line 29, delete “15” and insert “13”.

Page 52, line 30, delete “2, 4, 7, 8, 10, 11, 12, 14, 16, 18 and 23” and insert “2, 5, 7, 8, 9, 10, 12, 14, 18 and 22”.

Page 52, line 31, after the period add a sentence: “Section 19 shall be effective July 2, 1977.”.

Further amend the title:

Line 5, delete “defining independent contractors;”.

Line 6, delete “changing certain”.

Line 7, delete “account periods;”.

Line 8, delete “permitting joint employer accounts;”.

Line 11, delete “providing for release of”.

Line 12, delete “certain information” and insert “allowing certain political activities; changing total disqualification based on receipt of social security benefits”.

Line 13, delete “and” and insert a comma and after “22,” insert “and 23,”.

Line 14, delete “268.05, Subdivision”.

Line 15, delete “5;” and delete “21, 22,”.

Line 18, delete “Subdivision” and insert “Subdivisions 3, 4, and”.

Line 19, delete “1; 268.11, Subdivisions 2; and” and insert “3, as amended; and”.

Line 20, delete "12" and insert "5".

Line 21, after "5" insert "; and a portion of Laws 1975, Chapter 433, Section 11, Subdivision 4".

With the recommendation that when so amended the bill pass.

The report was adopted.

Berg from the Committee on Local and Urban Affairs to which was referred:

S. F. No. 10, A bill for an act relating to cities; providing for the establishment of tourist information centers; authorizing payments of expenses of governing officers in certain cases; amending Minnesota Statutes 1976, Sections 465.53 and 465.54.

Reported the same back with the following amendments:

Page 2, line 3, after "*municipality*" insert "*, for the purposes of section 465.53,*".

With the recommendation that when so amended the bill pass and be placed on the Consent Calendar.

The report was adopted.

Berg from the Committee on Local and Urban Affairs to which was referred:

S. F. No. 305, A bill for an act relating to intoxicating liquor; expiration date of municipal licenses; amending Minnesota Statutes 1976, Section 340.11, Subdivision 16.

Reported the same back with the recommendation that the bill pass and be placed on the Consent Calendar.

The report was adopted.

Berg from the Committee on Local and Urban Affairs to which was referred:

S. F. No. 813, A bill for an act relating to the county of Carlton; authorization of certain payments to the city of Cloquet.

Reported the same back with the following amendments:

Page 1, line 7, after "Cloquet" insert a comma and delete "for legal services".

Page 1, delete line 8 to the period and insert "moneys to supplement the costs, witness fees and legal services for misdemeanors arising within the city of Cloquet".

With the recommendation that when so amended the bill pass and be placed on the Consent Calendar.

The report was adopted.

Berg from the Committee on Local and Urban Affairs to which was referred:

S. F. No. 855, A bill for an act relating to St. Louis county; providing for the automobile expenses of county commissioners; amending Laws 1959, Chapter 301, Section 1.

Reported the same back with the recommendation that the bill pass and be placed on the Consent Calendar.

The report was adopted.

SECOND READING OF HOUSE BILLS

H. F. Nos. 1553, 600, 782, 17, 789, 611, 954 and 1310 were read for the second time.

SECOND READING OF SENATE BILLS

S. F. Nos. 111, 569, 600, 831, 845, 1387, 10, 305, 813 and 855 were read for the second time.

INTRODUCTION AND FIRST READING OF HOUSE BILLS

The following House Files were introduced:

Wenzel introduced:

H. F. No. 1554, A resolution urging Congress and the President to raise agriculture support prices.

The bill was read for the first time and referred to the Committee on Agriculture.

Faricy, Norton, Patton, Savelkoul and Sieben, H., introduced:

H. F. No. 1555, A bill for an act relating to the operation of state government; providing for compensation of certain judges of the supreme and district court; amending Laws 1977, Chapter 35, Section 18.

The bill was read for the first time and referred to the Committee on Appropriations.

Brandl, Jaros, Wynia, Carlson, A., and Cohen introduced:

H. F. No. 1556, A bill for an act relating to crimes; public safety and health; dangerous weapons; short-barreled shotguns; providing penalties; amending Minnesota Statutes 1976, Chapter 609, by adding a section.

The bill was read for the first time and referred to the Committee on Criminal Justice.

Wenzel, Waldorf, George, Jaros and Anderson, I., introduced:

H. F. No. 1557, A resolution memorializing Congress and the President to apportion federal education aids more fairly among the states.

The bill was read for the first time and referred to the Committee on Education.

Patton and Brinkman introduced:

H. F. No. 1558, A bill for an act relating to savings associations; investments in certain obligations; amending Minnesota Statutes 1976, Section 51A.35.

The bill was read for the first time and referred to the Committee on Financial Institutions and Insurance.

Scheid and Ellingson introduced:

H. F. No. 1559, A bill for an act relating to insurance; providing that senior citizens may cancel certain policies of insurance within seven business days after purchase; setting out notice requirements.

The bill was read for the first time and referred to the Committee on Financial Institutions and Insurance.

Fugina introduced:

H. F. No. 1560, A bill for an act relating to eminent domain; providing homeowners certain rights; amending Minnesota Statutes 1976, Chapter 117, by adding a section.

The bill was read for the first time and referred to the Committee on Governmental Operations.

George, Munger, Osthoff, Dean and Braun introduced:

H. F. No. 1561, A bill for an act relating to environmental lawsuits; authorizing the awarding of attorneys' fees in certain instances; eliminating certain surety bond requirements; amending Minnesota Statutes 1976, Sections 116B.03, by adding a subdivision; and 562.02.

The bill was read for the first time and referred to the Committee on Governmental Operations.

Lehto, Neisen, Zubay, Stoa and Knickerbocker introduced:

H. F. No. 1562, A bill for an act relating to precinct caucuses; providing for access by elderly and handicapped persons; providing for use of polling place for precinct caucuses; amending Minnesota Statutes 1976, Section 202A.15, Subdivision 2.

The bill was read for the first time and referred to the Committee on General Legislation and Veterans Affairs.

Scheid, Metzen, Waldorf, Kaley and Heinitz introduced:

H. F. No. 1563, A bill for an act relating to emergency health services; providing for the licensing and regulation of paramedics and paramedic programs; establishing a board of paramedic licensing; prescribing its powers and duties; providing penalties; appropriating money.

The bill was read for the first time and referred to the Committee on Health and Welfare.

Langseth, Swanson, Wenstrom and Clawson introduced:

H. F. No. 1564, A bill for an act relating to public welfare; providing for the revision of criteria governing work incentive and registration; providing authority for local agencies to contract with nonprofit organizations for work program services; amending Minnesota Statutes 1976, Section 256D.11.

The bill was read for the first time and referred to the Committee on Health and Welfare.

Cummiskey introduced :

H. F. No. 1565, A bill for an act relating to the city of Mankato; authorizing residential property rehabilitation loans and grants and authorizing the issuance of bonds for acquisition and betterment of a municipal fire hall and city hall.

The bill was read for the first time and referred to the Committee on Local and Urban Affairs.

Beauchamp, by request, introduced :

H. F. No. 1566, A bill for an act relating to the city of Moorhead; authorizing taxes in excess of levy limitations for support of the arts.

The bill was read for the first time and referred to the Committee on Local and Urban Affairs.

Kaley, Lemke, Birnstihl, McCarron and Brinkman introduced :

H. F. No. 1567, A bill for an act relating to taxation; sales; exempting goods and services sold by certain charitable organizations; amending Minnesota Statutes 1976, Section 297A.25, Subdivision 1.

The bill was read for the first time and referred to the Committee on Taxes.

Anderson, B. ; Stanton ; Welch ; Berkelman and Erickson introduced :

H. F. No. 1568, A bill for an act relating to transportation; highway beautification; authorizing the removal of unsafe buildings under certain conditions; amending Minnesota Statutes 1976, Chapter 161, by adding a section.

The bill was read for the first time and referred to the Committee on Transportation.

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Mr. Speaker :

I hereby announce the passage by the Senate of the following Senate Files, herewith transmitted:

S. F. Nos. 23 and 1164.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

I hereby announce the passage by the Senate of the following Senate Files, herewith transmitted:

S. F. Nos. 1034 and 1416.

PATRICK E. FLAHAVEN, Secretary of the Senate

FIRST READING OF SENATE BILLS

S. F. No. 23, A bill for an act relating to workers' compensation; requiring an employer to furnish certain remodeling for a handicapped employee's residence; giving the council for the handicapped additional duties; amending Minnesota Statutes 1976, Chapter 176, by adding a section; and Section 256.482, Subdivision 5.

The bill was read for the first time and referred to the Committee on Governmental Operations.

S. F. No. 1164, A bill for an act relating to Olmsted county; permitting sidewalk and related improvements to be financed by special assessment; Rochester city officials' salaries.

The bill was read for the first time and referred to the Committee on Local and Urban Affairs.

S. F. No. 1034, A bill for an act relating to transportation; appropriating money for the operation of Amtrak rail service between the Twin Cities and Duluth.

The bill was read for the first time.

Munger moved that S. F. No. 1034 and H. F. No. 963, now on the Technical General Orders, be referred to the Chief Clerk for comparison. The motion prevailed.

S.F. No. 1416, A bill for an act relating to the organization and operation of state government; appropriating money for welfare, corrections, health, and other purposes, including appropriations for the departments of public welfare, vocational rehabilitation, corrections, corrections ombudsman, health, health related boards, and public assistance programs; and repealing Minnesota Statutes 1976, Section 261.233.

The bill was read for the first time.

Norton moved that S. F. No. 1416 and H. F. No. 1553, now on the Technical General Orders, be referred to the Chief Clerk for comparison. The motion prevailed.

CONSENT CALENDAR

S. F. No. 108, A bill for an act relating to highway traffic regulations; specifying minimum property damage accident report requirements; amending Minnesota Statutes 1976, Section 169.09, Subdivision 7.

The bill was read for the third time and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 127 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Abeln	Cohen	Jensen	Moe	Searles
Adams	Corbid	Johnson	Munger	Sherwood
Albrecht	Cummiskey	Jude	Murphy	Sieben, H.
Anderson, B.	Dahl	Kahn	Neisen	Sieben, M.
Anderson, D.	Dean	Kaley	Nelsen, B.	Simoneau
Anderson, G.	Den Ouden	Kalis	Nelsen, M.	Skoglund
Anderson, I.	Eckstein	Kelly, R.	Nelson	Smogard
Anderson, R.	Eken	Kelly, W.	Niehaus	Spanish
Arlandson	Enebo	Kempe, A.	Norton	Stanton
Battaglia	Erickson	Kempe, R.	Novak	Stoa
Beauchamp	Esau	King	Osthoff	Swanson
Begich	Evans	Knickerbocker	Patton	Vanasek
Berg	Ewald	Kostohryz	Pehler	Voss
Berglin	Faricy	Kroening	Peterson	Waldorf
Berkelman	Fjoslien	Kvam	Petrafeso	Wenstrom
Biersdorf	Forsythe	Laidig	Pleasant	Wenzel
Birnstihl	Fudro	Langseth	Prahl	White
Brandl	Fugina	Lehto	Reding	Wieser
Braun	George	Lemke	Rice	Wigley
Brinkman	Gunter	Mangan	Rose	Williamson
Byrne	Hanson	Mann	Samuelson	Wynia
Carlson, A.	Haugerud	McCarron	Sarna	Zubay
Carlson, D.	Heinitz	McCollar	Savelkoul	Speaker Sabo
Carlson, L.	Hokanson	McDonald	Scheid	
Casserly	Jacobs	McEachern	Schulz	
Clark	Jaros	Metzen	Searle	

The bill was passed and its title agreed to.

CONSIDERATION UNDER RULE 1.10

Pursuant to rule 1.10 Norton requested immediate consideration on H. F. No. 1510 and S. F. No. 1072.

H. F. No. 1510 was reported to the House.

Faricy moved to amend H. F. No. 1510, as follows:

Page 22, line 20, after "*representative*" insert "*of the faculty*".

Page 23, line 1, after "*representative*" insert "*of the faculty*".

The motion prevailed and the amendment was adopted.

Friedrich was excused for the remainder of the day.

McCollar moved to amend H. F. No. 1510, as amended, as follows:

Page 13, after line 34 insert: "Counties shall be reimbursed by the University of Minnesota if the services are performed at county hospitals."

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

H. F. No. 1510, A bill for an act relating to the organization and operation of state government; appropriating money for education and related purposes with certain conditions, including the department of education, aids to libraries, higher education coordinating board, state universities, community colleges, and the university of Minnesota and its hospitals; amending Minnesota Statutes 1976, Sections 120.17, Subdivision 7a; 128A.02, Subdivision 3; 128A.06, Subdivision 1; 128A.07; 136A.121, Subdivision 3; 141.24; 141.36; 179.69, Subdivisions 4 and 5; and 197.78; repealing Minnesota Statutes 1976, Section 128A.08.

The bill was read for the third time, as amended, and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 124 yeas and 5 nays as follows:

Those who voted in the affirmative were:

Abeln	Casserly	Hangerud	Mangan	Rice
Adams	Clark	Heinitz	Mann	Rose
Albrecht	Clawson	Hokanson	McCarron	St. Onge
Anderson, B.	Cohen	Jacobs	McDonald	Samuelson
Anderson, D.	Corbid	Jaros	McEachern	Sarna
Anderson, G.	Cummiskey	Jensen	Metzen	Savelkoul
Anderson, I.	Dahl	Johnson	Moe	Scheid
Arlandson	Dean	Jude	Munger	Schulz
Battaglia	Den Ouden	Kahn	Murphy	Searle
Beauchamp	Eckstein	Kaley	Neisen	Searles
Begich	Eken	Kalis	Nelsen, B.	Sherwood
Berg	Ellingson	Kelly, R.	Nelsen, M.	Sieben, H.
Berglin	Enebo	Kelly, W.	Neison	Sieben, M.
Berkelman	Erickson	Kempe, A.	Niehaus	Simoneau
Biersdorf	Esau	Kempe, R.	Norton	Skoglund
Birnstihl	Evans	King	Novak	Smogard
Brandl	Faricy	Knickerbocker	Osthoff	Spanish
Braun	Fjoslien	Kostohryz	Patton	Stanton
Brinkman	Forsythe	Kroening	Pehler	Stoa
Byrne	Fudro	Laidig	Peterson	Swarson
Carlson, A.	Fugina	Langseth	Petrafeso	Tomlinson
Carlson, D.	George	Lehto	Prahl	Vanasek
Carlson, L.	Hanson	Lemke	Reding	Voss

Waldorf	Wenzel	Wieser	Wynia	Speaker Sabo
Wenstrom	White	Williamson	Zubay	

Those who voted in the negative were:

Gunter	Kvam	McCollar	Pleasant	Wigley
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The bill was passed, as amended, and its title agreed to.

S. F. No. 1072, A bill for an act relating to appropriations; appropriating money for the fiscal year ending June 30, 1977.

The bill was read for the third time and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 127 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Abeln	Cohen	Jaros	Murphy	Sherwood
Adams	Corbid	Jensen	Neisen	Sieben, H.
Albrecht	Cummiskey	Jude	Nelsen, B.	Sieben, M.
Anderson, B.	Dahl	Kahn	Nelsen, M.	Simoneau
Anderson, D.	Dean	Kaley	Nelson	Skoglund
Anderson, G.	Den Ouden	Kalis	Niehaus	Smogard
Anderson, I.	Eckstein	Kelly, R.	Norton	Spanish
Anderson, R.	Eken	Kelly, W.	Novak	Stanton
Arlandson	Ellingson	Kempe, A.	Osthoff	Stoa
Battaglia	Enebo	Kempe, R.	Patton	Swanson
Beauchamp	Erickson	King	Pehler	Tomlinson
Begich	Esau	Knickerbocker	Peterson	Vanasek
Berg	Evans	Kostohryz	Petrateso	Voss
Berglin	Ewald	Kvam	Pleasant	Waldorf
Berkelman	Faricy	Laidig	Prahl	Wenstrom
Biersdorf	Fjoslien	Langseth	Reding	Wenzel
Birnstihl	Forsythe	Lehto	Rice	White
Braun	Fudro	Lemke	Rose	Wieser
Brinkman	Fugina	Mangan	St. Onge	Wigley
Byrne	George	Mann	Samuelson	Williamson
Carlson, A.	Gunter	McCarron	Sarna	Wynia
Carlson, D.	Hanson	McCollar	Savelkoul	Zubay
Carlson, L.	Haugerud	McDonald	Scheid	Speaker Sabo
Casserly	Heinitz	McEachern	Schulz	
Clark	Hokanson	Metzen	Searle	
Clawson	Jacobs	Moe	Searles	

The bill was passed and its title agreed to.

CALENDAR

H. F. No. 805, A bill for an act relating to public employees; excluding supervisory employees from certain bargaining units; amending Minnesota Statutes 1976, Section 179.65, Subdivision 6.

The bill was read for the third time and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 68 yeas and 59 nays as follows:

Those who voted in the affirmative were:

Abeln	Cassery	Hokanson	Moe	Sarna
Adams	Clark	Jacobs	Munger	Scheid
Anderson, B.	Clawson	Jaros	Murphy	Sieben, H.
Anderson, I.	Corbid	Jensen	Nelsen, M.	Sieben, M.
Battaglia	Cummiskey	Jude	Nelson	Skoglund
Beauchamp	Dahl	Kahn	Norton	Spanish
Begich	Ellingson	Kempe, A.	Novak	Stanton
Berglin	Enebo	Kostohryz	Patton	Stoa
Berkelman	Faricy	Kroening	Pehler	Swanson
Birnstihl	Fudro	Lehto	Petrafeso	Tomlinson
Brinkman	Fugina	Mangan	Prahl	Williamson
Byrne	George	McCarron	Rice	Speaker Sabo
Carlson, D.	Gunter	McEachern	St. Onge	
Carlson, L.	Hanson	Metzen	Samuelson	

Those who voted in the negative were:

Albrecht	Eken	Kelly, R.	Neisen	Sherwood
Anderson, D.	Erickson	Kelly, W.	Nelsen, B.	Simoneau
Anderson, G.	Esau	Kempe, R.	Niehau	Smogard
Anderson, R.	Evans	King	Osthoff	Vanasek
Arlandson	Ewald	Knickerbocker	Peterson	Waldorf
Biersdorf	Fjoslien	Kvam	Pleasant	Wenzel
Braun	Forsythe	Laidig	Reding	White
Carlson, A.	Haugerud	Langseth	Rose	Wieser
Cohen	Heinitz	Lemke	Savelkoul	Wigley
Dean	Johnson	Mann	Schulz	Wynia
Den Ouden	Kaley	McCollar	Searle	Zubay
Eckstein	Kalis	McDonald	Searles	

The bill was passed and its title agreed to.

Simoneau was excused at 5:30 p.m.

GENERAL ORDERS

Pursuant to rules of the House, the House resolved itself into the Committee of the Whole, with Sabo in the Chair, for the consideration of bills pending on General Orders of the Day. After some time spent therein the Committee arose.

REPORT OF COMMITTEE OF THE WHOLE

The Speaker resumed the Chair, whereupon the following proceedings of the Committee as kept by the Chief Clerk were reported to the House:

H. F. No. 967 which it recommended to pass.

H. F. No. 130 which it recommended progress with the following amendment offered by Pehler:

Page 2, following line 5, insert:

“Sec. 2. Minnesota Statutes 1976, Section 624.701, is amended by adding a subdivision to read:

Subd. 1a. All dormitory head residents and resident assistants at post-secondary institutions shall be provided instruction in alcohol and chemical dependency to the extent prescribed by the governing body of the institution. Each governing body shall also adopt policies designed to encourage student participation in volunteer work in connection with alcohol and chemical dependency programs.”.

Further, amend the title in line 4 after “Subdivision 1” by inserting “and by adding a subdivision”.

H. F. No. 823 which it recommended to pass with the following amendment offered by Smogard:

Strike everything after the enacting clause and insert:

“Section 1. Minnesota Statutes 1976, Chapter 156A, is amended by adding a section to read:

[156A.031] [PLASTIC CASINGS.] *The use of plastic casings in water wells is expressly permitted within the State of Minnesota. Any plastic casing used for water wells must meet the current standard specifications of the American Society for Testing and Materials (ASTM) for Thermoplastic Water Well Casing Pipe and Couplings. All plastic water well casing shall be capable of withstanding pressures equal to or greater than 200 pounds per square inch (p.s.i.).*

The state board of health may supplement the provisions of this section with rules relating to the installation of plastic water well casing, providing, however, that such rules shall not delay the use of plastic water well casing meeting the requirements of this section.

Sec. 2. This bill shall become effective the day following final enactment.”.

On the motion of Anderson, I., the report of the Committee of the Whole was adopted.

ROLL CALLS IN COMMITTEE OF THE WHOLE

Pursuant to rule 1.6, the following roll calls were taken in the Committee of the Whole:

Pehler offered an amendment to H. F. No. 130.

Carlson, A., requested a division of the amendment.

The first portion of the amendment reads as follows:

Page 2, following line 5, insert:

“Sec. 2. Minnesota Statutes 1976, Section 624.701, is amended by adding a subdivision to read:

Subd. 1a. All dormitory head residents and resident assistants at post-secondary institutions shall be provided instruction in alcohol and chemical dependency to the extent prescribed by the governing body of the institution. Each governing body shall also adopt policies designed to encourage student participation in volunteer work in connection with alcohol and chemical dependency programs.”

Further, amend the title in line 4 after “Subdivision 1” by inserting “and by adding a subdivision”.

The question was taken on the adoption of the first portion of the Pehler amendment and the roll was called. There were 104 yeas and 21 nays as follows:

Those who voted in the affirmative were:

Abeln	Clawson	Jude	Moe	Schulz
Adams	Cohen	Kahn	Munger	Sieben, H.
Albrecht	Cummiskey	Kalis	Neisen	Sieben, M.
Anderson, G.	Dahl	Kelly, R.	Nelsen, B.	Simoneau
Anderson, I.	Dean	Kelly, W.	Nelsen, M.	Skoglund
Arlandson	Ellingson	Kempe, A.	Nelson	Stanton
Battaglia	Enebo	Kempe, R.	Niehaus	Stoa
Beauchamp	Evans	King	Novak	Swanson
Begich	Faricy	Knickerbocker	Osthoff	Tomlinson
Berglin	Fjoslien	Kostohryz	Patton	Voss
Berkelman	Forsythe	Kroening	Pehler	Waldorf
Biersdorf	Fudro	Laidig	Pleasant	Welch
Birnstihl	Fugina	Lehto	Prahl	Wenzel
Brandl	George	Lemke	Reding	White
Brinkman	Gunter	Mangan	Rice	Wieser
Byrne	Hanson	Mann	Rose	Wigley
Carlson, A.	Hokanson	McCarron	St. Onge	Williamson
Carlson, D.	Jacobs	McCollar	Samuelson	Wynia
Carlson, L.	Jaros	McDonald	Sarna	Zubay
Cassery	Jensen	McEachern	Savelkoul	Speaker Sabo
Clark	Johnson	Metzen	Scheid	

Those who voted in the negative were:

Anderson, D.	Den Ouden	Ewald	Searle	Vanasek
Anderson, R.	Eckstein	Kaley	Searles	
Berg	Eken	Langseth	Sherwood	
Braun	Erickson	Peterson	Smogard	
Corbid	Esau	Petrafeso	Spanish	

The motion prevailed and the first portion of the amendment was adopted.

The second portion of the amendment reads as follows:

"Sec. 3. A post secondary educational institution allowing liquor on campus as authorized by section 1 shall file a report with the Higher Education Coordinating Board prior to January 1, 1980 as to the effect of such action from the standpoint of student conduct and institutional administration."

Beauchamp moved to amend the second portion of the Pehler amendment to H. F. No. 130, as follows:

Line 14, after *"report"* insert *"of not more than 10 pages"*.

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

The question recurred on the adoption of the second portion of the Pehler amendment, as amended, and the roll was called. There were 22 yeas and 94 nays as follows:

Those who voted in the affirmative were:

Adams	Fugina	McEachern	Pehler	Wynia
Cummiskey	Hokanson	Metzen	St. Onge	Zubay
Dahl	Jacobs	Neisen, M.	Sieben, M.	
Den Ouden	Kaley	Niehaus	Stoa	
Fudro	King	Patton	Voss	

Those who voted in the negative were:

Abeln	Clark	Jude	Moe	Searles
Anderson, B.	Clawson	Kahn	Munger	Sherwood
Anderson, D.	Cohen	Kalis	Murphy	Simoneau
Anderson, G.	Corbid	Kelly, R.	Neisen	Skoglund
Anderson, I.	Dean	Kelly, W.	Nelsen, B.	Smogard
Anderson, R.	Eckstein	Kempe, A.	Nelson	Spanish
Arlandson	Eken	Kempe, R.	Novak	Stanton
Battaglia	Ellingson	Knickerbocker	Peterson	Swanson
Beauchamp	Enebo	Kostohryz	Petrafeso	Tomlinson
Begich	Erickson	Kroening	Pleasant	Vanasek
Berg	Esau	Kvam	Prahl	Waldorf
Berkelman	Evans	Laidig	Reding	Welch
Biersdorf	Ewald	Langseth	Rice	Wenzel
Birnstihl	Fjoslien	Lehto	Rose	White
Braun	Forsythe	Mangan	Sarna	Wieser
Brinkman	Gunter	Mann	Savelkoul	Wigley
Carlson, A.	Hanson	McCarron	Scheid	Williamson
Carlson, D.	Jensen	McCollar	Schulz	Speaker Sabo
Carlson, L.	Johnson	McDonald	Searle	

The motion did not prevail and the second portion of the amendment was not adopted.

Laidig moved to amend H. F. No. 130, as amended, as follows:

Delete Section 1 of the bill.

Renumber the following section.

The question was taken on the adoption of the Laidig amendment and the roll was called. There were 38 yeas and 84 nays as follows:

Those who voted in the affirmative were:

Abein	Erickson	Kelly, R.	McDonald	Searles
Albrecht	Esau	Kempe, A.	Neisen	Sherwood
Anderson, D.	Fjoslien	Kempe, R.	Neisen, B.	Skoglund
Anderson, R.	Forsythe	Kvam	Niehaus	Spanish
Biersdorf	Gunter	Laidig	Peterson	Wieser
Braun	Hokanson	Langseth	Pleasant	Wigley
Carlson, D.	Jude	Mann	Rose	
Den Ouden	Kaley	McCollar	Savelkoul	

Those who voted in the negative were:

Adams	Casserly	Jacobs	Murphy	Smogard
Anderson, B.	Clark	Jaros	Neisen, M.	Stanton
Anderson, G.	Clawson	Jensen	Norton	Stoa
Anderson, I.	Corbid	Kahn	Novak	Swanson
Arlandson	Cummiskey	Kalis	Patton	Tomlinson
Battaglia	Dean	Kelly, W.	Pehler	Vanasek
Beauchamp	Eckstein	King	Petraieso	Voss
Begich	Eken	Knickerbocker	Prahl	Waldorf
Berg	Ellingson	Kostohryz	Reding	Welch
Berglin	Enebo	Kroening	Rice	Wenstrom
Berkelman	Evans	Lehto	St. Onge	Wenzel
Birnstihl	Ewald	Lemke	Sarna	White
Brandl	Faricy	Mangan	Scheid	Williamson
Brinkman	Fudro	McCarron	Schulz	Wynia
Byrne	George	Metzen	Searle	Zubay
Carlson, A.	Hanson	Moe	Sieben, H.	Speaker Sabo
Carlson, L.	Haugerud	Munger	Sieben, M.	

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

The question was taken on the motion to recommend passage of H. F. No. 130, as amended, and the roll was called. There were 39 yeas and 86 nays as follows:

Those who voted in the affirmative were:

Berg	Cummiskey	Jacobs	Norton	Tomlinson
Berglin	Dean	Jaros	Patton	Vanasek
Brandl	Ellingson	Kahn	Pehler	Voss
Brinkman	Enebo	Lehto	Rice	Williamson
Carlson, A.	Evans	Lemke	St. Onge	Wynia
Casserly	Faricy	McCarron	Sieben, M.	Zubay
Clark	Fugina	Metzen	Stanton	Speaker Sabo
Cohen	George	Moe	Stoa	

Those who voted in the negative were:

Abeln	Clawson	Kaley	Neisen	Searles
Adams	Corbid	Kalis	Nelsen, B.	Sherwood
Albrecht	Dahl	Kelly, R.	Nelsen, M.	Sieben, H.
Anderson, B.	Den Ouden	Kempe, A.	Niehaus	Skoglund
Anderson, D.	Eckstein	Kempe, R.	Novak	Smogard
Anderson, G.	Eken	King	Osthoff	Spanish
Anderson, R.	Erickson	Knickerbocker	Peterson	Swanson
Arlandson	Esau	Kostohryz	Petrafeso	Waldorf
Battaglia	Ewald	Kroening	Pleasant	Welch
Beauchamp	Fjoslien	Kvam	Prahl	Wenstrom
Begich	Forsythe	Laidig	Reding	Wenzel
Berkelman	Fudro	Langseth	Rose	White
Biersdorf	Gunter	Mann	Samuelson	Wieser
Birnstihl	Hanson	McCollar	Sarna	Wigley
Braun	Hokanson	McDonald	Savelkoul	
Byrne	Jensen	McEachern	Scheid	
Carlson, D.	Johnson	Munger	Schulz	
Carlson, L.	Jude	Murphy	Searle	

The motion did not prevail.

Smogard moved to amend H. F. No. 823, as follows:

Strike everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 1976, Chapter 156A, is amended by adding a section to read:

[156A.031] [PLASTIC CASINGS.] *The use of plastic casings in water wells is expressly permitted within the State of Minnesota. Any plastic casing used for water wells must meet the current standard specifications of the American Society for Testing and Materials (ASTM) for Thermoplastic Water Well Casing Pipe and Couplings. All plastic water well casing shall be capable of withstanding pressures equal to or greater than 200 pounds per square inch (p.s.i.).*

The state board of health may supplement the provisions of this section with rules relating to the installation of plastic water well casing, providing, however, that such rules shall not delay the use of plastic water well casing meeting the requirements of this section.

Sec. 2. This bill shall become effective the day following final enactment."

Lehto moved to amend the Smogard amendment to H. F. No. 823, as follows:

Section 2 delete "*the day following final enactment*" insert "*January 1, 1978*".

The question was taken on the adoption of the amendment to the amendment and the roll was called. There were 36 yeas and 73 nays as follows:

Those who voted in the affirmative were:

Adams	Enebo	Kempe, A.	Osthoff	Sherwood
Anderson, I.	Ewald	King	Patton	Swanson
Arlandson	Faricy	Kostohryz	Pehler	Williamson
Berglin	Fudro	Lehto	Rice	Wynia
Byrne	Hanson	McCarron	St. Onge	
Carlson, L.	Hokanson	McEachern	Samuelson	
Dahl	Jaros	Munger	Sarna	
Den Ouden	Kahn	Nelson	Scheid	

Those who voted in the negative were:

Abeln	Clawson	Johnson	Nelsen, B.	Stanton
Albrecht	Corbid	Jude	Niehaus	Stoa
Anderson, D.	Cummiskey	Kalis	Novak	Tomlinson
Anderson, G.	Dean	Kelly, R.	Peterson	Vanasek
Anderson, R.	Eckstein	Kelly, W.	Pleasant	Voss
Battaglia	Eken	Kempe, R.	Reding	Waldorf
Beauchamp	Erickson	Kroening	Rose	Wenstrom
Begich	Esau	Kvam	Savelkoul	Wenzel
Biersdorf	Evans	Langseth	Schulz	White
Birnstihl	Fjoslien	Lemke	Searle	Wieser
Brandl	Fugina	Mangan	Searles	Wigley
Braun	Gunter	Mann	Sieben, H.	Zubay
Carlson, A.	Haugerud	McCollar	Sieben, M.	Speaker Sabo
Carlson, D.	Jacobs	Metzen	Smogard	
Casserly	Jensen	Murphy	Spanish	

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

MOTIONS AND RESOLUTIONS

Nelsen, M., moved that the name of Nelsen, M., be stricken and the name of Samuelson be shown as chief author on H. F. No. 1421. The motion prevailed.

Abeln moved that the name of Metzen be added as an author on H. F. No. 1193. The motion prevailed.

McCollar moved that the name of Jude be added as an author on H. F. No. 860. The motion prevailed.

Searles moved that the names of McDonald and George be added as authors on H. F. No. 1536. The motion prevailed.

Petrafeso moved that S. F. No. 125 be recalled from the Committee on Commerce and Economic Development and together with H. F. No. 285, now on General Orders, be referred to the Chief Clerk for comparison. The motion prevailed.

ANNOUNCEMENT BY THE SPEAKER

The Speaker announced the appointment of the following members of the House to the Conference Committee on H. F. No. 231: Jude, Fudro and Wigley.

ADJOURNMENT

Anderson, I., moved that the House adjourn. The motion prevailed, and the Speaker declared the House stands adjourned until 2:00 p.m., Wednesday, April 27, 1977.

EDWARD A. BURDICK, Chief Clerk, House of Representatives

STATE OF MINNESOTA

SEVENTIETH SESSION - 1977

FORTY-SECOND DAY

SAINT PAUL, MINNESOTA, WEDNESDAY, APRIL 27, 1977

The House of Representatives convened at 2:00 p.m. and was called to order by the Speaker.

Prayer was offered by the Chaplain.

The roll was called and the following members were present:

Abeln	Clawson	Jaros	Munger	Sherwood
Adams	Cohen	Jensen	Murphy	Sieben, H.
Albrecht	Corbid	Johnson	Neisen	Sieben, M.
Anderson, B.	Cummiskey	Jude	Neisen, B.	Simoneau
Anderson, D.	Dahl	Kahn	Nelson	Skoglund
Anderson, G.	Dean	Kaley	Niehaus	Smogard
Anderson, I.	Den Ouden	Kalis	Norton	Spanish
Anderson, R.	Eckstein	Kelly, R.	Novak	Stanton
Arlanson	Eken	Kelly, W.	Osthoff	Stoa
Battaglia	Ellingson	Kempe, A.	Patton	Suss
Beauchamp	Enebo	Kempe, R.	Pehler	Swanson
Begich	Erickson	King	Peterson	Tomlinson
Berg	Esau	Knickerbocker	Petrafeso	Vanasek
Berglin	Evans	Kroening	Pleasant	Voss
Berkelman	Ewald	Kvam	Prahl	Waldorf
Biersdorf	Farcy	Laidig	Reding	Welch
Birnstihl	Fjoslien	Langseth	Rice	Wenstrom
Brandl	Forsythe	Lehto	Rose	Wenzel
Braun	Friedrich	Lemke	St. Onge	White
Brinkman	Fugina	Mangan	Samuelson	Wieser
Byrne	George	Mann	Sarna	Wigley
Carlson, A.	Gunter	McCollar	Savelkoul	Williamson
Carlson, D.	Hanson	McDonald	Scheid	Wynia
Carlson, L.	Heinitz	McEachern	Schulz	Zubay
Casserly	Hokanson	Metzen	Searle	Speaker Sabo
Clark	Jacobs	Moe	Searies	

A quorum was present.

Fudro, Haugerud, McCarron and Nelsen, M., were excused. Kostohryz was excused until 3:20 p.m.

The Chief Clerk proceeded to read the Journal of the preceding day. McCollar moved that further reading of the Journal be dispensed with and that the Journal be approved as corrected by the Chief Clerk. The motion prevailed.

REPORTS OF CHIEF CLERK

Pursuant to Rules of the House, printed copies of H. F. Nos. 1553, 17, 600, 611, 954, 782, 789, 1510, 130, 823 and 1310 and S. F. Nos. 1034, 1416, 23, 1164, 10 and 813 have been placed in the members' files.

PETITIONS AND COMMUNICATIONS

The following communication was received:

STATE OF MINNESOTA
OFFICE OF THE SECRETARY OF STATE
ST. PAUL 55155

April 27, 1977

The Honorable Martin O. Sabo
Speaker of the House of Representatives
The Honorable Edward J. Gearty
President of the Senate

I have the honor to inform you that the following enrolled Acts of the 1977 Session of the State Legislature have been received from the Office of the Governor and are deposited in the Office of the Secretary of State for preservation, pursuant to the State Constitution, Article IV, Section 23:

<i>S.F. No.</i>	<i>H.F. No.</i>	<i>Session Laws Chapter No.</i>	<i>Date Approved 1977</i>	<i>Date Filed 1977</i>
1072		36	April 27	April 27

Sincerely,

JOAN ANDERSON GROWE
Secretary of State

S. F. No. 1331 and H. F. No. 264, which had been referred to the Chief Clerk for comparison, were examined and found to be identical with certain exceptions.

SUSPENSION OF RULES

Kvam moved that the rules be so far suspended that S. F. No. 1331 be substituted for H. F. No. 264 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 1039 and H. F. No. 1105, which had been referred to the Chief Clerk for comparison, were examined and found to be identical with certain exceptions.

SUSPENSION OF RULES

Begich moved that the rules be so far suspended that S. F. No. 1039 be substituted for H. F. No. 1105 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 1034 and H. F. No. 963, which had been referred to the Chief Clerk for comparison, were examined and found to be identical with certain exceptions.

SUSPENSION OF RULES

Munger moved that the rules be so far suspended that S. F. No. 1034 be substituted for H. F. No. 963 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 362 and H. F. No. 365, which had been referred to the Chief Clerk for comparison, were examined and found to be identical with certain exceptions.

SUSPENSION OF RULES

Beauchamp moved that the rules be so far suspended that S. F. No. 362 be substituted for H. F. No. 365 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 649 and H. F. No. 552, which had been referred to the Chief Clerk for comparison, were examined and found to be identical with certain exceptions.

SUSPENSION OF RULES

Kelly, W., moved that the rules be so far suspended that S. F. No. 649 be substituted for H. F. No. 552 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 667 and H. F. No. 697, which had been referred to the Chief Clerk for comparison, were examined and found to be identical with certain exceptions.

SUSPENSION OF RULES

Casserly moved that the rules be so far suspended that S. F. No. 667 be substituted for H. F. No. 697 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 916 and H. F. No. 1032, which had been referred to the Chief Clerk for comparison, were examined and found to be identical with certain exceptions.

SUSPENSION OF RULES

Osthoff moved that the rules be so far suspended that S. F. No. 916 be substituted for H. F. No. 1032 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 1416 and H. F. No. 1553, which had been referred to the Chief Clerk for comparison, were examined and found to be identical with certain exceptions.

SUSPENSION OF RULES

Norton moved that the rules be so far suspended that S. F. No. 1416 be substituted for H. F. No. 1553 and that the House File be indefinitely postponed. The motion prevailed.

REPORTS OF STANDING COMMITTEES

Norton from the Committee on Appropriations to which was referred:

H. F. No. 550, A bill for an act relating to the operation of government; providing for aids to education, tax levies, and the distribution of tax revenues; providing additional aids and levies for school districts with declining enrollment; eliminating foundation aid for summer programs for non-handicapped children; changing the method of distributing the agricultural tax credit; eliminating state aid for community education; establishing formulas for current fundings of adult and secondary vocational education; creating a legislative school finance study commission; providing special retirement privileges for experienced teachers who teach part time or take an extended leave of absence; appropriating money; amending Minnesota Statutes 1976, Sections 120.10, Subdivision 1; 120.17, Subdivisions 1a and 5a; 121.11, Subdivision 5; 121.902; 121.914, Subdivisions 1, 2, 3 and 4; 121.917, Subdivisions 1 and 2; 123.335, Subdivision 2; 123.39, Subdivision 5; 123.351, Subdivision 5; 123.581, Subdivisions 1, 2, 3 and 6; 123.71, Subdivisions 1 and 2; 123.742, Subdivision 1; 124.11; 124.14, Subdivision 1; 124.17, Subdivisions 1, 2, and by adding a subdivision; 124.19, Subdivision 1; 124.20; 124.212, Subdivisions 1, 3a, 6b, 7b and 8a, and by adding a subdivision; 124.213; 124.222, Subdivisions 1a, 1b, 2a, 3, 6, and by adding a subdivision; 124.223; 124.26, Subdivisions 1 and 4; 124.271, Subdivisions 2 and 5; 124.30, Subdivision 5; 124.32; 124.38, Subdivision 7; 124.562, Subdivision 1; 124.565, Subdivisions 1 and 3; 124.57; 124.572; 124.573; 128A.02, Subdivisions 2 and 3; 128A.06; 273.132; 273.138, Subdivision 3; 275.125, Subdivisions 2a, 8, 9, 9a, 13, and by adding a subdivision; and 475.61, Subdivision 4; amending Minnesota Statutes 1976, Chapter 354, by adding sections and Chapter 354A, by adding sections; amending Laws 1967, Chapter 822, Section 7, as amended; Laws 1969, Chapter 775, Section 4, Subdivision 2, as amended; Laws 1969,

Chapter 1060, Section 7, as amended; and Laws 1976, Chapter 271, Section 94; repealing Minnesota Statutes 1976, Sections 124.215, Subdivision 2a; 124.222, Subdivisions 4 and 5; 124.25; 124.271, Subdivisions 1, 2, 3, 4 and 5; 124.30; 124.562, Subdivision 6; 124.563, Subdivision 4; 124.565, Subdivision 2; 124.57, Subdivisions 1 and 3, as added; 473.633; and 473.635.

Reported the same back with the following amendments:

Page 50, line 25, after the period insert "*There shall be no reimbursement pursuant to this section for the salary or necessary travel of any vocational teacher who does not meet the work experience requirements for certification pursuant to the state plan for vocational education.*".

Page 54, line 17, after the period insert "*This aid shall be paid only for services rendered and for travel costs incurred by essential, certified personnel who meet the work experience requirements for certification pursuant to the state plan for vocational education.*".

Page 55, delete lines 25 to 32.

Page 56, delete lines 1 to 26.

Page 57, line 4, delete the new language.

Page 57, line 4, reinstate "levies".

Page 57, lines 7, 8, and 9, reinstate the stricken language.

Page 58, line 1, delete the new language and reinstate the stricken language.

Page 58, lines 4 and 5, reinstate the stricken language.

Page 58, line 31, delete the new language.

Page 58, line 31, reinstate "levies".

Page 59, lines 2, 3 and 4, reinstate the stricken language.

Page 59, line 30, delete "\$4,200,000" and insert "\$5,300,000".

Page 59, line 31, delete "\$4,500,000" and insert "\$5,800,000".

Page 60, line 16, delete "\$9,500,000" and insert "\$8,168,000".

Page 60, line 17, delete "\$10,024,000" and insert "\$8,669,000".

Page 60, after line 17, insert:

"These appropriations are based on the assumption that the state will spend for post-secondary vocational categorical aid an amount equal to \$4,732,000 in fiscal year 1978 and \$4,755,000 in fiscal year 1979, of federal money received for vocational education programs pursuant to the Vocational Education Act of 1963, as amended."

Page 61, after line 9 insert:

"Sec. 12. Minnesota Statutes 1976, Chapter 136A, is amended by adding a section to read:

[136A.236] [TUITION SUBSIDIES FOR AREA VOCATIONAL-TECHNICAL SCHOOL STUDENTS.] Subdivision 1. The higher education coordinating board shall supervise a program of tuition subsidies for certain students attending public post-secondary area vocational-technical schools established pursuant to section 121.21.

Subd. 2. Any Minnesota resident who is under 21 years of age, who attends a public post-secondary area vocational-technical school, and who is not receiving a state scholarship or grant-in-aid for the current year of attendance, shall be eligible to apply for a tuition subsidy pursuant to this section of this article.

Subd. 3. Recipients of these tuition subsidies shall be selected by the public post-secondary area vocational-technical school of attendance, in accordance with rules and procedures adopted by the higher education coordinating board.

Subd. 4. The amount of any tuition subsidy award shall be based on the need of the applicant determined by the school in accordance with rules adopted by the higher education coordinating board, but the amount of an award shall not exceed 75 percent of the cost of tuition for the student's program pursuant to section 124.565, subdivision 3.

Subd. 5. Tuition subsidies pursuant to this section shall be awarded for the lesser of one year or the period approved by the state board of education for completion of the program, in accordance with rules and procedures of the higher education coordinating board. Awards shall not be renewable but the recipient of an award may apply for additional awards for subsequent periods or years.

Subd. 6. Funds appropriated for tuition subsidies pursuant to this section of this article shall be distributed to the public post-secondary area vocational-technical schools by the higher education coordinating board according to rules and procedures adopted by the board.

Sec. 13. [APPROPRIATION.] There is appropriated from the general fund to the higher education coordinating board for

the biennium ending June 30, 1979, the sum of \$3,600,000 for the program of tuition subsidies established pursuant to section 12 of this article. This amount includes \$15,000 for the expenses of the higher education coordinating board in administering the program."

Renumber sections accordingly.

Page 61, line 17, delete "and" and insert a comma.

Page 61, line 17, after "6" insert "and 12".

Page 77, line 25, after the period insert "A teacher who pays employee contributions and receives allowable service credit in the fund pursuant to this section may not pay employee contributions or receive allowable service credit for the same fiscal year in any other Minnesota public employee pension plan, except a volunteer firefighters' relief association governed by sections 69.771 to 69.776."

Page 78, line 23, after the period insert "A teacher who pays employee contributions and receives allowable service credit in the fund pursuant to this section may not pay employee contributions or receive allowable service credit for the same fiscal year in any other Minnesota public employee pension plan, except a volunteer firefighters' relief association governed by sections 69.771 to 69.776."

Page 80, line 30, after the period insert "A teacher who pays employee contributions and receives allowable service credit in the fund pursuant to this section may not pay employee contributions or receive allowable service credit for the same fiscal year in any other Minnesota public employee pension plan, except a volunteer firefighters' relief association governed by sections 69.771 to 69.776."

Page 81, line 30, after the period insert "A teacher who pays employee contributions and receives allowable service credit in the fund pursuant to this section may not pay employee contributions or receive allowable service credit for the same fiscal year in any other Minnesota public employee pension plan, except a volunteer firefighters' relief association governed by sections 69.771 to 69.776."

Further amend the title as follows:

Page 1, line 36, after "9a," insert "and".

Page 1, line 37, delete ", and by adding a subdivision".

Page 1, line 38, after the comma insert "Chapter 136A, by adding a section;"

With the recommendation that when so amended the bill pass.

The report was adopted.

Munger from the Committee on Environment and Natural Resources to which was referred:

H. F. No. 970, A bill for an act relating to natural resources; amending certain laws concerning minnows; amending Minnesota Statutes 1976, Sections 97.40, Subdivision 27; 97.45, Subdivision 15; 97.55, Subdivision 13; 98.46, Subdivisions 5 and 17; and 101.42, Subdivision 5.

Reported the same back with the following amendments:

Page 1, line 21, after the period insert "*The restriction of sections 97.40, 97.45, 97.55, and 101.42 as it pertains to leeches shall not apply to anyone 17 years of age or under.*".

With the recommendation that when so amended the bill pass and be placed on the Consent Calendar.

The report was adopted.

Munger from the Committee on Environment and Natural Resources to which was referred:

H. F. No. 1236, A bill for an act relating to water; requiring that new domestic wells be registered with the local soil and water conservation district; requiring that the commissioner of natural resources be notified of the appropriation of water for domestic use; requiring pumping tests and monitoring on large wells, and providing for exceptions; changing criteria for issuance of groundwater appropriation permits; transferring the water well contractor licensing program from the state board of health to the commissioner of natural resources; appropriating money; amending Minnesota Statutes 1976, Sections 105.41, Subdivisions 1 and 1a; 105.44, Subdivision 8, and by adding subdivisions; 105.45; 156A.03; 156A.04; 156A.05; 156A.06, Subdivision 1; 156A.07, Subdivisions 1, 4, 5, 6, 7 and 8; and 156A.08.

Reported the same back with the following amendments:

Page 2, line 21, after the period insert "*Well registration data shall be collected in a format consistent and compatible with the Minnesota land management information system and provided to that system.*".

Page 7, after line 3, insert a new section to read:

"Sec. 6. Minnesota Statutes 1976, Section 105.44, is amended by adding a subdivision to read:

Subd. 13. The commissioner shall insure that data required pursuant to this section shall be collected in a format consistent and compatible with the Minnesota land management information system and provided to that system."

Page 8, line 9, after "below the" insert "upper".

Pages 10 to 18, delete sections 7 to 18 and insert a new section to read:

"Sec. 8. [WATER PLANNING BOARD.] Subdivision 1. [MEMBERSHIP, OFFICERS, STAFF.] There is created in the executive branch of the state government a water planning board. The members of the board are as follows: (1) the commissioner of natural resources; (2) the commissioner of health; (3) the director of the pollution control agency; (4) the commissioner of agriculture; (5) the director of the energy agency; and (6) the chairman of the soil and water conservation board or their designees. The governor shall designate an additional member who shall serve as chairperson of the board and who also shall represent the governor on the federal-state river basin commission. The board may designate other officers it determines necessary to perform its powers and duties.

Subd. 2. [DUTIES.] The board shall perform the following duties:

(1) Direct the preparation of the framework water and related land resources plan submitted to the legislative commission on Minnesota resources in October 1976;

(2) Review the programs and mandates of all state, semi-state and federal-state agencies dealing with water resources and include in the board's report to the governor a plan for consolidation of their functions including any needed changes in water resources law to eliminate overlapping jurisdiction of water resource duties and duplication of effort;

(3) Assure the participation of the public and of all units of government in the preparation and implementation of all state water resource planning activities;

(4) Direct all state involvement in activities undertaken pursuant to the federal Water Resource Planning Act (PL89-80), including but not limited to administration of Title III funding; and

(5) Evaluate state participation in the federal-state river basin commissions and make recommendations concerning continued state involvement to the governor.

The chairperson of the board may seek the assistance of any public agency and may appoint subcommittees as he deems necessary to properly discharge the duties of the board. The board shall meet quarterly, and at the request of three of its members or at the discretion of the chairperson. The board shall report to the governor at those times he directs. The final report of the board shall be delivered to the governor before July 1, 1979. The board ceases to exist June 30, 1979."

Page 18, line 24, delete "18" and insert "7".

Page 18, line 28, delete "3; and the".

Page 18, delete lines 29 and 30 and insert "4. There is appropriated from the general fund to the state board of health for the biennium ending June 30, 1979, the sum of \$155,000 for the purposes of administration of chapter 156A. The commissioner of health may increase the authorized personnel complement of the department of health by not more than four persons to administer chapter 156A."

Page 19, line 1, delete "13" and insert "9".

Page 19, line 2, delete "18" and insert "7".

Page 19, line 7, after the period insert "Data shall be collected in a format consistent and compatible with the Minnesota land management information system and provided to that system."

Page 19, line 12, delete "and 3" and insert ", 3, and 4".

Page 19, following line 14, insert "The sum of \$132,000 is appropriated from the general fund to the water planning board to carry out the provisions of section 8. Notwithstanding Minnesota Statutes, Section 16A.28, or other law relating to the lapse of an appropriation, the appropriation made by this section to the water planning board shall lapse July 1, 1979."

Page 19, line 15, delete "16, 19 and 20" and insert "9".

Page 19, line 16, delete "Sections 7".

Page 19, delete line 17.

Renumber sections accordingly.

Further amend the title as follows:

Page 1, line 10, after "permits;" delete the remainder of the line.

Page 1, delete lines 11 and 12 and insert "creating a water planning board in the executive branch;"

Page 1, line 15, after "subdivisions;" insert "and".

Page 1, line 16, after "105.45" delete the remainder of the line.

Page 1, delete line 17.

Page 1, line 18, delete "and 8; and 156A.08".

With the recommendation that when so amended the bill pass and be re-referred to the Committee on Governmental Operations.

The report was adopted.

Munger from the Committee on Environment and Natural Resources to which was referred:

H. F. No. 1252, A bill for an act relating to the Minnesota state water pollution control fund; clarifying eligibility for 15 percent matching grants financed by the fund; eliminating certain matching grants; authorizing the issuance of Minnesota state water pollution control bonds; appropriating money; amending Minnesota Statutes 1976, Sections 116.16, Subdivision 6; and 116.18, Subdivisions 1 and 4.

Reported the same back with the following amendments:

Page 2, line 7, delete "*construct more*".

Page 2, line 8, delete "*than one wastewater treatment facility using*" and insert "*use*".

Page 2, line 10, after "*fund*" insert "*for any additional construction of a wastewater treatment facility after meeting state water quality standards*".

Page 2, line 10, after the period insert "*For purposes of this subdivision, "wastewater treatment facility" means any plant, disposal field, lagoon, or other works not specifically mentioned herein, installed for the purpose of collecting, pumping, treating, stabilizing or disposing of sewage.*".

Page 2, line 15, delete "\$133,000,000" and insert "\$135,000,000".

Page 3, lines 17 to 20, restore the stricken language.

Page 3, line 20, strike "25" and insert "15".

Page 3, lines 21 and 22, restore the stricken language.

Page 3, line 23, restore the word "grant" and insert a period.

Page 3, line 24, restore "The agency may limit the score and eligible".

Page 3, line 25, restore the stricken language.

Page 4, line 6, delete "\$122,000,000" and insert "\$124,000,000".

With the recommendation that when so amended the bill pass and be re-referred to the Committee on Appropriations.

The report was adopted.

Munger from the Committee on Environment and Natural Resources to which was referred:

S. F. No. 498, A bill for an act relating to public drainage systems; transferring the administration of judicial ditches to county boards; raising the interest rate limitation on ditch lien statements; increasing the interest rate limitation on certain penalties; increasing the authorized interest rates on bonds; limiting assessment levies for repairs and maintenance; providing for a redetermination of benefits and benefited areas; amending Minnesota Statutes 1976, Sections 106.015, Subdivision 5; 106.371, Subdivisions 2 and 4; 106.411, Subdivisions 3, 4 and 7; 106.471, Subdivision 2; 106.673; and Chapter 106, by adding a section.

Reported the same back with the recommendation that the bill pass.

The report was adopted.

Fugina from the Committee on Higher Education to which was referred:

H. F. No. 1190, A bill for an act relating to education; creating a higher education consortium for southwestern Minnesota; appropriating money.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. There is hereby created a post-secondary education consortium for southwestern and west central Minnesota which shall have its principal office at southwest state university at Marshall. The purpose of the consortium shall be to improve

the efficiency and effectiveness of post-secondary education, through increased inter-institutional cooperation and planning, in the area served by southwest state university and the university of Minnesota at Morris; and in the counties of: Brown, Chippewa, Cottonwood, Jackson, Kandiyohi, La Qui Parle, Lincoln, Lyon, Martin, Meeker, Murray, Nobles, Pipestone, Redwood, Renville, Rock, Swift, Watonwan, and Yellow Medicine.

Sec. 2. The consortium shall be coordinated by a southwestern and west central Minnesota post-secondary education consortium board consisting of: the president of the university of Minnesota, or his designee; the chancellor of the state university system, or his designee; the chancellor of the community college system, or his designee; the assistant commissioner for vocational-technical education within the state department of education, or his designee; the executive director of the higher education coordinating board, or his designee; and three persons representing the public at large who shall be appointed by the governor.

Sec. 3. The board described in section 2 shall appoint an advisory committee consisting of: the presidents of southwest state university, the university of Minnesota at Morris, and the community colleges at Willmar and Worthington; the directors of the vocational-technical institutes located in the counties enumerated in section 1; and seven citizen members who shall be residents of the counties enumerated in section 1. The citizen members shall be appointed for terms of two years, except that three of the initial appointments shall be for terms of one year. No more than one citizen member shall be appointed from a county. The consortium advisory committee shall advise the board as to: (a) the needs of the residents in the area for post-secondary educational services; (b) the accessibility of all levels of post-secondary education; and (c) any unwarranted duplication of effort in the area.

Sec. 4. The board is hereby authorized to hire such staff and incur such other expenses as are necessary for the purposes of this act.

Sec. 5. There is appropriated from the general fund to the higher education coordinating board for the purposes of this act the sum of \$100,000 for the biennium ending June 30, 1979."

Further amend the title:

Page 1, line 3, after "southwestern" insert "and west central".

With the recommendation that when so amended the bill pass and be re-referred to the Committee on Appropriations.

The report was adopted.

Fugina from the Committee on Higher Education to which was referred:

H. F. No. 1263, A bill for an act relating to the university of Minnesota; providing for the establishment of a program for developmental disability; appropriating money.

Reported the same back with the following amendments:

Page 2, line 6, delete "mildly to severely retarded" and insert "developmentally disabled".

Page 2, line 9, delete "mildly to severely retarded" and insert "developmentally disabled".

Page 2, line 14, delete "mildly to severely retarded" and insert "developmentally disabled".

Page 2, line 20, delete "mildly to severely retarded" and insert "developmentally disabled".

Page 2, line 28, after "\$525,216" insert "in each fiscal year".

Page 2, line 29, after "fund" insert "for the biennium ending June 30, 1979,".

With the recommendation that when so amended the bill pass and be re-referred to the Committee on Appropriations.

The report was adopted.

Fugina from the Committee on Higher Education to which was referred:

H. F. No. 1370, A bill for an act relating to education; Indian scholarships; directing the higher education coordinating board to establish the Minnesota Indian scholarship council; appropriating money.

Reported the same back with the following amendments:

Page 1, line 8, delete "higher education coordinating board" and insert "state board of education".

Page 1, line 19, after "appropriated" insert "from the general fund".

Page 1, line 19, delete "higher education".

Page 1, line 20, delete "coordinating board" and insert "state board of education".

Page 1, line 20, after "biennium" insert "ending June 30, 1979".

Further amend the title as follows:

Page 1, line 3, delete "higher education coordinating board" and insert "state board of education".

With the recommendation that when so amended the bill pass and be re-referred to the Committee on Appropriations.

The report was adopted.

Kelly, W., from the Committee on Taxes to which was referred:

H. F. No. 1, A bill for an act relating to public health and welfare; establishing a formula for allocating state funds to counties for community health and social service programs; prescribing county duties; providing for community health and social service tax levies; prescribing duties of the commissioner of public welfare; appropriating money; amending Minnesota Statutes 1976, Sections 144.065; 145.55, Subdivision 1; 245.70; 252.22; 252.23; 252.26; 252.27, Subdivision 1; 253A.02, by adding a subdivision; 253A.07, Subdivisions 1 and 7; 253A.09, Subdivision 1; 253A.10, Subdivision 4; 253A.14, Subdivision 1; 253A.15, Subdivisions 6, 11, 12 and 13; 254A.05, Subdivision 1; 254A.07, Subdivisions 1 and 2; 254A.08, Subdivision 1; 256.12, Subdivision 9; 256.871, Subdivision 5; 256.95; 260.251, Subdivision 1a; 275.50, Subdivision 5; 393.07, Subdivisions 2 and 3; 477A.01, Subdivision 2; 626.556, Subdivision 2; repealing Minnesota Statutes 1976, Sections 145.08, Subdivision 2; 145.11; 145.12; 145.123; 145.125, Subdivisions 1 and 2; 145.47; 145.48; 145.49; 145.50; 145.51; 145.52; 145.53; 145.54; 145.911; 145.912; 145.913; 145.914; 145.915; 145.916; 145.917; 145.918; 145.919; 145.92; 145.921; 245.61; 245.62; 245.63; 245.64; 245.65; 245.66; 245.67; 245.68; 245.69; 245.691; 245.72; 245.83; 245.84; 245.85; 245.86; 245.87; 252.21; 252.24; 252.25; 254A.02, Subdivision 12; 254A.07, Subdivision 3; 254A.08, Subdivision 3; 254A.12; 254A.14; 254A.15; 254A.16; 254A.17; 393.01; 393.02; 393.03; 393.04; 393.06; 393.07, Subdivision 8; 393.08; 393.09; 393.11.

Reported the same back with the following amendments:

Page 5, line 5, delete "and".

Page 5, line 6, delete "one-half mills" and insert "mill".

Page 5, line 10, delete "levies" and insert "levy authorized by section 1, subdivision 4,".

Page 5, line 12, after "county" insert "special".

Page 5, line 14, delete "*may levy the*" and insert "*shall receive state aids in an*".

Page 5, line 17, after "*county*" and before "*levies.*" insert "*special*".

Page 6, after line 20, insert:

"Subd. 3. [PENALTY FOR INAPPROPRIATE EXPENDITURES.] Beginning in calendar year 1979, in counties containing a city of the first class, the distribution in aid provided in sections 1 and 2 shall be reduced by an amount equal to the community health and social service aids allocated pursuant to sections 1 and 2 in the immediately preceding year which have been spent for purposes unauthorized by articles I to III."

Page 15, after line 32, insert:

"Subd. 3. [RULES GOVERNING MANDATORY SERVICES.] The commissioner of public welfare and the state board of health shall not promulgate rules which have the effect of increasing the statewide costs of services mandated by state law by \$50,000, or more, after May 31, 1977."

Renumber the remaining subdivisions accordingly.

Page 20, after line 11, insert "*When a city which received funds pursuant to Laws 1976, Chapter 9, is located in three or more counties, the city shall receive funds for community health services from each county in no less than the proportion that its population bears to the total county population.*".

With the recommendation that when so amended the bill pass and be re-referred to the Committee on Appropriations.

The report was adopted.

SECOND READING OF HOUSE BILLS

H. F. Nos. 550 and 970 were read for the second time.

SECOND READING OF SENATE BILLS

S. F. Nos. 1331, 1039, 1034, 362, 649, 667, 916, 1416 and 498 were read for the second time.

INTRODUCTION AND FIRST READING OF HOUSE FILES

The following House Files were introduced:

Kalis; Anderson, G.; Mann; Rose and Berg introduced:

H. F. No. 1569, A bill for an act relating to agriculture; providing for the reduction of soil blowing, the control of snow deposition, and the conservation of moisture; protecting crops, orchards, and livestock; providing food and cover for wildlife; conserving energy; increasing the natural beauty of the landscape and for other purposes; appropriating money.

The bill was read for the first time and referred to the Committee on Agriculture.

Cummiskey introduced:

H. F. No. 1570, A bill for an act proposing an amendment to the Minnesota Constitution, adding a section to Article IV; providing for a popular vote on federal constitutional amendments.

The bill was read for the first time and referred to the Committee on General Legislation and Veterans Affairs.

Sieben, H., and Patton introduced:

H. F. No. 1571, A bill for an act relating to the Administrative Procedures Act; removing the exemptions from the rulemaking provisions for the corrections board and pardon board, the department of employment services, the director of mediation services, the workers compensation division in the department of labor and industry, the workers compensation court of appeals and the board of pardons; amending Minnesota Statutes 1976, Section 15.0411, Subdivision 2.

The bill was read for the first time and referred to the Committee on Governmental Operations.

Patton, Reding, Biersdorf and Beauchamp introduced:

H. F. No. 1572, A bill for an act relating to local firefighting organizations and retirement of police and firefighters; providing for state firefighters' aid to be paid first to municipalities and subsequently to relief associations; amending Minnesota Statutes 1976, Sections 69.011; 69.021, Subdivisions 4, 5, 6, 7 and 9; 69.031, Subdivisions 4, 5 and 6; 69.051; 69.06; 69.772, Subdivision 2; and Chapter 69, by adding sections; repealing Minnesota Statutes 1976, Sections 69.04; 69.691; 69.774; 424.26; 424.30 and 424.31.

The bill was read for the first time and referred to the Committee on Governmental Operations.

Wynia, Berg, Norton, Knickerbocker and Birnstihl introduced:

H. F. No. 1573, A bill for an act relating to natural resources; providing for shade tree disease control; providing guidelines for funding; establishing priority areas; providing for neighborhood participation; requiring technical assistance; providing for removal of diseased trees; providing a penalty; amending Minnesota Statutes 1976, Section 18.023, Subdivision 3a, and by adding subdivisions.

The bill was read for the first time and referred to the Committee on Local and Urban Affairs.

Patton and Rice introduced:

H. F. No. 1574, A bill for an act relating to metropolitan government; providing for the investment of metropolitan airports commission funds; amending Minnesota Statutes 1976, Section 473.606, Subdivision 3.

The bill was read for the first time and referred to the Committee on Local and Urban Affairs.

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Mr. Speaker:

I hereby announce that the Senate has concurred in and adopted the report of the Conference Committee on:

H. F. No. 38, A bill for an act relating to housing; providing statutory warranties on the sale of new housing; establishing a cause of action for breach of warranty; providing remedies; amending Minnesota Statutes 1976, Section 541.051, by adding a subdivision.

The Senate has repassed said bill in accordance with the recommendation and report of the Conference Committee. Said House File is herewith returned to the House.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

I hereby announce the passage by the Senate of the following House File, herewith returned, as amended by the Senate, in which amendment the concurrence of the House is respectfully requested:

H. F. No. 380, A bill for an act relating to bicycles; registration; administration of the bicycle registration law; including unicycles within the definition of bicycle; clarifying provisions relating to bicycle registration; providing for the disposition of certain service fees charged in handling registrations; extending the time for the report of the commissioner of public safety to the legislature on recommendations for mandatory registration of bicycles; amending Minnesota Statutes 1976, Sections 168C.02, Subdivision 2; 168C.03; 168C.07; 168C.10; 168C.11, Subdivisions 1 and 2; 168C.12; 168C.13, Subdivision 1; and Laws 1976, Chapter 199, Section 14, Subdivision 2.

PATRICK E. FLAHAVEN, Secretary of the Senate

CONCURRENCE AND REPASSAGE

Kahn moved that the House concur in the Senate amendments to H. F. No. 380 and that the bill be repassed as amended by the Senate. The motion prevailed.

H. F. No. 380, A bill for an act relating to bicycles; registration; administration of the bicycle registration law; including unicycles within the definition of bicycle; clarifying provisions relating to bicycle registration; providing for the disposition of certain service fees charged in handling registrations; requiring a report of the commissioner of public safety to the legislature on recommendations for mandatory registration of bicycles; amending Minnesota Statutes 1976, Sections 168C.02, Subdivision 2; 168C.03; 168C.07; 168C.11, Subdivisions 1 and 2; 168C.12; and 168C.13, Subdivision 1.

The bill was read for the third time, as amended by the Senate, and placed upon its repassage.

The question was taken on the repassage of the bill and the roll was called. There were 99 yeas and 17 nays as follows:

Those who voted in the affirmative were:

Abeln	Carlson, A.	George	Kvam	Pehler
Adams	Carlson, L.	Hanson	Lehto	Petrafaso
Albrecht	Cassery	Heinitz	Lemke	Pleasant
Anderson, B.	Clark	Jacobs	Mangan	Prahl
Anderson, G.	Clawson	Jaros	Mann	Reding
Anderson, I.	Cohen	Jensen	McCollar	Rose
Anderson, R.	Cummiskey	Johnson	Metzen	Samuelson
Arlandson	Dahl	Jude	Moe	Sarna
Battaglia	Dean	Kahn	Munger	Scheid
Beauchamp	Eckstein	Kalis	Murphy	Schulz
Berg	Enebo	Kelly, R.	Neisen	Searles
Berglin	Evans	Kelly, W.	Nelsen, B.	Sherwood
Berkelman	Ewald	Kempe, A.	Nelson	Sieben, H.
Birnstihl	Faricy	Kempe, R.	Norton	Sieben, M.
Brandl	Fjoslien	King	Novak	Simoneau
Brinkman	Forsythe	Knickerbocker	Osthoff	Skoglund
Byrne	Fugina	Kroening	Patton	Smogard

Spanish	Suss	Voss	Wenzel	Zubay
Stanton	Swanson	Welch	Wieser	Speaker Sabo
Stoa	Tomlinson	Wenstrom	Wynia	

Those who voted in the negative were:

Anderson, D.	Carlson, D.	Erickson	Niehaus	Searle
Begich	Corbid	Friedrich	Peterson	
Biersdorf	Den Ouden	Kaley	St. Onge	
Braun	Eken	Langseth	Savelkoul	

The bill was repassed, as amended by the Senate, and its title agreed to.

Mr. Speaker:

I hereby announce the passage by the Senate of the following Senate File, herewith transmitted:

S. F. No. 39.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

I hereby announce the passage by the Senate of the following Senate Files, herewith transmitted:

S. F. Nos. 796, 825, 833, 963 and 1028.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

I hereby announce the passage by the Senate of the following Senate Files, herewith transmitted:

S. F. Nos. 760, 1004 and 1064.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

I hereby announce the passage by the Senate of the following Senate Files, herewith transmitted:

S. F. Nos. 356, 426, 628 and 686.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

I hereby announce the passage by the Senate of the following Senate Files, herewith transmitted:

S. F. Nos. 905 and 1381.

PATRICK E. FLAHAVER, Secretary of the Senate

Mr. Speaker:

I hereby announce the passage by the Senate of the following Senate Files, herewith transmitted:

S. F. Nos. 181, 558 and 616.

PATRICK E. FLAHAVER, Secretary of the Senate

Mr. Speaker:

I hereby announce the passage by the Senate of the following Senate Files, herewith transmitted:

S. F. Nos. 368 and 541.

PATRICK E. FLAHAVER, Secretary of the Senate

FIRST READING OF SENATE BILLS

S. F. No. 39, A bill for an act relating to peace officer training courses; providing for conduct of minimum basic training at approved post-secondary institutions or accredited institutions of higher learning; amending Minnesota Statutes 1976, Section 626.851, Subdivision 2.

The bill was read for the first time and referred to the Committee on Criminal Justice.

S. F. No. 796, A bill for an act relating to health; prohibiting the operation of professional nursing business without a license; amending Minnesota Statutes 1976, Sections 148.271; 148.281, by adding a subdivision; and 319A.02, Subdivision 2.

The bill was read for the first time and referred to the Committee on Health and Welfare.

S. F. No. 825, A bill for an act relating to eminent domain; court appointed commissioners; disqualifying certain attorneys from acting as a commissioner; amending Minnesota Statutes 1976, Section 117.075.

The bill was read for the first time and referred to the Committee on Governmental Operations.

S. F. No. 833, A bill for an act relating to highways; state-aid system; contracts for construction and improvement of county state-aid highways and municipal state-aid streets; requiring percentage payments thereunder, and requiring payment of interest on money due and not paid in accordance with the contract; amending Minnesota Statutes 1976, Sections 162.04 and 162.10.

The bill was read for the first time.

Birnstihl moved that S. F. No. 833 and H. F. No. 821, now on General Orders, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 963, A bill for an act relating to public safety; permitting only owners of gas containers to fill them with industrial gases; amending Minnesota Statutes 1976, Section 299F.40.

The bill was read for the first time.

Dean moved that S. F. No. 963 and H. F. No. 1011, now on General Orders, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 1028, A bill for an act relating to taxation; exempting certain aids to handicapped persons from property tax assessments; amending Minnesota Statutes 1976, Section 272.02, Subdivision 1.

The bill was read for the first time and referred to the Committee on Taxes.

S. F. No. 760, A bill for an act relating to natural resources; establishing a season for taking deer and bear with muzzle loading firearms; amending Minnesota Statutes 1976, Section 100.27, Subdivisions 2 and 9.

The bill was read for the first time.

Jensen moved that S. F. No. 760 and H. F. No. 250, now on General Orders, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 1004, A bill for an act relating to metropolitan government; providing for the investment of metropolitan airports commission funds; amending Minnesota Statutes 1976, Section 473.606, Subdivision 3.

The bill was read for the first time and referred to the Committee on Local and Urban Affairs.

S. F. No. 1064, A bill for an act relating to the state board of investment; creating an advisory council; requiring annual reports; replacing existing agencies; amending Minnesota Statutes 1976, Chapter 11, by adding sections.

The bill was read for the first time and referred to the Committee on Governmental Operations.

S. F. No. 356, A bill for an act relating to veterans; authorizing a memorial plaque; providing a property tax credit for veterans awarded the congressional medal of honor; amending Minnesota Statutes 1976, Section 273.13, Subdivision 15a, and by adding a subdivision; and Chapter 196, by adding a section.

The bill was read for the first time and referred to the Committee on General Legislation and Veterans Affairs.

S. F. No. 426, A bill for an act relating to motor vehicles; providing for limited licenses to attend chemical dependency programs; amending Minnesota Statutes 1976, Section 171.30, Subdivision 1.

The bill was read for the first time and referred to the Committee on Criminal Justice.

S. F. No. 628, A bill for an act relating to counties; extending the compliance date for county official controls; amending Minnesota Statutes 1976, Section 394.312.

The bill was read for the first time and referred to the Committee on Local and Urban Affairs.

S. F. No. 686, A bill for an act relating to animals; authorizing destruction rather than research use for unclaimed animals; amending Minnesota Statutes 1976, Section 35.71, Subdivision 3.

The bill was read for the first time and referred to the Committee on Local and Urban Affairs.

S. F. No. 905, A bill for an act relating to the city of Mora; authorizing the issuance of electric revenue refunding bonds.

The bill was read for the first time and referred to the Committee on Local and Urban Affairs.

S. F. No. 1381, A bill for an act relating to the city of Saint Paul; authorizing the city council to adopt rules permitting payroll deductions for nonprofit entities.

The bill was read for the first time.

Kempe, A., moved that S. F. No. 1381 and H. F. No. 578, now on the Consent Calendar, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 181, A bill for an act relating to retirement; increasing the size of the boards of trustees of the public employees retirement association, Minnesota state retirement system, teachers retirement system and Minneapolis municipal employees retirement board; providing for election processes; survivor benefits for deceased legislators; making miscellaneous changes in the public employees retirement association provisions; amending Minnesota Statutes 1976, Sections 3A.04, Subdivision 1, and by adding a subdivision; 352.03, Subdivisions 1, 2, and by adding a subdivision; 353.01, Subdivisions 2a, 2b, 6, 15, and 20; 353.03, Subdivision 1; 353.27, Subdivision 4; 353.29, Subdivisions 4 and 8; 353.31, Subdivision 8; 353.32, Subdivision 7; 353.33, Subdivisions 1, 9 and 11; 353.36, Subdivision 2; 353.37; 353.46, by adding a subdivision; and 353.651, Subdivision 3; 354.05, by adding a subdivision; 354.06, Subdivision 1; 422A.02; and 422A.03, Subdivision 1; repealing Minnesota Statutes 1976, Sections 353.016; 353.018; 353.019; 353.03, Subdivision 2a; 353.31, Subdivision 11; 353.36, Subdivision 2d; 353.46, Subdivision 3; and 353.64, Subdivision 5.

The bill was read for the first time and referred to the Committee on Governmental Operations.

S. F. No. 558, A bill for an act relating to game and fish; authorizing the trapping of the great horned owl in certain instances; amending Minnesota Statutes 1976, Section 100.29, Subdivision 32.

The bill was read for the first time and referred to the Committee on Environment and Natural Resources.

S. F. No. 616, A bill for an act relating to the disposition of unclaimed property; changing certain definitions; changing the length of time unclaimed property must be held before disposition; changing certain disposition procedures; amending Minnesota Statutes 1976, Sections 345.31, Subdivisions 3 and 6; 345.32; 345.33; 345.35; 345.37; 345.39; 345.41; 345.43; 345.47; and Chapter 345, by adding sections; repealing Minnesota Statutes 1976, Section 55.14.

The bill was read for the first time.

Suss moved that S. F. No. 616 and H. F. No. 416, now on General Orders, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 368, A bill for an act relating to health care; providing conversion privileges under certain accident and health insurance policies, health service plan subscriber contracts and health maintenance contracts, for spouses whose marriage is dissolved; amending Minnesota Statutes 1976, Chapters 62A, by adding a section; 62C, by adding a section; and 62D, by adding a section.

The bill was read for the first time and referred to the Committee on Financial Institutions and Insurance.

S. F. No. 541, A bill for an act relating to the operation of state government; authorizing value analysis of certain department of transportation construction projects; establishing procedures for implementing value analysis change proposals.

The bill was read for the first time and referred to the Committee on Governmental Operations.

PROGRESS REPORTS ON CONFERENCE COMMITTEES

Pursuant to Joint Rule 2.06, progress on H. F. No. 301 and S. F. No. 226 was reported to the House.

CONSENT CALENDAR

S. F. No. 569, A bill for an act relating to Norman county; validating certain funds transfers.

The bill was read for the third time and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 129 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Abeln	Braun	Enebo	Johnson	Mann
Adams	Brinkman	Erickson	Jude	McCollar
Albrecht	Byrne	Esau	Kahn	McDonald
Anderson, B.	Carlson, A.	Evans	Kaley	McEachern
Anderson, D.	Carlson, D.	Ewald	Kalis	Metzen
Anderson, G.	Carlson, L.	Faricy	Kelly, R.	Moe
Anderson, I.	Casserly	Fjoslien	Kelly, W.	Munger
Anderson, R.	Clark	Forsythe	Kempe, A.	Murphy
Arlandson	Clawson	Friedrich	Kempe, R.	Neisen
Battaglia	Cohen	Fugina	King	Nelsen, B.
Beauchamp	Corbid	George	Knickerbocker	Nelson
Begich	Cummiskey	Gunter	Kroening	Niehaus
Berg	Dahl	Hanson	Kvam	Norton
Berglin	Dean	Heinitz	Laidig	Novak
Berkelman	Den Ouden	Hokanson	Langseth	Osthoff
Biersdorf	Eckstein	Jacobs	Lehto	Patton
Birnstihl	Eken	Jaros	Lemke	Pehler
Brandl	Ellingson	Jensen	Mangan	Peterson

Petraleso	Sarna	Sieben, M.	Swanson	White
Pleasant	Savelkoul	Simoneau	Tomlinson	Wieser
Prahl	Scheid	Skoglund	Vanasek	Wigley
Reding	Schulz	Smogard	Voss	Williamson
Rice	Searle	Spanish	Waldorf	Wynia
Rose	Searles	Stanton	Welch	Zubay
St. Onge	Sherwood	Stoa	Wenstrom	Speaker Sabo
Samuelson	Sieben, H.	Suss	Wenzel	

The bill was passed and its title agreed to.

H. F. No. 1248, A bill for an act relating to the city of Springfield; providing for city buildings and equipment and their use; providing for a bond issue.

The bill was read for the third time and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 128 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Abeln	Clawson	Jaros	Munger	Sherwood
Adams	Cohen	Jensen	Murphy	Sieben, H.
Albrecht	Corbid	Johnson	Neisen	Sieben, M.
Anderson, B.	Cummiskey	Jude	Nelsen, B.	Simoneau
Anderson, D.	Dahl	Kahn	Nelson	Skoglund
Anderson, G.	Dean	Kaley	Niehaus	Smogard
Anderson, I.	Den Ouden	Kalis	Norton	Spanish
Anderson, R.	Eckstein	Kelly, R.	Novak	Stanton
Arlandson	Eken	Kelly, W.	Osthoff	Stoa
Battaglia	Ellingson	Kempe, A.	Patton	Suss
Beauchamp	Enebo	Kempe, R.	Pehler	Swanson
Begich	Erickson	King	Peterson	Tomlinson
Berg	Esau	Knickerbocker	Petraleso	Vanasek
Berglin	Evans	Kroening	Pleasant	Voss
Berkelman	Ewald	Kvam	Prahl	Waldorf
Biersdorf	Faricy	Laidig	Reding	Welch
Birnstihl	Fjoslien	Langseth	Rice	Wenstrom
Brandl	Forsythe	Lehto	Rose	Wenzel
Braun	Friedrich	Lemke	St. Onge	Wieser
Brinkman	Fugina	Mangan	Samuelson	Wigley
Byrne	George	Mann	Sarna	Williamson
Carlson, A.	Gunter	McCollar	Savelkoul	Wynia
Carlson, D.	Hanson	McDonald	Scheid	Zubay
Carlson, L.	Heinitz	McEachern	Schulz	Speaker Sabo
Cassery	Hokanson	Metzen	Searle	
Clark	Jacobs	Moe	Searles	

The bill was passed and its title agreed to.

H. F. No. 1518, A bill for an act relating to Independent School District No. 272 (Eden Prairie) and Independent School District No. 271 (Bloomington); providing for the transfer of territory from Independent School District No. 272 to Independent School District No. 271.

The bill was read for the third time and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 126 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Abeln	Clawson	Jaros	Neisen	Sieben, M.
Adams	Cohen	Jensen	Nelsen, B.	Simoneau
Albrecht	Corbid	Johnson	Nelson	Skoglund
Anderson, B.	Cummiskey	Jude	Niehaus	Smogard
Anderson, D.	Dahl	Kahn	Norton	Spanish
Anderson, G.	Dean	Kaley	Novak	Stanton
Anderson, I.	Den Ouden	Kalis	Osthoff	Stoa
Anderson, R.	Eckstein	Kelly, R.	Patton	Suss
Arlandson	Eken	Kelly, W.	Pehler	Swanson
Battaglia	Ellingson	Kempe, A.	Peterson	Tomlinson
Beauchamp	Enebo	Kempe, R.	Petraleso	Vanasek
Begich	Erickson	King	Pleasant	Voss
Berg	Esau	Knickerbocker	Prahl	Waldorf
Berglin	Evans	Kroening	Reding	Welch
Berkelman	Ewald	Kvam	Rice	Wenstrom
Biersdorf	Faricy	Laidig	Rose	Wenzel
Birnstihl	Fjoslien	Langseth	St. Onge	Wieser
Brandl	Forsythe	Lehto	Samuelson	Wigley
Braun	Friedrich	Mangan	Sarna	Williamson
Brinkman	Fugina	Mann	Savelkoul	Wynia
Byrne	George	McCollar	Scheid	Zubay
Carlson, A.	Gunter	McDonald	Schulz	Speaker Sabo
Carlson, D.	Hanson	McEachern	Searle	
Carlson, L.	Heinitz	Metzen	Sherwood	
Casserly	Hokanson	Moe	Sieben, H.	
Clark	Jacobs	Murphy		

The bill was passed and its title agreed to.

H. F. No. 139, A bill for an act relating to natural resources; revising certain provisions relating to St. Croix Wild River state park.

The bill was read for the third time and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 129 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Abeln	Beauchamp	Byrne	Dahl	Ewald
Adams	Begich	Carlson, A.	Dean	Faricy
Albrecht	Berg	Carlson, D.	Den Ouden	Fjoslien
Anderson, B.	Berglin	Carlson, L.	Eckstein	Forsythe
Anderson, D.	Berkelman	Casserly	Eken	Friedrich
Anderson, G.	Biersdorf	Clark	Ellingson	Fugina
Anderson, I.	Birnstihl	Clawson	Enebo	George
Anderson, R.	Brandl	Cohen	Erickson	Gunter
Arlandson	Braun	Corbid	Esau	Hanson
Battaglia	Brinkman	Cummiskey	Evans	Heinitz

Hokanson	Kvam	Nelson	Sarna	Swanson
Jacobs	Laidig	Niehaus	Savelkoul	Tomlinson
Jaros	Langseth	Norton	Scheid	Vanasek
Jensen	Lehto	Novak	Schulz	Voss
Johnson	Lemke	Osthoff	Searle	Waldorf
Jude	Mangan	Patton	Searles	Welch
Kahn	Mann	Pehler	Sherwood	Wenstrom
Kaley	McCollar	Peterson	Sieben, H.	Wenzel
Kalis	McDonald	Petrafeso	Sieben, M.	White
Kelly, R.	McEachern	Pleasant	Simoneau	Wieser
Kelly, W.	Metzen	Prahl	Skoglund	Wigley
Kempe, A.	Moe	Reding	Smogard	Williamson
Kempe, R.	Munger	Rice	Spanish	Wynia
King	Murphy	Rose	Stanton	Zubay
Knickerbocker	Neisen	St. Onge	Stoa	Speaker Sabo
Kroening	Nelsen, B.	Samuelson	Suss	

The bill was passed and its title agreed to.

H. F. No. 525, A bill for an act relating to natural resources; drainage; providing for transfer by county boards of certain surplus ditch funds to another governing body taking over the drainage system; amending Minnesota Statutes 1976, Section 106.471, Subdivision 6.

The bill was read for the third time and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 126 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Abeln	Clawson	Jaros	Murphy	Sieben, M.
Adams	Cohen	Jensen	Neisen	Simoneau
Albrecht	Corbid	Johnson	Nelson	Skoglund
Anderson, B.	Cummiskey	Jude	Niehaus	Smogard
Anderson, D.	Dahl	Kahn	Norton	Spanish
Anderson, G.	Dean	Kaley	Novak	Stanton
Anderson, I.	Den Ouden	Kalis	Osthoff	Stoa
Anderson, R.	Eckstein	Kelly, R.	Patton	Suss
Arlandson	Eken	Kelly, W.	Pehler	Swanson
Battaglia	Ellingson	Kempe, A.	Peterson	Tomlinson
Beauchamp	Enebo	Kempe, R.	Petrafeso	Vanasek
Begich	Erickson	King	Pleasant	Voss
Berg	Esau	Kroening	Prahl	Waldorf
Berglin	Evans	Kvam	Reding	Welch
Berkelman	Ewald	Laidig	Rice	Wenstrom
Biersdorf	Faricy	Langseth	Rose	Wenzel
Birnstihl	Fjoslien	Lehto	St. Onge	White
Brandl	Forsythe	Lemke	Samuelson	Wieser
Braun	Friedrich	Mangan	Sarna	Williamson
Brinkman	Fugina	Mann	Savelkoul	Wynia
Byrne	George	McCollar	Scheid	Zubay
Carlson, A.	Gunter	McDonald	Schulz	Speaker Sabo
Carlson, D.	Hanson	McEachern	Searle	
Carlson, L.	Heinitz	Metzen	Searles	
Casserly	Hokanson	Moe	Sherwood	
Clark	Jacobs	Munger	Sieben, H.	

The bill was passed and its title agreed to.

H. F. No. 297, A bill for an act relating to group health care plans; requiring written notice to employees before certain employee health care plans may be terminated; amending Minnesota Statutes 1976, Section 62E.16.

The bill was read for the third time and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 128 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Abeln	Cohen	Jensen	Murphy	Sieben, H.
Adams	Corbid	Johnson	Neisen	Sieben, M.
Albrecht	Cummiskey	Jude	Nelsen, B.	Simoneau
Anderson, B.	Dahl	Kahn	Nelson	Skoglund
Anderson, D.	Dean	Kaley	Niehaus	Smogard
Anderson, G.	Den Ouden	Kalis	Norton	Spanish
Anderson, I.	Eckstein	Kelly, R.	Novak	Stanton
Anderson, R.	Eken	Kelly, W.	Osthoff	Stoa
Arlandson	Ellingson	Kempe, A.	Patton	Suss
Battaglia	Enebo	Kempe, R.	Pehler	Swanson
Beauchamp	Erickson	King	Peterson	Tomlinson
Berg	Esau	Knickerbocker	Petrafeso	Vanasek
Berglin	Evans	Kroening	Pleasant	Voss
Berkelman	Ewald	Kvam	Prahl	Waldorf
Biersdorf	Faricy	Laidig	Reding	Welch
Birnstihl	Fjoslien	Langseth	Rice	Wenstrom
Brandl	Forsythe	Lehto	Rose	Wenzel
Braun	Friedrich	Lemke	St. Onge	White
Brinkman	Fugina	Mangan	Samuelson	Wieser
Byrne	George	Mann	Sarna	Wigley
Carlson, A.	Gunter	McCollar	Savelkoul	Williamson
Carlson, D.	Hanson	McDonald	Scheid	Wynia
Carlson, L.	Heinitz	McEachern	Schulz	Zubay
Casserly	Hokanson	Metzen	Searle	Speaker Sabo
Clark	Jacobs	Moe	Searles	
Clawson	Jaros	Munger	Sherwood	

The bill was passed and its title agreed to.

H. F. No. 410, A bill for an act relating to the city of Fridley; membership of new police officers in the public employees retirement association; benefits and contributions for remaining members of the Fridley police pension association.

The bill was read for the third time and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 128 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Abeln	Albrecht	Anderson, D.	Anderson, I.	Arlandson
Adams	Anderson, B.	Anderson, G.	Anderson, R.	Battaglia

Beauchamp	Eken	Kalis	Nelson	Simoneau
Begich	Ellingson	Kelly, R.	Niehaus	Skoglund
Berg	Enebo	Kelly, W.	Norton	Smogard
Berglin	Erickson	Kempe, A.	Novak	Spanish
Berkelman	Esau	Kempe, R.	Osthoff	Stanton
Biersdorf	Evans	King	Patton	Stoa
Birnstihl	Ewald	Knickerbocker	Pehler	Suss
Brandl	Fariay	Kroening	Peterson	Swanson
Braun	Fjoslien	Kvam	Petrafaso	Tomlinson
Brinkman	Forsythe	Laidig	Pleasant	Vanasek
Byrne	Friedrich	Langseth	Prahl	Voss
Carlson, A.	Fugina	Lehto	Reding	Waldorf
Carlson, D.	George	Lemke	Rice	Welch
Carlson, L.	Gunter	Mangan	Rose	Wenstrom
Casserly	Hanson	Mann	St. Onge	Wenzel
Clark	Heinitz	McCollar	Samuelson	White
Clawson	Hokanson	McDonald	Sarna	Wieser
Cohen	Jacobs	McEachern	Scheid	Wigley
Corbid	Jaros	Metzen	Schulz	Williamson
Cummiskey	Jensen	Moe	Searle	Wynia
Dahl	Johnson	Munger	Searles	Zubay
Dean	Jude	Murphy	Sherwood	Speaker Sabo
Den Ouden	Kahn	Neisen	Sieben, H.	
Eckstein	Kaley	Nelsen, B.	Sieben, M.	

The bill was passed and its title agreed to.

H. F. No. 106, A bill for an act relating to the city of St. Cloud; firemen's widows benefits; amending Laws 1974, Chapter 382, Section 5, Subdivision 2.

The bill was read for the third time and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 128 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Abeln	Carlson, L.	George	Lehto	Prahl
Adams	Casserly	Gunter	Lemke	Reding
Albrecht	Clark	Hanson	Mangan	Rice
Anderson, B.	Clawson	Heinitz	Mann	Rose
Anderson, D.	Cohen	Hokanson	McCollar	St. Onge
Anderson, G.	Corbid	Jacobs	McDonald	Samuelson
Anderson, I.	Cummiskey	Jaros	McEachern	Sarna
Anderson, R.	Dahl	Jensen	Metzen	Scheid
Arlandson	Dean	Johnson	Moe	Schulz
Battaglia	Den Ouden	Jude	Munger	Searle
Beauchamp	Eckstein	Kahn	Murphy	Searles
Begich	Eken	Kaley	Neisen	Sherwood
Berg	Ellingson	Kalis	Nelsen, B.	Sieben, H.
Berglin	Enebo	Kelly, R.	Nelson	Sieben, M.
Berkelman	Erickson	Kelly, W.	Niehaus	Simoneau
Biersdorf	Esau	Kempe, A.	Norton	Skoglund
Birnstihl	Evans	Kempe, R.	Novak	Smogard
Brandl	Ewald	King	Osthoff	Spanish
Braun	Fariay	Knickerbocker	Patton	Stanton
Brinkman	Fjoslien	Kroening	Pehler	Stoa
Byrne	Forsythe	Kvam	Peterson	Suss
Carlson, A.	Friedrich	Laidig	Petrafaso	Swanson
Carlson, D.	Fugina	Langseth	Pleasant	Tomlinson

Vanasek	Welch	White	Williamson	Speaker Sabo
Voss	Wenstrom	Wieser	Wynia	
Waldorf	Wenzel	Wigley	Zubay	

The bill was passed and its title agreed to.

S. F. No. 111, A bill for an act relating to firemen's relief association of the city of Centerville, computation of years of service for volunteer firemen.

The bill was read for the third time and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 128 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Abeln	Clawson	Jaros	Munger	Sieben, H.
Adams	Cohen	Jensen	Murphy	Sieben, M.
Albrecht	Corbid	Johnson	Neisen	Simoneau
Anderson, B.	Cummiskey	Jude	Nelsen, B.	Skoglund
Anderson, D.	Dahl	Kahn	Nelson	Smogard
Anderson, G.	Dean	Kaley	Niehaus	Spanish
Anderson, I.	Den Ouden	Kalis	Norton	Stanton
Anderson, R.	Eckstein	Kelly, R.	Novak	Stoa
Arlandson	Eken	Kelly, W.	Osthoff	Suss
Battaglia	Ellingson	Kempe, A.	Patton	Swanson
Beauchamp	Enebo	Kempe, R.	Pehler	Tomlinson
Begich	Erickson	King	Peterson	Vanasek
Berg	Esau	Knickerbocker	Petraieso	Voss
Berglin	Evans	Kroening	Pleasant	Waldorf
Berkelman	Ewald	Kvam	Prahl	Welch
Biersdorf	Faricy	Laidig	Reding	Wenstrom
Birnstihl	Fjoslien	Langseth	Rice	Wenzel
Brandl	Forsythe	Lehto	Rose	White
Braun	Friedrich	Lemke	St. Onge	Wieser
Brinkman	Fugina	Mangan	Samuelson	Wigley
Byrne	George	Mann	Sarna	Williamson
Carlson, A.	Gunter	McCollar	Scheid	Wynia
Carlson, D.	Hanson	McDonald	Schulz	Zubay
Carlson, L.	Heinitz	McEachern	Searle	Speaker Sabo
Casserly	Hokanson	Metzen	Searles	
Clark	Jacobs	Moe	Sherwood	

The bill was passed and its title agreed to.

H. F. No. 163, A bill for an act relating to the firemen's relief association of the city of Albertville, computation of years of service for volunteer firemen.

The bill was read for the third time and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 124 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Abeln	Clark	Jaros	Munger	Searles
Adams	Clawson	Jensen	Murphy	Sieben, H.
Albrecht	Cohen	Johnson	Neisen	Sieben, M.
Anderson, B.	Corbid	Jude	Nelsen, B.	Simoneau
Anderson, D.	Cummiskey	Kahn	Nelson	Skoglund
Anderson, G.	Dahl	Kaley	Niehaus	Smogard
Anderson, I.	Dean	Kalis	Norton	Spanish
Anderson, R.	Den Ouden	Kelly, R.	Novak	Stanton
Arlandson	Eckstein	Kelly, W.	Osthoff	Stoa
Battaglia	Eken	Kempe, A.	Patton	Swanson
Beauchamp	Ellingson	Kempe, R.	Pehler	Tomlinson
Begich	Enebo	King	Peterson	Vanasek
Berg	Erickson	Knickerbocker	Petrafaso	Voss
Berglin	Esau	Kroening	Pleasant	Waldorf
Berkelman	Evans	Kvam	Prahl	Welch
Biersdorf	Ewald	Laidig	Reding	Wenstrom
Birnstihl	Faricy	Langseth	Rice	Wenzel
Brandl	Fjoslien	Lehto	Rose	White
Braun	Forsythe	Lemke	St. Onge	Wieser
Brinkman	Friedrich	Mangan	Samuelson	Wigley
Byrne	Fugina	Mann	Sarna	Williamson
Carlson, A.	Gunter	McCollar	Savelkoul	Wynia
Carlson, D.	Hanson	McDonald	Scheid	Zubay
Carlson, L.	Heinitz	McEachern	Schulz	Speaker Sabo
Casserly	Hokanson	Moe	Searle	

The bill was passed and its title agreed to.

H. F. No. 411, A bill for an act relating to the city of Columbia Heights police department relief association; membership therein; benefits and contributions; membership of certain police personnel in the public employees' police and fire fund.

The bill was read for the third time and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 128 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Abeln	Birnstihl	Den Ouden	Heinitz	Kroening
Adams	Brandl	Eckstein	Hokanson	Kvam
Albrecht	Braun	Eken	Jacobs	Laidig
Anderson, B.	Brinkman	Ellingson	Jaros	Langseth
Anderson, D.	Byrne	Enebo	Jensen	Lehto
Anderson, G.	Carlson, A.	Erickson	Johnson	Lemke
Anderson, I.	Carlson, D.	Esau	Jude	Mangan
Anderson, R.	Carlson, L.	Evans	Kahn	Mann
Arlandson	Casserly	Ewald	Kaley	McCollar
Battaglia	Clark	Faricy	Kalis	McDonald
Beauchamp	Clawson	Fjoslien	Kelly, R.	McEachern
Begich	Cohen	Forsythe	Kelly, W.	Metzen
Berg	Corbid	Friedrich	Kempe, A.	Moe
Berglin	Cummiskey	Fugina	Kempe, R.	Munger
Berkelman	Dahl	Gunter	King	Murphy
Biersdorf	Dean	Hanson	Knickerbocker	Neisen

Nelsen, B.	Pleasant	Schulz	Stanton	Wenzel
Nelson	Prahl	Searle	Stoa	White
Niehaus	Reding	Searles	Suss	Wieser
Norton	Rice	Sherwood	Swanson	Wigley
Novak	Rose	Sieben, H.	Tomlinson	Williamson
Osthoff	St. Onge	Sieben, M.	Vanasek	Wynia
Patton	Samuelson	Simoneau	Voss	Zubay
Pehler	Sarna	Skoglund	Waldorf	Speaker Sabo
Peterson	Savelkoul	Smogard	Welch	
Petrafeso	Scheid	Spanish	Wenstrom	

The bill was passed and its title agreed to.

H. F. No. 414, A bill for an act relating to the city of Fairmont; membership of new police in the public employees retirement association.

The bill was read for the third time and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 128 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Abeln	Clawson	Jensen	Murphy	Sieben, H.
Adams	Cohen	Johnson	Neisen	Sieben, M.
Albrecht	Corbid	Jude	Nelsen, B.	Simoneau
Anderson, B.	Cummiskey	Kahn	Nelson	Skoglund
Anderson, D.	Dahl	Kaley	Niehaus	Smogard
Anderson, G.	Dean	Kalis	Norton	Spanish
Anderson, I.	Den Ouden	Kelly, R.	Novak	Stanton
Anderson, R.	Eckstein	Kelly, W.	Osthoff	Stoa
Arlandson	Eken	Kempe, A.	Patton	Suss
Battaglia	Ellingson	Kempe, R.	Pehler	Swanson
Beauchamp	Enebo	King	Peterson	Tomlinson
Begich	Erickson	Knickerbocker	Petrafeso	Vanasek
Berg	Esau	Kroening	Pleasant	Voss
Berglin	Evans	Kvam	Prahl	Waldorf
Berkelman	Ewald	Laidig	Reding	Welch
Biersdorf	Faricy	Langseth	Rice	Wenstrom
Birnstihl	Fjoslien	Lehto	Rose	Wenzel
Brandl	Forsythe	Lemke	St. Onge	White
Braun	Friedrich	Mangan	Samuelson	Wieser
Brinkman	Fugina	Mann	Sarna	Wigley
Byrne	George	McCollar	Savelkoul	Williamson
Carlson, A.	Gunter	McDonald	Scheid	Wynia
Carlson, D.	Heinitz	McEachern	Schulz	Zubay
Carlson, L.	Hokanson	Metzen	Schulz	Speaker Sabo
Casserly	Jacobs	Moe	Searles	
Clark	Jaros	Munger	Sherwood	

The bill was passed and its title agreed to.

H. F. No. 685, A bill for an act relating to the city of Hibbing; authorizing an increase in the service pensions of certain retired firemen; amending Laws 1935, Chapter 192, Section 1, as amended, by adding a subdivision.

The bill was read for the third time and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 120 yeas and 1 nay as follows:

Those who voted in the affirmative were:

Abeln	Clark	Jaros	Murphy	Sherwood
Adams	Clawson	Jensen	Neisen	Sieben, H.
Albrecht	Cohen	Johnson	Nelsen, B.	Sieben, M.
Anderson, B.	Corbid	Jude	Nelson	Simoneau
Anderson, D.	Cummiskey	Kahn	Niehaus	Skoglund
Anderson, G.	Dahl	Kaley	Norton	Spanish
Anderson, I.	Dean	Kalis	Novak	Stanton
Anderson, R.	Den Ouden	Kelly, R.	Osthoff	Stoa
Arlandson	Eckstein	Kempe, A.	Patton	Suss
Battaglia	Eken	Kempe, R.	Pehler	Swanson
Beauchamp	Enebo	King	Peterson	Tomlinson
Begich	Erickson	Knickerbocker	Petrafaso	Vanasek
Berg	Esau	Kroening	Pleasant	Voss
Berglin	Evans	Kvam	Reding	Waldorf
Biersdorf	Ewald	Laidig	Rice	Welch
Birnstihl	Fjoslien	Langseth	Rose	Wenstrom
Brandl	Forsythe	Lehto	St. Onge	Wenzel
Braun	Friedrich	Lemke	Samuelson	White
Brinkman	Fugina	Mangan	Sarna	Wieser
Byrne	Gunter	McCollar	Savelkoul	Wigley
Carlson, A.	Hanson	McDonald	Scheid	Williamson
Carlson, D.	Heinitz	Metzen	Schulz	Wynia
Carlson, L.	Hokanson	Moe	Searle	Zubay
Casserly	Jacobs	Munger	Searles	Speaker Sabo

Those who voted in the negative were:

Faricy

The bill was passed and its title agreed to.

H. F. No. 686, A bill for an act relating to retirement; judges' survivors' benefits; option to continue.

The bill was read for the third time and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 128 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Abeln	Anderson, R.	Biersdorf	Carlson, D.	Cummiskey
Adams	Battaglia	Birnstihl	Carlson, L.	Dahl
Albrecht	Beauchamp	Brandl	Casserly	Dean
Anderson, B.	Begich	Braun	Clark	Den Ouden
Anderson, D.	Berg	Brinkman	Clawson	Eckstein
Anderson, G.	Berglin	Byrne	Cohen	Eken
Anderson, I.	Berkelman	Carlson, A.	Corbid	Ellingson

Enebo	Jude	McDonald	Reding	Stoa
Erickson	Kahn	McEachern	Rice	Suss
Esau	Kaley	Metzen	Rose	Swanson
Evans	Kalis	Moe	St. Onge	Tomlinson
Ewald	Kelly, R.	Munger	Samuelson	Vanasek
Faricy	Kelly, W.	Murphy	Sarna	Voss
Fjoslien	Kempe, A.	Neisen	Savelkoul	Waldorf
Forsythe	Kempe, R.	Nelsen, B.	Scheid	Welch
Friedrich	King	Nelson	Schulz	Wenstrom
Fugina	Knickerbocker	Niehaus	Searle	Wenzel
George	Kroening	Norton	Searles	White
Gunter	Kvam	Novak	Sherwood	Wieser
Hanson	Laidig	Osthoff	Sieben, H.	Wigley
Heinitz	Langseth	Patton	Sieben, M.	Williamson
Hokanson	Lehto	Pehler	Simoneau	Wynia
Jacobs	Lemke	Peterson	Skoglund	Zubay
Jaros	Mangan	Petrafeso	Smogard	Speaker Sabo
Jensen	Mann	Pleasant	Spanish	
Johnson	McCollar	Prahl	Stanton	

The bill was passed and its title agreed to.

H. F. No. 791, A bill for an act relating to state lands; authorizing the lease of certain state lands in Rice county to the city of Faribault for the purpose of establishing a nature interpretive center with emphasis on natural history.

The bill was read for the third time placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 126 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Abeln	Corbid	Johnson	Neisen	Sieben, M.
Adams	Cummiskey	Jude	Nelsen, B.	Simoneau
Anderson, B.	Dahl	Kahn	Nelson	Skoglund
Anderson, D.	Dean	Kaley	Niehaus	Spanish
Anderson, G.	Den Ouden	Kalis	Norton	Stanton
Anderson, I.	Eckstein	Kelly, R.	Novak	Stoa
Anderson, R.	Eken	Kelly, W.	Osthoff	Suss
Battaglia	Ellingson	Kempe, A.	Patton	Swanson
Beauchamp	Enebo	Kempe, R.	Pehler	Tomlinson
Begich	Erickson	King	Peterson	Vanasek
Berg	Esau	Knickerbocker	Petrafeso	Voss
Berglin	Evans	Kroening	Pleasant	Waldorf
Berkelman	Ewald	Kvam	Prahl	Welch
Biersdorf	Faricy	Laidig	Reding	Wenstrom
Birnstihl	Fjoslien	Langseth	Rice	Wenzel
Brandl	Forsythe	Lehto	Rose	White
Braun	Friedrich	Lemke	St. Onge	Wieser
Brinkman	Fugina	Mangan	Samuelson	Wigley
Byrne	George	Mann	Sarna	Williamson
Carlson, A.	Gunter	McCollar	Savelkoul	Wynia
Carlson, D.	Hanson	McDonald	Scheid	Zubay
Carlson, L.	Heinitz	McEachern	Schulz	Speaker Sabo
Casserly	Hokanson	Metzen	Searle	
Clark	Jacobs	Moe	Searles	
Clawson	Jaros	Munger	Sherwood	
Cohen	Jensen	Murphy	Sieben, H.	

The bill was passed and its title agreed to.

H. F. No. 908, A bill for an act relating to the city of White Bear Lake; firemen's service pensions and disability benefits; amending Laws 1971, Chapter 214, Section 1.

The bill was read for the third time and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 129 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Abeln	Clawson	Jaros	Munger	Sherwood
Adams	Cohen	Jensen	Murphy	Sieben, H.
Albrecht	Corbid	Johnson	Neisen	Sieben, M.
Anderson, B.	Cummiskey	Jude	Neisen, B.	Simoneau
Anderson, D.	Dahl	Kahn	Nelson	Skoglund
Anderson, G.	Dean	Kaley	Niehaus	Smegard
Anderson, I.	Den Ouden	Kalis	Norton	Spanish
Anderson, R.	Eckstein	Kelly, R.	Novak	Stanton
Arlandson	Eken	Kelly, W.	Osthoff	Stoa
Battaglia	Ellingson	Kempe, A.	Patton	Suss
Beauchamp	Enebo	Kempe, R.	Pehler	Swanson
Regich	Erickson	King	Peterson	Tomlinson
Berg	Esau	Knickerbocker	Petrafaso	Vanasek
Berglin	Evans	Kroening	Pleasant	Voss
Berkelman	Ewald	Kvam	Prahl	Waldorf
Biersdorf	Faricy	Laidig	Reding	Welch
Birnstihl	Fjoslien	Langseth	Rice	Wenstrom
Brandl	Forsythe	Lehto	Rose	Wenzel
Braun	Friedrich	Lemke	St. Onge	White
Brinkman	Fugina	Mangan	Samuelson	Wieser
Byrne	George	Mann	Sarna	Wigley
Carlson, A.	Gunter	McCollar	Savelkoul	Williamson
Carlson, D.	Hanson	McDonald	Scheid	Wynia
Carlson, L.	Heinitz	McEachern	Schulz	Zubay
Cassery	Hokanson	Metzen	Searle	Speaker Sabo
Clark	Jacobs	Moe	Searles	

The bill was passed and its title agreed to.

H. F. No. 1098 was reported to the House.

Savelkoul moved to amend H. F. No. 1098, as follows:

Page 7, line 18, after "*dependents*" insert "*against the employer*".

The motion prevailed and the amendment was adopted.

H. F. No. 1098, A bill for an act relating to workers' compensation; authorizing coverage for owners of a business; including family farms and family farm corporations; excluding certain persons; amending Minnesota Statutes 1976, Sections 176.011,

Subdivisions 9 and 11a; 176.012; 176.041, Subdivision 1; and 176.051.

The bill was read for the third time, as amended, and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 128 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Abeln	Clawson	Jaros	Murphy	Sieben, H.
Adams	Cohen	Jensen	Neisen	Sieben, M.
Albrecht	Corbid	Johnson	Nelsen, B.	Simoneau
Anderson, B.	Cummiskey	Jude	Nelson	Skoglund
Anderson, D.	Dahl	Kahn	Niehaus	Smogard
Anderson, G.	Dean	Kaley	Norton	Spanish
Anderson, I.	Den Ouden	Kalis	Novak	Stanton
Anderson, R.	Eckstein	Kelly, R.	Osthoff	Stoa
Arlandson	Eken	Kelly, W.	Patton	Suss
Battaglia	Ellingson	Kempe, A.	Pehler	Swanson
Beauchamp	Enebo	Kempe, R.	Peterson	Tomlinson
Begich	Erickson	Knickerbocker	Petraleso	Vanasek
Berg	Esau	Kroening	Pleasant	Voss
Berglin	Evans	Kvam	Prahl	Waldorf
Berkelman	Ewald	Laidig	Reding	Welch
Biersdorf	Faricy	Langseth	Rice	Wenstrom
Birnstihl	Fjoslien	Lehto	Rose	Wenzel
Brandl	Forsythe	Lemke	St. Onge	White
Braun	Friedrich	Mangan	Samuelson	Wieser
Brinkman	Fugina	Mann	Sarna	Wigley
Byrne	George	McCollar	Savelkoul	Williamson
Carlson, A.	Gunter	McDonald	Scheid	Wynia
Carlson, D.	Hanson	McEachern	Schulz	Zubay
Carlson, L.	Heinitz	Metzen	Searle	Speaker Sabo
Casserly	Hokanson	Moe	Searles	
Clark	Jacobs	Munger	Sherwood	

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

Rose was excused for the remainder of today's session.

H. F. No. 1184, A bill for an act relating to the city of Lakeville; authorizing an increase in firemen's service pensions; amending Laws 1975, Chapter 125, Section 1.

The bill was read for the third time and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 124 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Abeln	Anderson, B.	Anderson, I.	Battaglia	Berg
Adams	Anderson, D.	Anderson, R.	Beauchamp	Berglin
Albrecht	Anderson, G.	Arlandson	Begich	Berkelman

Biersdorf	Erickson	Kempe, A.	Niehaus	Simoneau
Birnsthil	Esau	Kempe, R.	Norton	Skoglund
Brandl	Evans	King	Osthoff	Smogard
Braun	Ewald	Knickerbocker	Patton	Spanish
Brinkman	Faricy	Kroening	Pehler	Stanton
Byrne	Fjoslien	Kvam	Peterson	Stoa
Carlson, A.	Forsythe	Laidig	Petrafaso	Suss
Carlson, D.	Friedrich	Langseth	Pleasant	Swanson
Carlson, L.	Fugina	Lehto	Prahl	Tomlinson
Cassery	George	Lemke	Reding	Vanasek
Clark	Gunter	Mangan	Rice	Waldorf
Clawson	Hanson	Mann	St. Onge	Welch
Cohen	Heinitz	McCollar	Samuelson	Wenstrom
Corbid	Hokanson	McDonald	Sarna	Wenzel
Cummiskey	Jacobs	McEachern	Savelkoul	White
Dahl	Jaros	Metzen	Scheid	Wieser
Dean	Jensen	Moe	Schulz	Wigley
Den Ouden	Johnson	Munger	Searle	Williamson
Eckstein	Jude	Murphy	Searles	Wynia
Eken	Kaley	Neisen	Sherwood	Zubay
Ellingson	Kalis	Nelsen, B.	Sieben, H.	Speaker Sabo
Enebo	Kelly, R.	Nelson	Sieben, M.	

The bill was passed and its title agreed to.

H. F. No. 1187, A bill for an act relating to retirement; membership of Hennepin soil and water conservation district employees in the public employees retirement association; amending Minnesota Statutes 1976, Chapter 353, by adding a section.

The bill was read for the third time and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 127 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Abeln	Carlson, L.	Gunter	Lemke	Reding
Adams	Cassery	Hanson	Mangan	Rice
Albrecht	Clark	Heinitz	Mann	St. Onge
Anderson, B.	Clawson	Hokanson	McCollar	Samuelson
Anderson, D.	Cohen	Jacobs	McDonald	Sarna
Anderson, G.	Corbid	Jaros	McEachern	Savelkoul
Anderson, I.	Dahl	Jensen	Metzen	Scheid
Anderson, R.	Dean	Johnson	Moe	Schulz
Arlandson	Den Ouden	Jude	Munger	Searle
Battaglia	Eckstein	Kahn	Murphy	Searles
Beauchamp	Eken	Kaley	Neisen	Sherwood
Begich	Ellingson	Kalis	Nelsen, B.	Sieben, H.
Berg	Enebo	Kelly, R.	Nelson	Sieben, M.
Berglin	Erickson	Kelly, W.	Niehaus	Simoneau
Berkelman	Esau	Kempe, A.	Norton	Skoglund
Biersdorf	Evans	Kempe, R.	Novak	Smogard
Birnsthil	Ewald	King	Osthoff	Spanish
Brandl	Faricy	Knickerbocker	Patton	Stanton
Braun	Fjoslien	Kroening	Pehler	Stoa
Brinkman	Forsythe	Kvam	Peterson	Suss
Byrne	Friedrich	Laidig	Petrafaso	Swanson
Carlson, A.	Fugina	Langseth	Pleasant	Tomlinson
Carlson, D.	George	Lehto	Prahl	Vanasek

Voss	Wenstrom	Wieser	Wynia	Speaker Sabo
Waldorf	Wenzel	Wigley	Zubay	
Weich	White	Williamson		

The bill was passed and its title agreed to.

H. F. No. 1474, A bill for an act relating to employment services; authorizing the release of information to certain state agencies; amending Minnesota Statutes 1976, Section 268.12, Subdivision 12.

The bill was read for the third time and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 124 yeas and 2 nays as follows:

Those who voted in the affirmative were:

Abeln	Clark	Hokanson	Moe	Sieben, H.
Adams	Clawson	Jacobs	Munger	Sieben, M.
Albrecht	Cohen	Jaros	Murphy	Simoneau
Anderson, B.	Corbid	Jensen	Neisen	Skoglund
Anderson, D.	Cummiskey	Johnson	Nelsen, B.	Smogard
Anderson, G.	Dahl	Jude	Nelson	Spanish
Anderson, I.	Dean	Kahn	Niehaus	Stanton
Anderson, R.	Den Ouden	Kaley	Norton	Stoa
Arlandson	Eckstein	Kalis	Novak	Suss
Battaglia	Eken	Kelly, R.	Osthoff	Swanson
Beauchamp	Ellingson	Kelly, W.	Peterson	Tomlinson
Begich	Encho	Kempe, A.	Petrafaso	Vanasek
Berg	Erickson	Kempe, R.	Pleasant	Voss
Berglin	Esau	Knickerbocker	Prahl	Waldorf
Berkelman	Evans	Kroening	Reding	Welch
Biersdorf	Ewald	Kvam	Rice	Wenstrom
Birnstihl	Farcy	Laidig	St. Onge	Wenzel
Brandl	Fjoslien	Langseth	Samuelson	White
Braun	Forsythe	Lehto	Sarna	Wieser
Brinkman	Friedrich	Lemke	Savelkoul	Wigley
Byrne	Fugina	Mangan	Scheid	Williamson
Carlson, A.	George	Mann	Schulz	Wynia
Carlson, D.	Gunter	McCollar	Searle	Zubay
Carlson, L.	Hanson	McEachern	Searles	Speaker Sabo
Casserly	Heinitz	Metzen	Sherwood	

Those who voted in the negative were:

Patton	Pehler
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The bill was passed and its title agreed to.

S. F. No. 1387, A bill for an act relating to state lands; authorizing the conveyance by the state of certain lands in Steele county.

The bill was read for the third time and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 128 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Abeln	Clawson	Jaros	Munger	Sieben, H.
Adams	Cohen	Jensen	Murphy	Sieben, M.
Albrecht	Corbid	Johnson	Neisen	Simoneau
Anderson, B.	Cummiskey	Jude	Nelsen, B.	Skoglund
Anderson, D.	Dahl	Kahn	Nelson	Smogard
Anderson, G.	Dean	Kaley	Niehaus	Spanish
Anderson, I.	Den Ouden	Kalis	Norton	Stanton
Anderson, R.	Eckstein	Kelly, R.	Novak	Stoa
Arlandson	Eken	Kelly, W.	Osthoff	Suss
Battaglia	Ellingson	Kempe, A.	Patton	Swanson
Beauchamp	Enebo	Kempe, R.	Pehler	Tomlinson
Begich	Erickson	King	Peterson	Vanasek
Berg	Esau	Knickerbocker	Petrafeso	Voss
Berglin	Evans	Kroening	Pleasant	Waldorf
Berkelman	Ewald	Kvam	Prahl	Welch
Biersdorf	Faricy	Laidig	Reding	Wenstrom
Birnstihl	Fjoslien	Langseth	Rice	Wenzel
Brandl	Forsythe	Lehto	St. Onge	White
Braun	Friedrich	Lemke	Samuelson	Wieser
Brinkman	Fugina	Mangan	Sarna	Wigley
Byrne	George	Mann	Savelkoul	Williamson
Carlson, A.	Gunter	McCollar	Scheid	Wynia
Carlson, D.	Hanson	McDonald	Schulz	Zubay
Carlson, L.	Heinitz	McEachern	Searle	Speaker Sabo
Cassery	Hokanson	Metzen	Searles	
Clark	Jacobs	Moe	Sherwood	

The bill was passed and its title agreed to.

H. F. No. 323, A bill for an act relating to Dakota county; providing that the office of administrative assistant to the sheriff shall be unclassified.

The bill was read for the third time and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 127 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Abeln	Berkelman	Corbid	Fjoslien	Kahn
Adams	Biersdorf	Cummiskey	Forsythe	Kaley
Albrecht	Birnstihl	Dahl	Friedrich	Kalis
Anderson, B.	Brandl	Dean	Fugina	Kelly, R.
Anderson, D.	Braun	Den Ouden	George	Kelly, W.
Anderson, G.	Brinkman	Eckstein	Gunter	Kempe, A.
Anderson, I.	Byrne	Eken	Hanson	Kempe, R.
Anderson, R.	Carlson, A.	Ellingson	Heinitz	King
Arlandson	Carlson, D.	Enebo	Hokanson	Knickerbocker
Battaglia	Carlson, L.	Erickson	Jacobs	Kroening
Beauchamp	Cassery	Esau	Jaros	Kvam
Begich	Clark	Evans	Jensen	Laidig
Berg	Clawson	Ewald	Johnson	Langseth
Berglin	Cohen	Faricy	Jude	Lehto

Lemke	Nelson	St. Onge	Skoglund	Wenstrom
Mangan	Niehaus	Samuelson	Smogard	Wenzel
Mann	Norton	Sarna	Spanish	White
McCollar	Osthoff	Savelkoul	Stanton	Wieser
McDonald	Patton	Scheid	Stoa	Wigley
McEachern	Pehler	Schulz	Suss	Williamson
Metzen	Peterson	Searle	Swanson	Wynia
Moe	Petrafeso	Searles	Tomlinson	Zubay
Munger	Pleasant	Sherwood	Vanasek	Speaker Sabo
Murphy	Prahl	Sieben, H.	Voss	
Neisen	Reding	Sieben, M.	Waldorf	
Nelsen, B.	Rice	Simoneau	Welch	

The bill was passed and its title agreed to.

H. F. No. 931, A bill for an act relating to Ramsey county; inserting the county ditch law into the Ramsey county code; amending Laws 1974, Chapter 435, by adding a section; repealing Laws 1974, Chapter 180.

The bill was read for the third time and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 127 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Abeln	Clawson	Jaros	Murphy	Sieben, M.
Adams	Cohen	Jensen	Neisen	Simoneau
Albrecht	Corbid	Johnson	Nelsen, B.	Skoglund
Anderson, B.	Cummiskey	Jude	Nelson	Smogard
Anderson, D.	Dahl	Kahn	Niehaus	Spanish
Anderson, G.	Dean	Kaley	Norton	Stanton
Anderson, I.	Den Ouden	Kalis	Novak	Stoa
Anderson, R.	Eckstein	Kelly, R.	Osthoff	Suss
Arlandson	Eken	Kelly, W.	Patton	Swanson
Battaglia	Ellingson	Kempe, A.	Pehler	Tomlinson
Beauchamp	Enebo	Kempe, R.	Peterson	Vanasek
Begich	Erickson	King	Petrafeso	Voss
Berg	Esau	Knickerbocker	Pleasant	Waldorf
Berglin	Evans	Kroening	Prahl	Welch
Berkelman	Ewald	Kvam	Reding	Wenstrom
Biersdorf	Faricy	Laidig	Rice	Wenzel
Birnstihl	Fjoslien	Langseth	St. Onge	White
Brandl	Forsythe	Lehto	Samuelson	Wieser
Braun	Friedrich	Lemke	Sarna	Wigley
Brinkman	Fugina	Mangan	Savelkoul	Williamson
Byrne	George	Mann	Scheid	Wynia
Carlson, A.	Gunter	McCollar	Schulz	Zubay
Carlson, D.	Hanson	McDonald	Searle	Speaker Sabo
Carlson, L.	Heinitz	McEachern	Searles	
Casserly	Hokanson	Metzen	Sherwood	
Clark	Jacobs	Munger	Sieben, H.	

The bill was passed and its title agreed to.

S. F. No. 831 was reported to the House. Upon objection of ten members S. F. No. 831 was stricken from the Consent Calendar and returned to General Orders.

H. F. No. 1194, A bill for an act relating to the city of Marshall; authorizing the issuance of general obligation airport bonds.

The bill was read for the third time and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 125 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Abeln	Clark	Hokanson	Munger	Sherwood
Adams	Clawson	Jacobs	Murphy	Sieben, H.
Albrecht	Cohen	Jaros	Neisen	Sieben, M.
Anderson, B.	Corbid	Jensen	Nelsen, B.	Simoneau
Anderson, D.	Cummiskey	Johnson	Nelson	Skoglund
Anderson, G.	Dahl	Jude	Niehaus	Smogard
Anderson, I.	Dean	Kahn	Norton	Spanish
Anderson, R.	Den Ouden	Kaley	Novak	Stanton
Arlandson	Eckstein	Kalis	Osthoff	Stoa
Battaglia	Eken	Kelly, R.	Patton	Suss
Beauchamp	Ellingson	Kelly, W.	Pehler	Swanson
Begich	Enebo	Kempe, A.	Peterson	Tomlinson
Berg	Erickson	Kempe, R.	Petrafeso	Vanasek
Berglin	Esau	King	Pleasant	Voss
Berkelman	Evans	Knickerbocker	Prahl	Waldorf
Biersdorf	Ewald	Kroening	Reding	Welch
Birnstihl	Faricy	Kvam	Rice	Wenstrom
Brandl	Fjoslien	Laidig	St. Onge	Wenzel
Braun	Forsythe	Langseth	Samuelson	White
Brinkman	Friedrich	Lehto	Sarna	Wieser
Byrne	Fugina	Lemke	Savelkoul	Wigley
Carlson, A.	George	Mangan	Scheid	Williamson
Carlson, D.	Gunter	Mann	Schulz	Wynia
Carlson, L.	Hanson	McDonald	Searle	Zubay
Cassery	Heinitz	McEachern	Searles	Speaker Sabo

The bill was passed and its title agreed to.

CONSIDERATION UNDER RULE 1.10

Pursuant to rule 1.10, Norton requested immediate consideration of H. F. No. 962.

Berkelman was excused between the hours of 3:25 p.m. and 4:30 p.m.

H. F. No. 962, A bill for an act relating to appropriations; abolishing open appropriations for various purposes; providing direct appropriations for debt service and for other purposes previously supported by open appropriations; amending Minnesota Statutes 1976, Sections 16.023; 16A.27; 43.12, Subdivision 11; 84B.07; 136A.08, Subdivisions 1 and 2; 176.183, Subdivision 2; 192.52; 268.06, Subdivision 25; 299D.03, Subdivision 1; 351.11; 352E.02; 481.15, Subdivision 2; and Laws 1973, Chap-

ter 567, Section 7; repealing Minnesota Statutes 1976, Sections 124.23; 136.508; 261.233; 352E.05; 355.31 to 355.39.

The bill was read for the third time and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 118 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Abeln	Cohen	Jensen	Munger	Sieben, H.
Adams	Corbid	Johnson	Murphy	Sieben, M.
Albrecht	Cummiskey	Jude	Neisen	Skoglund
Anderson, B.	Dahl	Kahn	Nelsen, B.	Smogard
Anderson, G.	Dean	Kaley	Nelson	Stanton
Anderson, I.	Den Ouden	Kalis	Niehaus	Stoa
Anderson, R.	Eckstein	Kelly, R.	Norton	Suss
Arlandson	Eken	Kelly, W.	Novak	Swanson
Battaglia	Ellingson	Kempe, A.	Osthoff	Tomlinson
Beauchamp	Enebo	Kempe, R.	Patton	Vanasek
Begich	Erickson	King	Pehler	Voss
Berg	Evans	Knickerbocker	Peterson	Waldorf
Berglin	Ewald	Kostohryz	Petrufeso	Welch
Biersdorf	Faricy	Kroening	Prahl	Wenstrom
Birnstihl	Fjoslien	Kvam	Reding	Wenzel
Brandl	Forsythe	Laidig	Rice	White
Braun	Friedrich	Langseth	St. Onge	Wieser
Brinkman	Fugina	Lehto	Samuelson	Wigley
Byrne	George	Lemke	Sarna	Williamson
Carlson, D.	Gunter	Mangan	Savelkoul	Wynia
Carlson, L.	Hanson	Mann	Scheid	Zubay
Casserly	Hokanson	McCollar	Searle	Speaker Sabo
Clark	Jacobs	McEachern	Searles	
Clawson	Jaros	Metzen	Sherwood	

The bill was passed and its title agreed to.

King was excused from 3:30 p.m. to 3:50 p.m.

CALENDAR

S. F. No. 600, A bill for an act relating to education; trade schools; exempting certain courses in the arts from regulation by the commissioner of education; amending Minnesota Statutes 1976, Section 141.35.

The bill was read for the third time and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 117 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Abeln	Albrecht	Anderson, G.	Anderson, R.	Battaglia
Adams	Anderson, D.	Anderson, I.	Arlandson	Beauchamp

Begich	Eken	Kalis	Patton	Spanish
Berg	Ellingson	Kelly, R.	Pehler	Stanton
Berglin	Enebo	Kempe, R.	Peterson	Stoa
Biersdorf	Evans	Knickerbocker	Petrafeso	Suss
Birnstihl	Ewald	Kvam	Pleasant	Swanson
Brandl	Faricy	Laidig	Prahl	Tomlinson
Braun	Fjoslien	Langseth	Reding	Vanasek
Brinkman	Forsythe	Lehto	Rice	Voss
Byrne	Friedrich	Lemke	St. Onge	Waldorf
Carlson, A.	Fugina	Mangan	Samuelson	Welch
Carlson, D.	George	McCollar	Sarna	Wenstrom
Carlson, L.	Gunter	McEachern	Savelkoul	Wenzel
Casserly	Hanson	Metzen	Scheid	White
Clark	Heinitz	Munger	Schulz	Wieser
Clawson	Hokanson	Murphy	Searle	Wigley
Cohen	Jacobs	Neisen	Searles	Williamson
Corbid	Jaros	Nelsen, B.	Sherwood	Wynia
Cummiskey	Jensen	Nelson	Sieben, H.	Zubay
Dahl	Johnson	Niehaus	Sieben, M.	Speaker Sabo
Dean	Jude	Norton	Simoneau	
Den Ouden	Kahn	Novak	Skoglund	
Eckstein	Kaley	Osthoff	Smogard	

The bill was passed and its title agreed to.

H. F. No. 967, A bill for an act relating to education; quality education council; expanding duties and functions; amending Minnesota Statutes 1976, Sections 3.925; and 3.927.

The bill was read for the third time and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 127 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Abeln	Cohen	Jensen	Murphy	Sieben, M.
Adams	Corbid	Johnson	Neisen	Simoneau
Albrecht	Cummiskey	Jude	Nelsen, B.	Skoglund
Anderson, B.	Dahl	Kahn	Nelson	Smogard
Anderson, D.	Dean	Kaley	Niehaus	Stanton
Anderson, G.	Den Ouden	Kalis	Norton	Stoa
Anderson, I.	Eckstein	Kelly, R.	Novak	Suss
Anderson, R.	Eken	Kelly, W.	Osthoff	Swanson
Arlandson	Ellingson	Kempe, A.	Patton	Tomlinson
Battaglia	Enebo	Kempe, R.	Pehler	Vanasek
Beauchamp	Erickson	Knickerbocker	Peterson	Voss
Begich	Esau	Kostohryz	Petrafeso	Waldorf
Berg	Evans	Kroening	Pleasant	Welch
Berglin	Ewald	Kvam	Prahl	Wenstrom
Biersdorf	Faricy	Laidig	Reding	Wenzel
Birnstihl	Fjoslien	Langseth	Rice	White
Brandl	Forsythe	Lehto	St. Onge	Wieser
Braun	Friedrich	Lemke	Samuelson	Wigley
Brinkman	Fugina	Mangan	Sarna	Williamson
Byrne	George	Mann	Savelkoul	Wynia
Carlson, A.	Gunter	McCollar	Scheid	Zubay
Carlson, D.	Hanson	McDonald	Schulz	Speaker Sabo
Carlson, L.	Heinitz	McEachern	Searle	
Casserly	Hokanson	Metzen	Searles	
Clark	Jacobs	Moe	Sherwood	
Clawson	Jaros	Munger	Sieben, H.	

The bill was passed and its title agreed to.

H. F. No. 823, A bill for an act relating to public health; permitting plastic well casings; amending Minnesota Statutes 1976, Chapter 156A, by adding a section.

The bill was read for the third time and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 109 yeas and 18 nays as follows:

Those who voted in the affirmative were:

Abeln	Clark	Jacobs	Moe	Sieben, H.
Albrecht	Clawson	Jaros	Murphy	Sieben, M.
Anderson, B.	Cohen	Jensen	Neisen	Simoneau
Anderson, D.	Corbid	Johnson	Nelsen, B.	Skoglund
Anderson, G.	Cummiskey	Jude	Nelson	Smogard
Anderson, R.	Dahl	Kaley	Niehaus	Spanish
Arlandson	Dean	Kalis	Norton	Stanton
Battaglia	Den Ouden	Kelly, R.	Novak	Stoa
Beauchamp	Eckstein	Kelly, W.	Patton	Suss
Begich	Eken	Kempe, A.	Pehler	Tomlinson
Berg	Ellingson	Kempe, R.	Peterson	Voss
Berglin	Erickson	Knickerbocker	Petrafeso	Waldorf
Biersdorf	Esau	Kostohryz	Pleasant	Welch
Birnstihl	Evans	Kroening	Prahl	Wenstrom
Brandl	Ewald	Laidig	Reding	Wenzel
Braun	Fjoslien	Langseth	Samuelson	White
Brinkman	Forsythe	Lemke	Savelkoul	Wieser
Byrne	Friedrich	Mangan	Scheid	Wigley
Carlson, A.	Fugina	Mann	Schulz	Wynia
Carlson, D.	George	McCollar	Searle	Zubay
Carlson, L.	Gunter	McDonald	Searles	Speaker Sabo
Casserly	Hokanson	Metzen	Sherwood	

Those who voted in the negative were:

Adams	Hanson	Lehto	Rice	Vanasek
Anderson, I.	Heinitz	McEachern	St. Onge	Williamson
Enebo	Kahn	Munger	Sarna	
Faricy	Kvam	Osthoff	Swanson	

The bill was passed and its title agreed to.

Swanson and Patton were excused at 3:35 p.m. Knickerbocker was excused at 5:00 p.m. Abeln was excused at 5:25 p.m. Sarna was excused at 5:50 p.m. Esau, Biersdorf and Friedrich were excused at 6:15 p.m.

GENERAL ORDERS

Pursuant to rules of the House, the House resolved itself into the Committee of the Whole, with Sabo in the Chair, for the consideration of bills pending on General Orders of the Day. After some time spent therein the Committee arose.

REPORT OF COMMITTEE OF THE WHOLE

The Speaker resumed the Chair, whereupon the following proceedings of the Committee as kept by the Chief Clerk were reported to the House:

H. F. Nos. 1180, 456, 192, 157, 320, 1172, 1017 and 888 which it recommended to pass.

S. F. No. 70 which it recommended to pass.

H. F. Nos. 808, 771, 749, 790 and 968 which it recommended progress.

H. F. No. 130 which it recommended re-referral to the Committee on Appropriations.

H. F. No. 1096 which it recommended to pass with the following amendment offered by Neisen:

Page 2, line 2, strike "*Each council*" and insert "*A governing body*".

Page 2, line 4, strike "*council*" and insert "*governing body*".

Page 2, line 5, strike the colon.

Page 2, line 6, strike "*(i)*".

Page 2, line 7, strike "*;* *and*" and insert a period.

Page 2, strike lines 8 to 15 and insert:

"Sec. 2. Minnesota Statutes 1976, Section 204A.34, Subdivision 2, is amended to read:

Subd. 2. [DISABLED VOTER, ASSISTANCE.] *Any person who is unable to enter a polling place except by reason of intoxication may register and vote without leaving his vehicle. Two judges, who are not members of the same political party, shall (LIKEWISE) assist a voter who is (AT THE ENTRY OF THE POLLING PLACE BUT WHO IS) unable to enter the polling place to register and to complete a voter's certificate, and shall provide him with the necessary ballots. The voter may request additional assistance in marking his ballots as provided in subdivision 1. (BECAUSE OF PHYSICAL DISABILITY; PROVIDED, HOWEVER, THAT FOR THE PURPOSE OF THIS SECTION, INTOXICATION IS NOT PHYSICAL DISABILITY, AND) A person who is intoxicated may not vote."*

Renumber the remaining section.

Amend the title as follows:

Page 1, line 4, after the semicolon insert "providing assistance to voters unable to enter the polling place;"

Page 1, line 5, after the semicolon insert "204A.34, Subdivision 2;"

S. F. No. 362 which it recommended to pass with the following amendment offered by Beauchamp:

Page 6, line 9, after "account" and before the period, insert "*or joint account with his or her spouse*".

Page 6, line 11, after "procedures." insert "*If in the judgment of the executive director conditions so warrant, payment may be made to a public body in behalf of an annuitant, disabilitant, or survivor upon such terms as the executive director may prescribe.*".

Page 7, line 7, after "Subdivision 4" insert a comma.

Page 7, after line 14, insert a new section to read:

"Sec. 8. Minnesota Statutes 1976, Section 354.44, Subdivision 1a, is amended to read:

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

Re-number sections accordingly.

Further, amend the title as follows:

Page 1, line 8, after "4;" insert "354.44, Subdivision 1a;".

On the motion of Anderson, I., the report of the Committee of the Whole was adopted.

ROLL CALLS IN COMMITTEE OF THE WHOLE

Pursuant to rule 1.6, the following roll calls were taken in the Committee of the Whole:

The question was taken on the motion to recommend passage of H. F. No. 790 and the roll was called. There were 37 yeas and 83 nays as follows:

Those who voted in the affirmative were:

Abeln	Ellingson	Kroening	Pehler	Stanton
Anderson, I.	Enebo	Lehto	Prahl	Stoa
Berglin	Fugina	Mangan	Rice	Voss
Byrne	George	McEachern	Scheid	Williamson
Carlson, L.	Jacobs	Metzen	Sieben, H.	Speaker Sabo
Casserly	Jaros	Munger	Sieben, M.	
Clark	Jensen	Novak	Simoneau	
Dahl	King	Osthoff	Skoglund	

Those who voted in the negative were:

Adams	Carlson, A.	Gunter	Mann	Searles
Albrecht	Carlson, D.	Hanson	McDonald	Sherwood
Anderson, B.	Clawson	Heinitz	Moe	Smogard
Anderson, D.	Cohen	Hokanson	Murphy	Spanish
Anderson, G.	Corbid	Johnson	Neisen	Suss
Anderson, R.	Dean	Jude	Neisen, B.	Tomlinson
Arlandson	Den Ouden	Kaley	Nelson	Waldorf
Battaglia	Eckstein	Kalis	Niehaus	Welch
Beauchamp	Eken	Kelly, R.	Norton	Wenstrom
Begich	Erickson	Kempe, A.	Peterson	Wenzel
Berg	Esau	Kempe, R.	Petrafeso	White
Berkelman	Evans	Knickerbocker	Pleasant	Wieser
Biersdorf	Ewald	Kostohryz	Reding	Wigley
Birnstihl	Faricy	Kvam	Sarna	Wynia
Brandl	Fjoslien	Laidig	Savelkoul	Zubay
Braun	Forsythe	Langseth	Schulz	
Brinkman	Friedrich	Lemke	Searle	

The motion did not prevail.

White moved to amend H. F. No. 157, as follows:

Page 6, line 2, delete "Chapter 237" and insert "Section 237.08".

Page 6, line 3, delete "by adding a section".

Page 6, delete lines 4 through 32 and insert:

"237.08 [REASONABLE RATES FIXED.] *Subdivision 1.* When such rates or schedules are found to be unreasonable by the department, upon its own motion or upon complaint, it shall prescribe reasonable rates to take the place of those found unreasonable and such new rates shall be filed in place of the rates or schedule superseded. In determining (THE VALUATION OF ANY TELEPHONE PROPERTY FOR THE PURPOSE OF PRESCRIBING REASONABLE RATES) *the rate base upon which the telephone company is to be allowed to earn a fair rate of return,* the department shall give due consideration to evidence of the cost of the property when first devoted to public use, to prudent acquisition cost to the telephone company, less appropriate depreciation on each cost, (CURRENT VALUES THEREOF) to construction work in progress, to offsets in the nature of capital provided by sources other than the investors, and (ANY OTHER FACTORS OR EVIDENCE MATERIAL AND RELEVANT THERETO) to other expenses of a capital nature. To the extent that construction work in progress is included in the rate base, the income used in determining the actual return on the telephone company property shall include an allowance for funds used during construction. For purposes of determining rate base, the department shall consider the original cost of telephone company property included in the base and shall make no allowance for its estimated current replacement value.

Subd. 2. No rates filed with the department shall be changed by any telephone company without an order of the department sanctioning the same. It shall be unlawful for any telephone company to collect or receive a greater or less rate or charge for any intrastate service rendered by it than the rate or charge named in the schedules on file with the department, and no new rate shall take effect until the date named by the department, which shall not be less than ten days after it is filed.

Subd. 3. *The burden of proof to show that any rate change is just and reasonable shall be upon the telephone company seeking the change."*

Page 7, delete lines 1 through 32.

Page 8, delete lines 1 through 32.

Page 9, delete lines 1 through 28.

Page 9, line 29, delete "7" and insert "4".

Page 9, line 29, delete "commission" and insert "department".

Page 9, line 32, delete "8" and insert "5".

Page 9, line 32, delete "commission" and insert "department".

Page 10, line 2, delete "commission" and insert "department".

Page 10, delete lines 5 and 6.

Renumber the remaining section in sequence.

Further amend the title as follows :

Page 1, line 14, delete "Chapter 237, by adding a" and insert "237.08, and by adding subdivisions."

Page 1, delete lines 15 and 16.

The question was taken on the adoption of the amendment and the roll was called. There were 44 yeas and 65 nays as follows :

Those who voted in the affirmative were :

Anderson, B.	Carlson, L.	Jensen	Mann	Stoa
Anderson, D.	Clawson	Jude	Moe	Suss
Anderson, G.	Corbid	Kalis	Osthoff	Vanasek
Anderson, I.	Eckstein	Kempe, A.	Pehler	Voss
Beauchamp	Fugina	Kempe, R.	Prahl	Welch
Begich	Gunter	Kostohryz	Rice	Wenstrom
Braun	Hanson	Kroening	Scheid	White
Byrne	Hokanson	Laidig	Schulz	Williamson
Carlson, D.	Jacobs	Lemke	Smogard	

Those who voted in the negative were :

Adams	Den Ouden	Jaros	Metzen	Searles
Albrecht	Eken	Johnson	Munger	Sieben, H.
Anderson, R.	Ellingson	Kahn	Murphy	Sieben, M.
Arlandson	Enebo	Kaley	Nelsen, B.	Simoneau
Battaglia	Erickson	Kelly, R.	Nelson	Skoglund
Berkelman	Esau	King	Niehaus	Stanton
Biersdorf	Evans	Kvam	Novak	Tomlinson
Brandl	Ewald	Langseth	Peterson	Waldorf
Brinkman	Fjoslien	Lehto	Petrafeso	Wieser
Carlson, A.	Forsythe	Mangan	Reding	Wigley
Casserly	Friedrich	McCollar	St. Onge	Wynia
Clark	George	McDonald	Savelkoul	Zubay
Cummiskey	Heinitz	McEachern	Searle	Speaker Sabo

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

The question was taken on the motion to recommend passage of H. F. No. 320 and the roll was called. There were 84 yeas and 27 nays as follows :

Those who voted in the affirmative were:

Abeln	Casserly	Kahn	Murphy	Simoneau
Adams	Clark	Kalis	Neisen	Skoglund
Anderson, B.	Clawson	Kelly, R.	Norton	Smogard
Anderson, G.	Corbid	Kelly, W.	Novak	Spanish
Anderson, I.	Cummiskey	Kempe, A.	Osthoff	Stanton
Battaglia	Dahl	Kempe, R.	Pehler	Stoa
Beauchamp	Eken	Kostohryz	Petrafeso	Suss
Begich	Ellingson	Kroening	Prahl	Tomlinson
Berg	Enebo	Langseth	Reding	Vanasek
Berglin	Fugina	Lehto	Rice	Voss
Berkelman	George	Mangan	St. Onge	Welch
Birnstihl	Gunter	Mann	Sarna	Wenstrom
Brandl	Hokanson	McCollar	Scheid	White
Braun	Jacobs	McEachern	Schulz	Williamson
Byrne	Jaros	Metzen	Sherwood	Wynia
Carlson, D.	Jensen	Moe	Sieben, H.	Speaker Sabo
Carlson, L.	Jude	Munger	Sieben, M.	

Those who voted in the negative were:

Albrecht	Den Ouden	Friedrich	Nelsen, B.	Searles
Anderson, D.	Erickson	Heinitz	Niehaus	Wieser
Anderson, R.	Evans	Johnson	Peterson	Zubay
Biersdorf	Ewald	Kaley	Pleasant	
Carlson, A.	Fjoslien	Kvam	Savelkoul	
Dean	Forsythe	McDonald	Searle	

The motion prevailed.

MOTIONS AND RESOLUTIONS

Cohen moved that the names of Kelly, R., and Skoglund be added as authors on H. F. No. 1350. The motion prevailed.

ADJOURNMENT

Anderson, I., moved that the House adjourn. The motion prevailed, and the Speaker declared the House stands adjourned until 2:00 p.m., Thursday, April 28, 1977.

EDWARD A. BURDICK, Chief Clerk, House of Representatives

STATE OF MINNESOTA
SEVENTIETH SESSION—1977

FORTY-THIRD DAY

SAINT PAUL, MINNESOTA, THURSDAY, APRIL 28, 1977

The House of Representatives convened at 2:00 p.m. and was called to order by the Speaker.

Prayer was offered by the Chaplain.

The roll was called and the following members were present:

Abein	Cohen	Jaros	Moe	Searles
Adams	Corbid	Jensen	Munger	Sherwood
Albrecht	Cummiskey	Johnson	Murphy	Sieben, H.
Anderson, B.	Dahl	Jude	Neisen	Sieben, M.
Anderson, D.	Dean	Kahn	Nelsen, B.	Simoneau
Anderson, G.	Den Ouden	Kaley	Nelsen, M.	Skoglund
Anderson, I.	Eckstein	Kalis	Nelson	Smogard
Anderson, R.	Eken	Kelly, R.	Niehhaus	Spanish
Arlandson	Ellingson	Kelly, W.	Norton	Stanton
Battaglia	Enebo	Kempe, A.	Novak	Stoa
Beauchamp	Erickson	Kempe, R.	Osthoff	Suss
Begich	Esau	King	Patton	Tomlinson
Berg	Evans	Knickerbocker	Pehler	Vanasek
Berglin	Ewald	Kostohryz	Peterson	Voss
Berkelman	Faricy	Kroening	Petrafeso	Waldorf
Biersdorf	Fjoslien	Kvam	Pleasant	Welch
Birnstihl	Forsythe	Laidig	Prahl	Wenstrom
Brandl	Friedrich	Langseth	Reding	Wenzel
Braun	Fudro	Lehto	Rice	White
Brinkman	Fugina	Lemke	Rose	Wieser
Byrne	George	Mangan	St. Onge	Wigley
Carlson, A.	Gunter	Mann	Samuelson	Williamson
Carlson, D.	Hanson	McCarron	Sarna	Wynia
Carlson, L.	Haugerud	McCollar	Savelkoul	Zubay
Cassery	Heimitz	McDonald	Scheid	Speaker Sabo
Clark	Hokanson	McEachern	Schulz	
Clawson	Jacobs	Metzen	Searle	

A quorum was present.

Swanson was excused.

The Chief Clerk proceeded to read the Journal of the preceding day. Johnson moved that further reading of the Journal be dispensed with and that the Journal be approved as corrected by the Chief Clerk. The motion prevailed.

REPORTS OF CHIEF CLERK

Pursuant to Rules of the House, printed copies of H. F. Nos. 970, 1098, 550 and 1096 and S. F. Nos. 796, 825, 833, 963, 1028, 905, 1381, 181, 558, 616, 760, 1004, 1064, 368, 411, 541, 356, 426, 628, 686, 362 and 39 have been placed in the members' files.

S. F. No. 1381 and H. F. No. 578, which had been referred to the Chief Clerk for comparison, were examined and found to be identical with certain exceptions.

SUSPENSION OF RULES

Kempe, A., moved that the rules be so far suspended that S. F. No. 1381 be substituted for H. F. No. 578 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 616 and H. F. No. 416, which had been referred to the Chief Clerk for comparison, were examined and found to be identical with certain exceptions.

SUSPENSION OF RULES

Suss moved that the rules be so far suspended that S. F. No. 616 be substituted for H. F. No. 416 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 963 and H. F. No. 1011, which had been referred to the Chief Clerk for comparison, were examined and found to be identical with certain exceptions.

SUSPENSION OF RULES

Dean moved that the rules be so far suspended that S. F. No. 963 be substituted for H. F. No. 1011 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 833 and H. F. No. 821, which had been referred to the Chief Clerk for comparison, were examined and found to be identical with certain exceptions.

SUSPENSION OF RULES

Birnstihl moved that the rules be so far suspended that S. F. No. 833 be substituted for H. F. No. 821 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 760 and H. F. No. 250, which had been referred to the Chief Clerk for comparison, were examined and found to be identical with certain exceptions.

SUSPENSION OF RULES

Jensen moved that the rules be so far suspended that S. F. No. 760 be substituted for H. F. No. 250 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 125 and H. F. No. 285, which had been referred to the Chief Clerk for comparison, were examined and found to be identical with certain exceptions.

SUSPENSION OF RULES

Petrafeso moved that the rules be so far suspended that S. F. No. 125 be substituted for H. F. No. 285 and that the House File be indefinitely postponed. The motion prevailed.

REPORTS OF STANDING COMMITTEES

Moe from the Committee on Criminal Justice to which was referred:

H. F. No. 730, A bill for an act relating to peace officers; providing for training and licensing; renaming the peace officer training board and giving the board additional responsibilities; amending Minnesota Statutes 1976, Sections 626.841; 626.843, Subdivisions 1 and 2; 626.845; 626.846; 626.847; 626.848; 626.85, Subdivision 1; 626.851, Subdivision 2; 626.854; Chapter 626, by adding a section; repealing Minnesota Statutes 1976, Section 626.844.

Reported the same back with the following amendments:

Strike everything after the enacting clause and insert:

“Section 1. Minnesota Statutes 1976, Chapter 626, is amended by adding a section to read:

[626.84] [DEFINITIONS.] *For the purposes of section 1 and sections 626.841 to 626.854, the following terms shall have the meanings given them:*

(a) *“Board” means the Minnesota board of peace officer standards and training;*

(b) *“Director” means the executive director of the board;*

(c) *“Peace officer” means an employee of a political subdivision or state law enforcement agency who is charged with the prevention and detection of crime and the enforcement of the general criminal laws of the state and who has the full power of arrest, and shall also include the Minnesota highway patrol and state conservation officers.*

Sec. 2. Minnesota Statutes 1976, Section 626.841, is amended to read:

626.841 [ESTABLISHMENT OF BOARD; MEMBERS.] (THERE IS HEREBY CREATED IN THE OFFICE OF THE ATTORNEY GENERAL THE MINNESOTA PEACE OFFICER TRAINING BOARD, HEREINAFTER REFERRED TO AS THE "BOARD".) The board of *peace officer standards and training* shall be composed of the following:

(a) Two members to be appointed by the governor from among the county sheriffs in Minnesota;

(b) (TWO) *Four* members to be appointed by the governor from among (THE CHIEFS OF POLICE OF MINNESOTA MUNICIPALITIES) *peace officers in Minnesota municipalities, at least two of whom shall be chiefs of police;*

((C) TWO MEMBERS TO BE APPOINTED BY THE GOVERNOR FROM AMONG PEACE OFFICERS IN MINNESOTA MUNICIPALITIES OTHER THAN CHIEFS OF POLICE OR COUNTY SHERIFFS;)

((D) TWO MEMBERS TO BE APPOINTED BY THE GOVERNOR FROM AMONG THE COUNTY ATTORNEYS OR THEIR ASSISTANTS IN MINNESOTA, ONE OF WHOM SHALL BE FROM A COUNTY CONTAINING A CITY OF THE FIRST CLASS;)

((E) THE CHIEFS OF POLICE OF EACH CITY OF THE FIRST CLASS;)

((F)) (c) The superintendent of the Minnesota bureau of criminal apprehension or his designee;

(d) *Two members appointed by the governor experienced in law enforcement at a local, state or federal level who are not currently employed as peace officers;*

((G) THE CHIEF OF THE MINNESOTA HIGHWAY PATROL OR HIS DESIGNEE;)

((H) THE SPECIAL AGENT IN CHARGE OF A FIELD OFFICE OF THE FEDERAL BUREAU OF INVESTIGATION IN THIS STATE OR HIS DESIGNEE;)

((I) THE ATTORNEY GENERAL OR HIS DESIGNEE, AND)

((J)) (e) Two members to be appointed by the governor from among the general public; *and*

(f) *A chairman, to be appointed by the governor from among the members.*

Sec. 3. Minnesota Statutes 1976, Section 626.842, is amended to read:

626.842 [TERMS; MEETINGS; COMPENSATION; REMOVAL; VACANCIES.] Subdivision 1. (IF ANY INCUMBENT SHERIFF, CHIEF OF POLICE, PEACE OFFICER OR COUNTY ATTORNEY SO APPOINTED CEASES TO BE A SHERIFF, CHIEF OF POLICE, PEACE OFFICER OR COUNTY ATTORNEY PRIOR TO THE EXPIRATION OF HIS TERM AS A MEMBER OF THE BOARD, THE GOVERNOR SHALL BE NOTIFIED BY THE EXECUTIVE DIRECTOR OF THE BOARD THAT A VACANCY EXISTS OR IS ABOUT TO EXIST, AND THE GOVERNOR SHALL FORTHWITH APPOINT SOME OTHER INCUMBENT SHERIFF, CHIEF OF POLICE, PEACE OFFICER OR COUNTY ATTORNEY TO COMPLETE HIS TERM. SIMILAR NOTIFICATION SHALL BE MADE BY THE EXECUTIVE DIRECTOR OF A VACANCY EXISTING OR ABOUT TO EXIST AS TO A MEMBER APPOINTED PURSUANT TO CLAUSE (J) AND THE GOVERNOR SHALL MAKE A SIMILAR APPOINTMENT.)

Meetings shall be called at the request of the (EXECUTIVE DIRECTOR, THE ATTORNEY GENERAL,) *chairman* or upon the written request of a majority of the members of the board. (ALL RECOMMENDATIONS BY THE BOARD TO THE ATTORNEY GENERAL SHALL REQUIRE THE AFFIRMATIVE VOTE OF A MAJORITY OF THE MEMBERS OF THE BOARD.)

Membership on the board shall not constitute the holding of a public office, and members of the board shall not be required to take and file oaths of office or submit a public official's bond before serving on the board.

No member of the board shall be disqualified from holding any public office or employment, by reason of his appointment to the board, nor shall he forfeit any such office or employment notwithstanding any general, special, or local restriction, or ordinance, or city charter to the contrary.

Subd. 2. The membership terms, compensation, removal of members and the filling of vacancies for members appointed pursuant to section 626.841, clauses (a), (b), ((C),) (d) and ((J)) (e) on the board (SHALL BE AS PROVIDED IN SECTION 15.0575); *the provision of staff, administrative services and office space; the review and processing of complaints; the renewal of licenses; the setting of fees; and other matters relating to board operations shall be as provided in chapter 214.*

Sec. 4. Minnesota Statutes 1976, Section 626.843, Subdivision 1, is amended to read:

626.843 [RULES AND REGULATIONS, RECOMMENDATIONS; EXECUTIVE DIRECTOR.] Subdivision 1. The (MINNESOTA PEACE OFFICER TRAINING) board (MAY RECOMMEND TO THE ATTORNEY GENERAL) *shall adopt rules (AND REGULATIONS) with respect to:*

(a) The (APPROVAL OR DISAPPROVAL THEREOF,) *certification* of peace officer training schools, *programs*, or courses including training schools for the Minnesota highway patrol. Such schools, *programs and courses* shall include (SCHOOLS) *those* administered by the state, county, school district, municipality, or joint or contractual combinations thereof, (AND SUCH COURSES SHALL INCLUDE POLICE TRAINING COURSES TAUGHT AT VOCATIONAL SCHOOLS AND TRADE SCHOOLS) *and shall include preparatory instruction in law enforcement and minimum basic training courses;*

(b) Minimum courses of study, attendance requirements, and equipment and facilities to be required at each (APPROVED) *certified* peace officers training school located within the state;

(c) Minimum qualifications for instructors at (APPROVED) *certified* peace officer training schools located within this state;

(d) Minimum standards of physical, mental and educational fitness which shall govern the recruitment *and licensing* of (NONELECTIVE) peace officers within the state, by any state, county, municipality, or joint or contractual combination thereof, including members of the Minnesota highway patrol;

(e) Minimum standards of conduct which would affect the performance of the individual in his duties as a peace officer (;) *including but not limited to:*

(1) *Peace officer conduct and procedure appropriate for the treatment of suspects of crime during investigation, apprehension and detention;*

(2) *Peace officer conduct appropriate for the treatment of victims of crime;*

(3) *Peace officer conduct and procedure appropriate to ensure the public safety during investigation and apprehension of suspects of crime;*

(4) *Peace officer conduct and procedure regarding confidential information;*

(5) *Peace officer conduct and procedure regarding peace officer participation in judicial proceedings;*

(6) *Peace officer conduct and procedure regarding the execution of legal process;*

(7) *Conflicts of interest and other matters of professional integrity;*

These standards shall be established and published on or before January 1, 1979.

(f) Minimum basic training which peace officers appointed to temporary or probationary terms shall complete before being eligible for permanent appointment, and the time within which such basic training must be completed following any such appointment to a temporary or probationary term;

(g) Minimum basic training which peace officers not appointed for temporary or probationary terms but appointed on other than a permanent basis shall complete in order to be eligible for continued employment or permanent employment, and the time within which such basic training must be completed following such appointment on a nonpermanent basis;

(h) (CATEGORIES OR CLASSIFICATIONS OF ADVANCED IN-SERVICE TRAINING PROGRAMS AND MINIMUM COURSES OF STUDY AND ATTENDANCE REQUIREMENTS WITH RESPECT TO SUCH CATEGORIES AND CLASSIFICATIONS) *Content of minimum basic training courses required of graduates of certified law enforcement training schools or programs. Such courses shall not duplicate the content of certified academic or general background courses completed by a student but shall concentrate on practical skills deemed essential for a peace officer. Successful completion of such a course shall be deemed satisfaction of the minimum basic training requirement provided the student obtains employment as a peace officer within one year of completion;*

(i) Grading, reporting, attendance and other records, and certificates of attendance or accomplishment; (AND)

(j) (SUCH OTHER MATTERS AS MAY BE NECESSARY) *Minimum continuing education courses and other requirements for the renewal of licenses of peace officers; and*

(k) *Such other matters as may be necessary consistent with sections 626.841 to 626.854, and section 1. Rules promulgated by the attorney general with respect to these matters may be continued in force by resolution of the board if the board finds the rules to be consistent with sections 626.841 to 626.854, and section 1.*

Sec. 5. Minnesota Statutes 1976, Section 626.843, Subdivision 2, is amended to read:

Subd. 2. An executive director shall be appointed by and serve *in the unclassified service* at the pleasure of the (GOVERNOR) board. (HE SHALL BE IN THE UNCLASSIFIED SERVICE AND RECEIVE COMPENSATION, AS FIXED BY THE COMMISSIONER OF PERSONNEL, AND REIMBURSEMENT FOR THE EXPENSES WITHIN THE ACCOUNTS AVAILABLE BY APPROPRIATION) *The executive director shall perform such duties, on behalf of the board, as the board shall prescribe.* The board (MAY) shall appoint such employees, agents and consultants as (THEY MAY DEEM) *deemed* necessary, prescribe their duties, and provide for reimbursement of their expenses. Such employees shall be in the classified service (AND SUBJECT TO SECTIONS 43.09 TO 43.17).

Sec. 6. Minnesota Statutes 1976, Section 626.843, Subdivision 3, is amended to read:

Subd. 3. The board may, in addition:

(a) Recommend studies, surveys, and reports to be made by the executive director regarding the carrying out of the objectives and purposes of sections 626.841 to 626.854;

(b) Visit and inspect any peace officer training school approved by the executive director or for which application for such approval has been made;

(c) Make recommendations, from time to time, to the executive director, attorney general, governor, and the legislature regarding the carrying out of the objectives and purposes of sections 626.841 to 626.854(.);

(d) Perform such other acts as may be necessary or appropriate to carry out the powers and duties of the board as set forth in sections 626.841 to 626.849;

(e) *Cooperate with and receive financial assistance from and join in projects or enter into contracts with the federal government or its agencies for the furtherance of the purposes of this act.*

Sec. 7. Minnesota Statutes 1976, Section 626.845, is amended to read:

626.845 [POWERS AND DUTIES.] The (EXECUTIVE DIRECTOR, ON BEHALF OF THE) board(,) shall have the following powers and duties(, TO BE EXERCISED WITH THE APPROVAL OF THE BOARD AND TO BE EXECUTED

ONLY IN FULL ACCORDANCE WITH THE RULES AND REGULATIONS PROMULGATED BY THE ATTORNEY GENERAL PURSUANT TO SECTION 626.844;):

(a) To (APPROVE) *certify* peace officers' training schools or programs administered by state, county and municipalities located within this state *in whole or in part no later than 90 days after receipt of an application for certification. The reasons for noncertification of any school or program or part thereof shall be transmitted to the school within 90 days and shall contain a detailed explanation of the reasons for which the school or program was disapproved and an explanation of what supporting material or other requirements are necessary for the board to reconsider. Disapproval of a school or program shall not preclude the reapplication for certification of the school or program;*

(b) To issue certificates (OF APPROVAL) to (SUCH APPROVED) schools, and to revoke such certification (OF APPROVAL) when necessary to maintain the objectives and purposes of sections 626.841 to 626.854;

(c) To certify, as qualified, instructors at (APPROVED) peace officer training schools, and to issue appropriate certificates to such instructors;

(d) To (CERTIFY) *issue licenses and renewals of licenses to peace officers who have satisfactorily completed certified basic training programs, (AND TO ISSUE APPROPRIATE CERTIFICATES TO SUCH PEACE OFFICERS) and passed examinations as required by the board;*

(e) To cause studies and surveys to be made relating to the establishment, operation, and approval of state, county, and municipal peace officer training schools;

(f) To consult and cooperate with state, county, and municipal peace officer training schools for the development of (ADVANCED) in-service training programs for peace officers;

(g) To consult and cooperate with universities and colleges for the development of specialized courses of instruction and study in the state for peace officers in police science and police administration;

(h) To consult and cooperate with other departments and agencies of the state and federal government concerned with peace officer *standards and training;*

(i) To perform such other acts as may be necessary and appropriate to carry out (HIS) *the powers and duties as set forth in the provisions of sections 626.841 to 626.854;*

(j) (TO REPORT TO THE BOARD, FROM TIME TO TIME, AT THE REGULAR MEETINGS OF THE BOARD AND AT SUCH OTHER TIMES AS MAY BE REQUIRED BY THE BOARD) *To coordinate the provision, on a regional basis, of skills oriented basic training courses to graduates of certified law enforcement training schools or programs.*

Sec. 8. Minnesota Statutes 1976, Section 626.846, is amended to read:

626.846 [ATTENDANCE, FORFEITURE OF POSITION.] Subdivision 1. Notwithstanding any general or local law or charter to the contrary, any peace officer employed or elected on or after (JULY 1, 1967) *January 1, 1978*, by any state, county, municipality or joint or contractual combination thereof of the state of Minnesota (WITH A POPULATION OF MORE THAN 1,000 ACCORDING TO THE LAST FEDERAL CENSUS) shall (ATTEND A PEACE OFFICERS TRAINING COURSE WITHIN 12 MONTHS OF HIS APPOINTMENT, EXCEPT AS PROVIDED IN SECTION 626.853) *not be eligible for permanent appointment without being licensed by the board pursuant to rules promulgated under section 626.843.*

Subd. 2. Every peace officer who shall be appointed by any state, county, municipality or joint or contractual combination thereof of the state of Minnesota (WITH A POPULATION OF MORE THAN 1,000 ACCORDING TO THE LAST FEDERAL CENSUS,) on a temporary basis or for a probationary term, shall forfeit his position unless he has (SATISFACTORILY COMPLETED, WITHIN THE TIME PRESCRIBED BY THE RULES AND REGULATIONS PROMULGATED) *been licensed by the board pursuant to sections 626.841 to 626.854 (, AN APPROVED PEACE OFFICER TRAINING PROGRAM, EXCEPT AS PROVIDED IN SECTION 626.853).* Any other peace officer employed or elected by any state, county, municipality or joint or contractual combination thereof, may attend peace officer training courses *and be licensed by the board* subject to the rules (AND REGULATIONS) promulgated pursuant to (SECTIONS 626.841 TO 626.854) *section 626.843.*

Subd. 3. *No peace officer required to be licensed under this section shall be eligible for continued employment without having his license renewed biennially pursuant to rules promulgated pursuant to section 626.843.*

Subd. 4. *A peace officer who has received a permanent appointment prior to January 1, 1978, shall be licensed by the board if the officer has met the requirements of sections 626.841 to 626.854 in effect on June 30, 1977 and if the officer has requested licensing by the board. Peace officers receiving a license under this subdivision shall have their license renewed biennially in the same manner as required of other licensed peace officers. An elected or appointed town constable who takes office on or*

after July 1, 1978, if his duties are substantially similar to those of a peace officer as determined by the board, shall be licensed by the board in respect to his term of office as if he has met the preservice and licensing requirements of the board, but he must satisfy renewal requirements of the board during his term of elected office.

Sec. 9. Minnesota Statutes 1976, Section 626.847, is amended to read:

626.847 [COMPULSORY PROGRAM; EXEMPTIONS.] Nothing contained in sections 626.841 to 626.854 (, EXCEPT THE POPULATION LIMITS IN SECTIONS 626.846 AND 626.853,) shall be construed to exempt any peace officer (CHARGED WITH THE ENFORCEMENT OF THE GENERAL CRIMINAL LAWS OF THE STATE) from the provisions of sections 626.841 to 626.854, or to exempt a peace officer having received his last permanent appointment as a peace officer prior to July 1, 1967. (THE PEACE OFFICERS TRAINING BOARD MAY RECOMMEND BY A TWO-THIRDS VOTE RULES AND REGULATIONS FOR MINIMUM BASIC TRAINING FOR ALL PEACE OFFICERS WHO RECEIVED AN APPOINTMENT PRIOR TO JULY 1, 1967. UPON THE ADOPTION OF SUCH RULES AND REGULATIONS BY THE ATTORNEY GENERAL ALL SUCH PEACE OFFICERS SHALL COMPLY WITH SUCH RULES AND REGULATIONS.)

Sec. 10. Minnesota Statutes 1976, Section 626.848, is amended to read:

626.848 [TRAINING COURSES, LOCATIONS.] *Subject to board rules*, the superintendent of the bureau of criminal apprehension shall provide courses at convenient locations in the state, for training peace officers in their powers and duties, and in the use of approved equipment and the latest technique for detection, identification and apprehension of criminals. For this purpose, the superintendent may use the services and employees of the bureau.

Sec. 11. Minnesota Statutes 1976, Section 626.85, Subdivision 1, is amended to read:

626.85 [INSTRUCTORS; DONATIONS, CONTRIBUTIONS.] Subdivision 1. In addition to the bureau employees assigned to police training, full time or part time, the superintendent is authorized to engage such part time instructors as he deems proper and necessary to furnish the best possible instruction in police sciences, *subject to board rules and to the limitation of funds as appropriated and available for expenditure.* Sections 43.09 to 43.17 shall not apply to such part time employees.

Sec. 12. Minnesota Statutes 1976, Section 626.851, Subdivision 2, is amended to read:

Subd. 2. Any student successfully completing (1000 HOURS) a program of law enforcement instruction in a post secondary educational (LAW ENFORCEMENT PROGRAM WHICH IS) institution, which program has been certified by the board, and which institution has been approved by the Minnesota state department of education or an accredited institution of higher learning shall be eligible, (UPON COMPLIANCE WITH THE REQUIREMENTS PRESCRIBED BY RULES OF THE ATTORNEY GENERAL FOR THE MINNESOTA PEACE OFFICER TRAINING BOARD,) to (RECEIVE THE) attend a skills oriented basic training course as established under section 626.843. Nothing contained in sections 626.84 to 626.854 shall be construed to preclude the provision of skills oriented basic training courses by certified law enforcement schools providing such course has been certified by the board (MINIMUM BASIC TRAINING AS ESTABLISHED UNDER SECTION 626.843 CONDUCTED BY THE MINNESOTA BUREAU OF CRIMINAL APPREHENSION IN FACILITIES PROVIDED BY THE INSTITUTE. UPON SATISFACTORY COMPLETION OF THE TRAINING COURSE CONDUCTED BY THE BUREAU THE CERTIFICATE SHALL BE AWARDED TO THE INDIVIDUAL).

Sec. 13. Minnesota Statutes 1976, Sections 626.844 and 626.854 are repealed.

Sec. 14. The effective date of this act is July 1, 1977.

Sec. 15. [TRANSITION PROVISIONS.] *The Minnesota board of peace officer standards and training, created pursuant to section 1, supersedes and replaces the Minnesota peace officer training board. The Minnesota peace officer training board shall cease to exist on and after June 30, 1977.*

Further amend the title:

Page 1, line 6, after "626.841;" insert "626.842;" and after "1" insert "2".

Page 1, line 7, delete "2" and insert "3".

Page 1, line 8, delete "626.854;".

Page 1, line 10, delete "Section" and insert "Sections" and after "626.844" insert "and 626.854".

With the recommendation that when so amended the bill pass and be re-referred to the Committee on Governmental Operations.

The report was adopted.

Sieben, H., from the Committee on Governmental Operations to which was referred:

H. F. No. 457, A bill for an act relating to courts; providing for the organization, compensation, personnel, terms and procedures of the several courts; appropriating money; amending Minnesota Statutes 1976, Sections 2.722; 2.724; 15A.083; 480.15; 487.01, Subdivisions 3, 5, and 6; 487.03, Subdivision 1; 488A.01, Subdivision 10; 488A.12, Subdivision 5; 525.04; and 525.081, Subdivision 7; and Chapter 480, by adding a section; repealing Minnesota Statutes 1976, Sections 15A.083, Subdivision 2; 484.05; 484.09; 484.10; 484.11; 484.12; 484.13; 484.14; 484.15; 484.16; 484.17; 484.18; 484.28; 484.34; 487.03, Subdivision 4; 487.05; 488A.021, Subdivisions 7 and 8; 488A.19, Subdivisions 8, 9, and 10; and 525.081, Subdivisions 1, 2, 3, 4, 5, 6, 8, and 9; Chapters 488, 530, 531, 532 and 633; and Extra Session Laws 1971, Chapter 42.

Reported the same back with the following amendments:

Page 6, line 3, after the stricken "\$40,000" insert "\$52,000".

Page 6, delete lines 4 to 8.

Page 6, line 9, after the stricken "36,500" insert "49,000".

Page 6, delete lines 10 to 13.

Page 6, line 14, delete "*county, probate and*" and insert "*judge*" and after the stricken "32,000" insert "42,000".

Page 6, line 15, before "*municipal*" insert "*county, probate and*" and delete "45,000" and insert "42,000".

Page 6, lines 16 to 32, strike the old language and delete the new.

Page 7, delete lines 1 to 4.

Page 7, line 30, strike "\$10,500" and insert "\$15,000".

Page 8, line 11, after "*controls*" insert "*for the purpose of performance evaluation*".

Page 9, line 11, delete "*advise*" and insert "*advice*".

Page 11, after line 21, insert a new section to read:

"Sec. 11. Minnesota Statutes 1976, Section 484.62, is amended to read:

484.62 [COMPENSATION AND REPORTER.] When such retired judge undertakes such service, he shall be provided at the expense of the county in which he is performing such service with a reporter, selected by such retired judge, clerk, bailiff, if the judge deems a bailiff necessary, and a courtroom or hearing room for the purpose of holding court or hearings, to be paid for by the county in which such service is rendered and shall be paid in addition to his retirement compensation and not affecting the amount thereof, the sum of \$50 per diem for such additional service, together with travel pay in the (SUM OF NINE CENTS PER MILE) *same amount and manner as other state employees* and his actual expenses incurred in such service, said payment to be made in the same manner as the payment of salaries for district judges, on certification by the presiding or senior judge of the district or by the Chief Judge of the Supreme Court of the state of Minnesota. A deputy clerk may act as bailiff when called to do so for the purposes of this section."

Page 12, line 12, after "following" insert "*combined*".

Page 12, line 17, strike "Swift and Stevens;" and "Lac qui Parle,".

Page 12, line 18, strike "Yellow Medicine and Chippewa;" and "Murray and".

Page 12, line 19, strike "Pipestone; Jackson and Cottonwood;".

Page 12, line 20, strike "Aitkin and Carlton; Sibley,".

Page 12, strike all of lines 21 and 22.

Page 12, line 31, strike "subject to".

Page 12, line 32, strike "the provisions of subdivision 5, clause (5),".

Page 14, delete lines 26 and 27.

Page 15, line 23, strike "section 487.06" and insert "*sections 490.121 to 490.132*".

Page 15, line 25, after "*shall*" delete the new language.

Page 15, line 26, delete the new language.

Page 15, line 27, delete the new language up to the period and insert "*upon attaining age 62 or more, be entitled to an annuity or proportionate annuity as computed under the provisions of sections 490.121 to 490.132 based upon his years of service as a judge*".

Page 16, line 13, delete "*section 487.06*" and insert "*sections 490.121 to 490.132*".

Page 16, line 14, after "*shall*" delete the new language.

Page 16, delete lines 15 and 16.

Page 16, line 17, delete the new language up to the period and insert "*upon attaining age 62 or more, be entitled to an annuity or proportionate annuity as computed under the provisions of sections 490.121 to 490.132 based upon his years of service as a judge*".

Page 20, line 8, delete "*The court administrators shall*".

Page 20, delete lines 9 and 10.

Page 20, delete line 11 to the period and insert "*The district administrator shall manage the administrative affairs of all the courts of the district, direct the work of the clerks and other support personnel, except for the court reporters, and assign the use of courtrooms and other facilities*".

Page 20, line 12, delete "*court*" and insert "*district*".

Renumber the sections accordingly.

Amend the title as follows:

Line 7, after "484.54;" insert "484.62;"

With the recommendation that when so amended the bill pass and be re-referred to the Committee on Appropriations.

The report was adopted.

Swanson from the Committee on Health and Welfare to which was referred:

H. F. No. 856, A bill for an act relating to welfare; authorizing the establishment of a centralized disbursement system for payments and for food stamp benefit documents; amending Minnesota Statutes 1976, Section 256.01, by adding a subdivision.

Reported the same back with the recommendation that the bill pass.

The report was adopted.

Fugina from the Committee on Higher Education to which was referred:

H. F. No. 1058, A bill for an act relating to the organization and operation of state government; education; changing the membership of the higher education coordinating board; prescribing additional duties for the board; appropriating money; amending Minnesota Statutes 1976, Sections 136A.02, Subdivisions 1, 1a, and 2; 136A.04; 136A.05; and 136A.07.

Reported the same back with the following amendments:

Page 1, lines 15 and 16, reinstate the stricken language and delete the new language.

Page 1, line 17, reinstate “, and” and after the stricken “three” insert “four”.

Page 1, lines 18 to 20, reinstate the stricken language.

Page 2, line 4, after “secondary” insert “and higher”.

Page 2, line 4, strike “and at least one”.

Page 2, lines 4 and 5, delete the new language.

Page 2, line 5, strike “shall be selected specifically for”.

Page 2, line 6, strike everything before the period.

Page 2, line 15, strike “members” and insert “*appointee to the position of at large member added by section 1 of this act*”.

Page 2, line 24, delete “in the”.

Page 2, delete lines 25 to 32.

Page 3, delete lines 1 to 3.

Page 3, delete line 4 to the period and insert “*to a term ending on the first Monday in January, 1979*”.

Page 3, line 10, after “of” insert “*post-secondary and*”.

Page 3, line 13, after “in” insert “*short and*”.

Page 3, line 14, after "of" insert "*post-secondary and*".

Page 4, line 4, after "*post-secondary*" insert "*or higher*".

Page 4, line 15, after "public" insert "*post-secondary*".

Page 4, line 20, after "public" insert "*post-secondary*".

Page 4, line 22, strike "*higher educational*" and insert "*post-secondary vocational-technical*".

Page 4, line 25, after "*post-secondary*" insert "*and higher education*".

Page 4, line 28, delete "*and approve, disapprove*" and insert "*, recommend*".

Page 4, line 29, after "*including*" insert "*operating expenditures at the departmental level and*".

Page 4, line 32, after "*and*" insert "*post-secondary or*".

Page 5, line 1, after "*needs;*" insert "*provided that the board shall seek the cooperation of the department of finance, the office of the governor, and appropriate legislative committees in order to assure that the efforts of all agencies concerned with budgeting for post-secondary education are complementary and not duplicative and to assure that unnecessary burdens are not placed on institutions or systems of post-secondary education; and provided further that the board shall base its actions with respect to budget requests pursuant to this clause on current levels of wages and economic fringe benefits rather than on any estimates of future levels of wages and economic fringe benefits;*".

Page 5, line 4, delete "*and*".

Page 5, line 5, after "*colleges*" insert "*, and the post-secondary vocational-technical schools; provided that nothing in this clause shall be construed to prevent any system or institution from presenting to a legislative committee any aspect of its budget request*".

Page 5, line 5, delete "*and*".

Page 5, line 8, before the period insert "*; and*

(1) *All reviews of budget requests by the board shall be conducted in cooperation with the department of finance*".

Page 5, line 12, after "of" insert "*post-secondary or*".

Page 5, line 14, after "of" insert "*post-secondary or*".

Page 5, line 24, after "of" insert "*post-secondary or*".

Page 5, line 28, strike the first comma.

Page 5, line 28, delete "*approvals, disapprovals*".

Page 6, line 2, after "*study*" insert "*post-secondary and*".

Page 6, line 13, after "*post-secondary*" insert "*or higher*".

Page 6, line 14, delete "*and*".

Page 6, line 17, delete the period and insert " ; *and*".

Page 6, delete lines 18 to 23.

Page 6, delete line 24 to the period and insert "*(e) beginning in 1979, the board shall submit to the legislature for review and approval, policy guidelines to be used by the university of Minnesota, community colleges, state universities and area vocational-technical institutes in their preparation of operating and capital budget requests for the succeeding biennium; beginning in 1980, the board shall inform the university of Minnesota, community colleges, state universities, and area vocational-technical institutes in each even numbered year of the guidelines to be used in developing budgets for the succeeding biennium*".

Page 6, line 29, delete "\$90,000" and insert "\$125,000".

Further amend the title as follows:

Page 1, line 3, delete "changing the".

Page 1, line 4, delete "membership of" and insert "adding a member to".

With the recommendation that when so amended the bill pass and be re-referred to the Committee on Appropriations.

The report was adopted.

Berg from the Committee on Local and Urban Affairs to which was referred:

H. F. No. 1226, A bill for an act relating to metropolitan airports; authorizing reimbursement to commission members; clarifying its organization and authority; granting emergency authority to expend funds; amending Minnesota Statutes 1976, Sections 473.605, Subdivisions 1 and 2; 473.606, Subdivisions 1 and

4; 473.608, Subdivisions 1, 15 and 17; 473.611, Subdivision 5; 473.621, Subdivisions 2 and 4; 473.641, Subdivision 2; 473.652; repealing Minnesota Statutes 1976, Sections 473.611, Subdivisions 1, 2, 3 and 4; and 473.621, Subdivision 1.

Reported the same back with the recommendation that the bill pass.

The report was adopted.

Berg from the Committee on Local and Urban Affairs to which was referred:

S. F. No. 78, A bill for an act relating to public indebtedness; investment of debt service funds; amending Minnesota Statutes 1976, Section 475.66, Subdivisions 1 and 2.

Reported the same back with the recommendation that the bill pass.

The report was adopted.

Berg from the Committee on Local and Urban Affairs to which was referred:

S. F. No. 640, A bill for an act relating to the county of Hennepin; permitting longer duration contracts for goods and services entered into by the county of Hennepin; amending Laws 1969, Chapter 476, Section 1.

Reported the same back with the recommendation that the bill pass and be placed on the Consent Calendar.

The report was adopted.

Berg from the Committee on Local and Urban Affairs to which was referred:

S. F. No. 684, A bill for an act relating to Anoka county; creating an accrual accounting system; providing for purchase and payments for goods and services.

Reported the same back with the recommendation that the bill pass and be placed on the Consent Calendar.

The report was adopted.

Berg from the Committee on Local and Urban Affairs to which was referred:

S. F. No. 826, A bill for an act relating to seaway port authorities; personnel; contracts; authorizing port authorities to employ a certified public accountant to audit the books of the authority and authorizing the state auditor to accept such audits in lieu of his audit; amending Minnesota Statutes 1976, Section 458.18.

Reported the same back with the following amendments:

Strike everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 1976, Section 458.58, is amended to read:

458.58 [LIMITATION ON EXPENDITURES OF PORT AUTHORITY; AUDITS.] Any moneys paid to any such port authority from the Minnesota Seaway Property Conservation Fund shall be expended by such port authority solely for conservation, development, reclamation, or protection of the lands described in the application in accordance with the plan submitted to the governor and approved by him, with the approval of the state executive council. Such plans may be modified by the port authority from time to time only with the written consent of the governor and the approval of the state executive council.

The books, records, accounts and affairs of any such port authority shall be audited by the state auditor in the same manner as he makes audits of any county and such port authority shall reimburse the state auditor for the reasonable cost thereof in the same manner as the state auditor is reimbursed by a county for an audit.

The authority may by resolution adopted by a majority of the commissioners voting, request the state auditor to appoint from a list submitted by the port authority containing the names of at least three independent auditors or certified public accountants an independent auditor or certified public accountant to audit the financial statements of the authority pursuant to procedures of the state auditor. Upon receipt of the request, the state auditor shall employ an independent auditor or certified public accountant from the list submitted to audit the financial statements included in the resolution, the cost of which shall be borne by the authority. The report of such examination or audit by such independent auditor or certified public accountant shall be submitted to the state auditor who shall review such audit report and may accept such audit or make such additional examination as he deems to be in the public interest."

Further, strike the title in its entirety and insert: "A bill for an act relating to seaway port authorities, authorizing the state auditor to employ a certified public accountant to audit the finan-

cial statements of said authority and authorizing the state auditor to accept such audits in lieu of his own audit; amending Minnesota Statutes 1976, Section 458.58."

With the recommendation that when so amended the bill pass.

The report was adopted.

SECOND READING OF HOUSE BILLS

H. F. Nos. 856 and 1226 were read for the second time.

SECOND READING OF SENATE BILLS

S. F. Nos. 1381, 616, 963, 833, 760, 125, 78, 640, 684 and 826 were read for the second time.

INTRODUCTION AND FIRST READING OF HOUSE BILLS

The following House Files were introduced:

Munger, Lehto, Jaros, Berkelman and Carlson, D., introduced:

H. F. No. 1575, A bill for an act relating to agriculture; grain inspection; weighing, sampling and analysis; amending Minnesota Statutes 1976, Sections 17B.03, Subdivision 1; 17B.04, Subdivision 1; and 17B.13.

The bill was read for the first time and referred to the Committee on Agriculture.

Gunter, Brinkman and Den Ouden introduced:

H. F. No. 1576, A bill for an act relating to transportation; appropriating money for a new district headquarters and maintenance building at Willmar.

The bill was read for the first time and referred to the Committee on Appropriations.

Hanson introduced:

H. F. No. 1577, A bill for an act relating to the uniform commercial code; providing for the appropriation of the proceeds of bulk transfers; providing for the payment of creditors; amending Minnesota Statutes 1976, Sections 336.6-107; 336.6-108; and 336.6-109; and Chapter 336 by adding a section.

The bill was read for the first time and referred to the Committee on Commerce and Economic Development.

Simoneau, Cummiskey, Biersdorf and Neisen introduced:

H. F. No. 1578, A bill for an act relating to mechanics liens; requiring notice to the owner of the real estate improved; increasing the period in which notice must be given; amending the definition of owner; enlarging the circumstances in which notice is not required to be given; extending the lien period; providing penalties; amending Minnesota Statutes 1976, Sections 514.011, Subdivisions 1, 2, 3 and 4; 514.08, Subdivision 1.

The bill was read for the first time and referred to the Committee on Commerce and Economic Development.

Ellingson introduced:

H. F. No. 1579, A bill for an act relating to crimes; increasing the penal fine of misdemeanors and petty misdemeanors; authorizing local political subdivisions to prescribe increased penal fines for violation of ordinances, charter provisions, and rules or regulations; amending Minnesota Statutes 1976, Sections 169.89, Subdivision 2; 412.231; 609.02, Subdivisions 3 and 4a; 609.03; 609.031; 609.032; and Chapter 609, by adding a section.

The bill was read for the first time and referred to the Committee on Criminal Justice.

Ellingson and Arlandson introduced:

H. F. No. 1580, A bill for an act relating to highway traffic regulations; driving, operating or being in physical control of a motor vehicle while under influence of alcohol, drugs and controlled substances; prescribing penalties; amending Minnesota Statutes 1976, Sections 169.121, Subdivisions 1 and 6, and by adding subdivisions; 169.123, Subdivisions 1, 4, and 6, and by adding subdivisions; 169.127, Subdivisions 1, 2, 3 and 5, and by adding a subdivision; 171.245; and Chapter 169, by adding a section; repealing Minnesota Statutes 1976, Sections 169.121, Subdivisions 2, 3, 4, 5, and 7; 169.123, Subdivision 2; and 169.127, Subdivisions 4 and 6.

The bill was read for the first time and referred to the Committee on Criminal Justice.

Schulz, Lemke, Hanson, Braun and Patton introduced:

H. F. No. 1581, A bill for an act relating to highway traffic regulations; providing a penalty for inattentive operation of a motor vehicle; amending Minnesota Statutes 1976, Section 169.13, by adding a subdivision.

The bill was read for the first time and referred to the Committee on Criminal Justice.

Novak, Moe, Tomlinson and Kahn introduced:

H. F. No. 1582, A bill for an act relating to public safety; clarifying the duties of the commissioner of public safety in regard to the state criminal justice telecommunications network; establishing the Minnesota justice information systems advisory council, providing for its membership and prescribing its powers and duties; amending Minnesota Statutes 1976, Sections 299C.45; 299C.46; 299C.48; and Chapter 299C, by adding a section.

The bill was read for the first time and referred to the Committee on Criminal Justice.

Johnson, Kroening, Fugina, Petrafeso and Heinitz introduced:

H. F. No. 1583, A bill for an act relating to education; career education; establishing a planning and grant program for career education; appropriating money.

The bill was read for the first time and referred to the Committee on Education.

Ellingson introduced:

H. F. No. 1584, A bill for an act relating to probate; rules of procedure; providing for probate proceedings to be governed by rules of civil procedure; amending Minnesota Statutes 1976, Chapter 524, by adding a section.

The bill was read for the first time and referred to the Committee on Governmental Operations.

Kempe, A., introduced:

H. F. No. 1585, A bill for an act relating to tax-forfeited land; providing time limitations for bringing actions; providing procedures for settling tax titles; amending Minnesota Statutes 1976, Section 284.28; and Chapter 541, by adding a section; repealing Minnesota Statutes 1976, Sections 284.09 and 284.22.

The bill was read for the first time and referred to the Committee on Governmental Operations.

Nelson introduced:

H. F. No. 1586, A bill for an act relating to juveniles; prescribing venue for neglect cases; amending Minnesota Statutes 1976, Section 260.121, Subdivision 1.

The bill was read for the first time and referred to the Committee on Criminal Justice.

Kvam introduced:

H. F. No. 1587, A bill for an act relating to health care; providing conversion privileges under certain accident and health insurance policies, health service plan subscriber contracts and health maintenance contracts, for spouses whose marriage is dissolved; amending Minnesota Statutes 1976, Chapters 62A, by adding a section; 62C, by adding a section; and 62D, by adding a section.

The bill was read for the first time and referred to the Committee on Financial Institutions and Insurance.

Nelson introduced:

H. F. No. 1588, A bill for an act relating to venue for cases involving maltreatment of minors; amending Minnesota Statutes 1976, Chapter 627, by adding a section.

The bill was read for the first time and referred to the Committee on Criminal Justice.

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Mr. Speaker:

I hereby announce the passage by the Senate of the following House File, herewith returned:

H. F. No. 61, A bill for an act relating to the city of Cottage Grove; authorizing the rendering of emergency service by a physician's trained mobile intensive care paramedic; authorizing reasonable charges for the services; granting limited immunity from civil liability for paramedics and physicians advising or instructing paramedics.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

I hereby announce the passage by the Senate of the following House File, herewith returned, as amended by the Senate, in which amendment the concurrence of the House is respectfully requested:

H. F. No. 1510, A bill for an act relating to the organization and operation of state government; appropriating money for education and related purposes with certain conditions, including

the department of education, aids to libraries, higher education coordinating board, state universities, community colleges, and the university of Minnesota and its hospitals; amending Minnesota Statutes 1976, Sections 120.17, Subdivision 7a; 128A.02, Subdivision 3; 128A.06, Subdivision 1; 128A.07; 136A.121, Subdivision 3; 141.24; 141.36; 179.69, Subdivisions 4 and 5; and 197.78; repealing Minnesota Statutes 1976, Section 128A.08.

PATRICK E. FLAHAVEN, Secretary of the Senate

Norton moved that the House refuse to concur in the Senate amendments to H. F. No. 1510, that the Speaker appoint a Conference Committee of 5 members of the House, and that the House requests that a like committee be appointed by the Senate to confer on the disagreeing votes of the two Houses. The motion prevailed.

Mr. Speaker:

I hereby announce the passage by the Senate of the following Senate File, herewith transmitted:

S. F. No. 411.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

I hereby announce the passage by the Senate of the following Senate File, herewith transmitted:

S. F. No. 311.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

I hereby announce the passage by the Senate of the following Senate Files, herewith transmitted:

S. F. Nos. 233, 288 and 664.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

I hereby announce the passage by the Senate of the following Senate Files, herewith transmitted:

S. F. Nos. 557, 572, 903, 932 and 1150.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

I hereby announce the passage by the Senate of the following Senate Files, herewith transmitted:

S. F. Nos. 881, 882, 922, 967 and 968.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

I hereby announce the passage by the Senate of the following Senate Files, herewith transmitted:

S. F. Nos. 875, 970, 971, 1138 and 1175.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

I hereby announce the passage by the Senate of the following Senate Files, herewith transmitted:

S. F. Nos. 836, 969, 973, 1014 and 1096.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

I hereby announce the passage by the Senate of the following Senate Files, herewith transmitted:

S. F. Nos. 397, 626, 997 and 1196.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

I hereby announce the passage by the Senate of the following Senate Files, herewith transmitted:

S. F. Nos. 964, 975 and 1127.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

I hereby announce the passage by the Senate of the following Senate Files, herewith transmitted:

S. F. Nos. 1022, 1369 and 1382.

PATRICK E. FLAHAVER, Secretary of the Senate

FIRST READING OF SENATE BILLS

S. F. No. 411, A bill for an act relating to peace officers; providing for training and licensing of all peace officers in the state; renaming the peace officer training board; giving the board additional responsibilities; amending Minnesota Statutes 1976, Sections 214.01, Subdivision 3; 626.841; 626.842; 626.843, Subdivision 1; 626.845; 626.846, Subdivision 1 and by adding subdivisions; 626.848; 626.85, Subdivision 1; 626.851, Subdivision 2; 626.854; Chapter 626, by adding a section; repealing Minnesota Statutes 1976, Sections 626.843, Subdivision 4; 626.844; 626.846, Subdivision 2; 626.847; and 626.853.

The bill was read for the first time and referred to the Committee on Governmental Operations.

S. F. No. 311, A bill for an act relating to courts; providing for the selection of chief judges; permitting the assignment of judges to serve in other judicial districts; prescribing duties of the chief justice; providing for the rotation of the duties of family court in Hennepin county; providing for the rotation of the duties of juvenile court in Hennepin and Ramsey counties; prescribing duties of the supreme court administrator; providing continuous terms of court; providing for the payment of judges' salaries and expenses; abolishing de novo jurisdiction of district courts when hearing appeals; creating the office of district administrator; abolishing the office of justice of the peace; providing for appellate panels in district court; providing for the compensation of certain judges upon compliance with certain provisions of the law; amending Minnesota Statutes 1976, Sections 2.724; 260.021, Subdivisions 2 and 3; 480.15, by adding subdivisions; 480.17; 480.18; 484.08; 484.34; 484.54; 484.62; 484.63; 484.65, Subdivisions 1 and 6; 484.66; 485.01; 485.018, by adding a subdivision; 487.01, Subdivisions 1, 3, 5 and 6; 487.02, Subdivision 1; 487.08; 487.25, Subdivision 6; 487.35, Subdivision 1; 487.39; 488.20; 488A.01, Subdivision 10 and by adding a subdivision; 488A.021, Subdivision 8; 488A.10, Subdivisions 1 and 6; 488.111; 488A.12, Subdivision 5; 488A.18, Subdivision 11 and by adding a subdivision; 488A.19, Subdivision 10; 488A.27, Subdivisions 1 and 6; 488A.281; 488A.29, Subdivision 5; and 525.081, Subdivision 7; Chapters 480, by adding a section; 484, by adding a section; 487, by adding a section; and Laws 1977, Chapter 35, Section 18; repealing Minnesota Statutes 1976, Sections 484.05; 484.09; 484.10; 484.11; 484.12; 484.13; 484.14; 484.15; 484.16; 484.17; 484.18; 484.28; 484.29; 484.47; 485.02; 487.03, Subdivision 4; 487.10, Subdivision 6; 487.35, Subdivisions 2, 3, 4, 5 and 6; 487.39, Subdivision 3; 487.41; 488A.01, Subdivision 11; 488A.021, Subdivision 7; 488A.18, Subdivision 12; 488A.19,

Subdivisions 8 and 9; 490.124, Subdivision 7; and Chapters 530; 531; 532; and 633.

The bill was read for the first time and referred to the Committee on Appropriations.

S. F. No. 233, A bill for an act relating to education; requiring the accreditation of Montessori schools; providing for the approval of accrediting authorities by the commissioner of education.

The bill was read for the first time and referred to the Committee on Education.

S. F. No. 288, A bill for an act relating to state parks; providing for cooperative agricultural leases of property acquired by the state within state parks; amending Minnesota Statutes 1976, Chapter 85, by adding a section.

The bill was read for the first time and referred to the Committee on Environment and Natural Resources.

S. F. No. 664, A bill for an act relating to state government; changing the duties of the legislative commission on Minnesota resources; eliminating certain conservation work projects and land acquisition programs; amending Minnesota Statutes 1976, Sections 86.06; 86.08, Subdivision 2; 86.10, Subdivision 1; and 86.53; repealing Minnesota Statutes 1976, Sections 86.07, Subdivision 2; 86.11, Subdivisions 1, 2, 4, 7, 8 and 9; 86.31; 86.32; 86.33; 86.34; 86.35; 86.41; 86.42; and 86.51.

The bill was read for the first time and referred to the Committee on Environment and Natural Resources.

S. F. No. 557, A bill for an act relating to employees; participation in group life insurance plans; prohibiting certain mandatory participation requirements; providing remedies; amending Minnesota Statutes 1976, Chapter 61A, by adding a section.

The bill was read for the first time and referred to the Committee on Financial Institutions and Insurance.

S. F. No. 572, A bill for an act relating to credit unions; extending the authority of state chartered credit unions to permit same activities as federally-chartered credit unions where commissioner of banks authorizes by rule; amending Minnesota Statutes 1976, Section 52.04.

The bill was read for the first time and referred to the Committee on Financial Institutions and Insurance.

S. F. No. 903, A bill for an act relating to public safety; excepting certain personnel in the department of public safety from the requirement of reimbursing the state for the cost of using state-owned vehicles; amending Minnesota Statutes 1976, Section 16.753, Subdivision 2.

The bill was read for the first time.

Kroening moved that S. F. No. 903 and H. F. No. 1307, now on General Orders, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 932, A bill for an act relating to motor vehicles; registration and taxation; increasing fees for filing applications; amending Minnesota Statutes 1976, Section 168.33, Subdivisions 2 and 7.

The bill was read for the first time.

Osthoff moved that S. F. No. 932 and H. F. No. 869, now on General Orders, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 1150, A bill for an act relating to elections; requiring proof of residence for certain applicants for absentee ballots; permitting certain application for absentee ballot on the day before an election and on election day; directing delivery and return of certain absentee ballots by election judges; amending Minnesota Statutes 1976, Sections 207.03; 207.05, Subdivision 1; 207.10; 207.101; and Chapter 207, by adding a section.

The bill was read for the first time and referred to the Committee on General Legislation and Veterans Affairs.

S. F. No. 881, A bill for an act relating to elections; directing the secretary of state to authorize and direct demonstration projects for the use of punchcard ballots for absent voters.

The bill was read for the first time and referred to the Committee on General Legislation and Veterans Affairs.

S. F. No. 882, A bill for an act relating to elections; directing the secretary of state to authorize a modified counting procedure for punchcard ballots; authorizing municipalities to use certain election procedures for experimental purposes; requiring reports.

The bill was read for the first time and referred to the Committee on General Legislation and Veterans Affairs.

S. F. No. 922, A bill for an act relating to parking privileges for the physically handicapped; prohibiting nonhandicapped per-

sons from parking in spaces designated for the handicapped; providing penalties.

The bill was read for the first time and referred to the Committee on Criminal Justice.

S. F. No. 967, A bill for an act relating to probate; guardianships and conservatorships; providing for resignations and removals of guardians; providing for joinder of sureties in final account hearings; amending Minnesota Statutes 1976, Section 525.582.

The bill was read for the first time and referred to the Committee on Governmental Operations.

S. F. No. 968, A bill for an act relating to probate; decrees of descent; changing the requirements for the notice of hearing on a petition for a decree of descent; amending Minnesota Statutes 1976, Section 525.312.

The bill was read for the first time and referred to the Committee on Governmental Operations.

S. F. No. 875, A bill for an act relating to the county of Hennepin; changing duties of personnel board; providing for referral of additional eligible names to fill vacancies; amending Laws 1965, Chapter 855, Section 4, Subdivision 2.

The bill was read for the first time.

Carlson, A., moved that S. F. No. 875 and H. F. No. 652, now on General Orders, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 970, A bill for an act relating to probate; personal representatives; providing for appointment of successor representatives; amending Minnesota Statutes 1976, Section 524.3-613.

The bill was read for the first time and referred to the Committee on Governmental Operations.

S. F. No. 971, A bill for an act relating to probate; registrars; specifying certain powers of registrars; amending Minnesota Statutes 1976, Section 524.1-307.

The bill was read for the first time and referred to the Committee on Governmental Operations.

S. F. No. 1138, A bill for an act relating to probate; changing requirements for collection of personalty by affidavit; amending Minnesota Statutes 1976, Section 524.3-1201.

The bill was read for the first time and referred to the Committee on Governmental Operations.

S. F. No. 1175, A bill for an act relating to taxation; exempting probate deeds of distribution from conveyance recording requirements; amending Minnesota Statutes 1976, Section 272.12.

The bill was read for the first time and referred to the Committee on Taxes.

S. F. No. 836, A bill for an act relating to safe deposit companies; including credit unions among those businesses that may rent out safe deposit boxes without license or bond therefor; amending Minnesota Statutes 1976, Sections 52.04; and 55.06, Subdivision 1.

The bill was read for the first time and referred to the Committee on Financial Institutions and Insurance.

S. F. No. 969, A bill for an act relating to probate; authorizing the court to issue interim orders; surety bonds; authorizing court to order accounting by and judgment against surety in proceedings to settle estate; amending Minnesota Statutes 1976, Sections 524.3-105; and 524.3-606.

The bill was read for the first time and referred to the Committee on Governmental Operations.

S. F. No. 973, A bill for an act relating to probate; rules of procedure; providing for probate proceedings to be governed by rules of civil procedures; amending Minnesota Statutes 1976, Chapter 524, by adding a section.

The bill was read for the first time and referred to the Committee on Governmental Operations.

S. F. No. 1014, A bill for an act relating to courts; authorizing the supreme court to prescribe uniform conciliation court forms; directing the clerks of conciliation courts to accept uniform complaints and counterclaims from other jurisdictions; amending Minnesota Statutes 1976, Sections 487.23, by adding a subdivision; 487.30, by adding a subdivision; 488A.14, by adding a subdivision; and 488A.31, by adding a subdivision.

The bill was read for the first time and referred to the Committee on Governmental Operations.

S. F. No. 1096, A bill for an act relating to highway traffic regulations; required equipment on certain vehicles; exempting military vehicles of the United States from wheel flap requirements; amending Minnesota Statutes 1976, Section 169.733.

The bill was read for the first time and referred to the Committee on Transportation.

S. F. No. 397, A bill for an act relating to the department of natural resources; providing conservation officers with the powers of peace officers; amending Minnesota Statutes 1976, Section 84.028, Subdivision 3.

The bill was read for the first time and referred to the Committee on Criminal Justice.

S. F. No. 626, A bill for an act relating to taxation; providing for reduced assessment classification of certain resort property; amending Minnesota Statutes 1976, Section 273.13, Subdivisions 4 and 6.

The bill was read for the first time and referred to the Committee on Taxes.

S. F. No. 997, A bill for an act relating to civil actions; abolishing all civil causes of action for breach of promise to marry, alienation of affections, criminal conversation and seduction.

The bill was read for the first time and referred to the Committee on General Legislation and Veterans Affairs.

S. F. No. 1196, A bill for an act relating to aeronautics; requiring out of state airports operating under joint agreement with a Minnesota municipality to be treated as airports located in Minnesota for purposes of state and federal assistance; amending Minnesota Statutes 1976, Section 360.042, by adding a subdivision.

The bill was read for the first time and referred to the Committee on Transportation.

S. F. No. 964, A bill for an act relating to labor relations; providing for the exclusion of certain positions and classes of positions in the classified and unclassified civil service of the executive branch from bargaining units; amending Minnesota Statutes 1976, Section 179.74, Subdivision 4.

The bill was read for the first time and referred to the Committee on Governmental Operations.

S. F. No. 975, A bill for an act relating to counties; authorizing appointment of county administrators and executive secretaries without referendum; amending Minnesota Statutes 1976, Sections 375.48, Subdivision 1; and 375A.06, by adding a subdivision.

The bill was read for the first time and referred to the Committee on Local and Urban Affairs.

S. F. No. 1127, A bill for an act relating to political subdivisions; authorizing assignments to secure payment of certain loans; amending Minnesota Statutes 1976, Section 465.73.

The bill was read for the first time and referred to the Committee on Local and Urban Affairs.

S. F. No. 1022, A bill for an act relating to the county of Dakota; providing for sheriff's civil service commissioners.

The bill was read for the first time and referred to the Committee on Local and Urban Affairs.

S. F. No. 1369, A bill for an act relating to the cities of St. Paul, Minneapolis, and Duluth; firemen's survivor benefits; amending Laws 1955, Chapter 375, Section 25, as amended; Laws 1965, Chapter 519, Section 1, as amended; and Laws 1975, Chapter 127, Section 2, as amended.

The bill was read for the first time and referred to the Committee on Governmental Operations.

S. F. No. 1382, A bill for an act relating to the city of St. Paul; providing that the employees of the housing and redevelopment authority of the city of St. Paul may remain employees of the authority or become employees of the city as the governing body of the city may determine; amending Laws 1976, Chapter 234, Section 4, Subdivision 4, and by adding a subdivision.

The bill was read for the first time.

Tomlinson moved that S. F. No. 1382 and H. F. No. 862, now on General Orders, be referred to the Chief Clerk for comparison. The motion prevailed.

The following conference committee report was received:

CONFERENCE COMMITTEE REPORT ON H. F. NO. 301

A bill for an act relating to veterans; establishing a deadline for entering military service and becoming eligible for veterans preference; redefining the term "veteran" for certain other purposes; amending Minnesota Statutes 1976, Sections 43.30 and 197.447.

April 26, 1977

The Honorable Martin O. Sabo
 Speaker of the House of Representatives
 The Honorable Edward J. Gearty
 President of the Senate

We, the undersigned conferees for H. F. No. 301 report that we have agreed upon the items in dispute and recommend as follows:

That the Senate recede from its amendments.

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

House Conferees: RICHARD KOSTOHRYZ, BRUCE NELSEN and PAUL MCCARRON.

Senate Conferees: ROGER LAUFENBURGER, MEL FREDERICK and COLLIN PETERSON.

Kostohryz moved that the report of the Conference Committee on H. F. No. 301 be adopted and that the bill be repassed as amended by the Conference Committee. The motion prevailed.

H. F. No. 301, A bill for an act relating to veterans; establishing a deadline for entering military service and becoming eligible for veterans preference; redefining the term "veteran" for certain other purposes; amending Minnesota Statutes 1976, Sections 43.30 and 197.447.

The bill was read for the third time, as amended by Conference, and placed upon its repassage.

The question was taken on the repassage of the bill and the roll was called. There were 127 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Abeln	Byrne	Evans	Kaley	McDonald
Adams	Carlson, A.	Ewald	Kalis	McEachern
Albrecht	Carlson, D.	Faricy	Kelly, R.	Metzen
Anderson, B.	Carlson, L.	Fjoslien	Kelly, W.	Moe
Anderson, D.	Casserly	Forsythe	Kempe, A.	Munger
Anderson, G.	Clark	Friedrich	Kempe, R.	Murphy
Anderson, I.	Clawson	Fudro	King	Neisen
Anderson, R.	Cohen	Fugina	Knickerbocker	Nelsen, B.
Arlandson	Corbid	George	Kostohryz	Nelsen, M.
Battaglia	Cummiskey	Gunter	Kroening	Nelson
Beauchamp	Dahl	Hanson	Kvam	Niehaus
Begich	Dean	Haugerud	Laidig	Norton
Berg	Den Ouden	Heinitz	Langseth	Novak
Berglin	Eckstein	Hokanson	Lehto	Osthoff
Berkelman	Eken	Jacobs	Lemke	Patton
Biersdorf	Ellingson	Jaros	Mangan	Pehler
Birnsthil	Enebo	Jensen	Mann	Peterson
Brandl	Erickson	Johnson	McCarron	Petraseso
Braun	Esau	Jude	McCollar	Pleasant

Prahl	Schulz	Smogard	Waldorf	Williamson
Reding	Searle	Spanish	Welch	Wynia
Rose	Sherwood	Stanton	Wenstrom	Zubay
St. Onge	Sieben, H.	Stoa	Wenzel	Speaker Sabo
Sarna	Sieben, M.	Suss	White	
Savelkoul	Simoneau	Tomlinson	Wieser	
Scheid	Skoglund	Voss	Wigley	

The bill was repassed, as amended by Conference, and its title agreed to.

PROGRESS REPORTS ON CONFERENCE COMMITTEES

Pursuant to Joint Rule 2.06, progress on H. F. No. 82 was reported to the House.

Nelsen, M., was excused for the remainder of today's session.

CONSENT CALENDAR

S. F. No. 1331, A bill for an act relating to the city of Litchfield; firemens service pension; validation of certain prior payments.

The bill was read for the third time and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 129 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Abeln	Cohen	Jacobs	Metzen	Searles
Adams	Corbid	Jaros	Moe	Sherwood
Albrecht	Cummiskey	Jensen	Munger	Sieben, H.
Anderson, B.	Dahl	Johnson	Murphy	Sieben, M.
Anderson, D.	Dean	Jude	Neisen	Simoneau
Anderson, G.	Den Ouden	Kaley	Nelsen, B.	Skoglund
Anderson, I.	Eckstein	Kalis	Nelson	Smogard
Anderson, R.	Eken	Kelly, R.	Niehaus	Spanish
Arlandson	Ellingson	Kelly, W.	Norton	Stanton
Battaglia	Enebo	Kempe, A.	Novak	Stoa
Beauchamp	Erickson	Kempe, R.	Osthoff	Suss
Begich	Esau	King	Patton	Tomlinson
Berg	Evans	Knickerbocker	Pehler	Vanasek
Berglin	Ewald	Kostohryz	Peterson	Voss
Berkelman	Faricy	Kroening	Petrafeso	Waldorf
Biersdorf	Fjoslien	Kvam	Pleasant	Welch
Birnstihl	Forsythe	Laidig	Prahl	Wenstrom
Brandl	Friedrich	Langseth	Reding	Wenzel
Braun	Fudrod	Lehto	Rice	White
Byrne	Fugina	Lemke	Rose	Wieser
Carlson, A.	George	Mangan	St. Onge	Wigley
Carlson, D.	Gunter	Mann	Sarna	Williamson
Carlson, L.	Hanson	McCarron	Savelkoul	Wynia
Casserly	Haugerud	McCollar	Scheid	Zubay
Clark	Heinitz	McDonald	Schulz	Speaker Sabo
Clawson	Hokanson	McEachern	Searle	

The bill was passed and its title agreed to.

S. F. No. 1039, A bill for an act relating to retirement; firemen's pensions in the cities of Eveleth and Two Harbors; consolidation of the police and firemen's relief associations in the city of Eveleth into the public employees police and fire fund; amending Laws 1935, Chapter 208, Section 11, as added and amended.

The bill was read for the third time and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 129 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Abeln	Cohen	Jacobs	Metzen	Searles
Adams	Corbid	Jaros	Moe	Sherwood
Albrecht	Cummiskey	Jensen	Munger	Sieben, H.
Anderson, B.	Dahl	Johnson	Murphy	Sieben, M.
Anderson, D.	Dean	Jude	Neisen	Simoneau
Anderson, G.	Den Ouden	Kaley	Nelsen, B.	Skoglund
Anderson, I.	Eckstein	Kalis	Nelson	Smogard
Anderson, R.	Eken	Kelly, R.	Niehaus	Spanish
Arlandson	Ellingson	Kelly, W.	Norton	Stanton
Battaglia	Enebo	Kempe, A.	Novak	Stoa
Beauchamp	Erickson	Kempe, R.	Osthoff	Suss
Begich	Esau	King	Patton	Tomlinson
Berg	Evans	Knickerbocker	Pehler	Vanasek
Berglin	Ewald	Kostohryz	Peterson	Voss
Berkelman	Faricy	Kroening	Petrafeso	Waldorf
Biersdorf	Fjoslien	Kvam	Pleasant	Welch
Birnstihl	Forsythe	Laidig	Prahl	Wenstrom
Brandl	Friedrich	Langseth	Reding	Wenzel
Braun	Fudro	Lehto	Rice	White
Byrne	Fugina	Lemke	Rose	Wieser
Carlson, A.	George	Mangan	St. Onge	Wigley
Carlson, D.	Gunter	Mann	Sarna	Williamson
Carlson, L.	Hanson	McCarron	Savelkoul	Wynia
Casserly	Haugerud	McCollar	Scheid	Zubay
Clark	Heinitz	McDonald	Schulz	Speaker Sabo
Clawson	Hokanson	McEachern	Searle	

The bill was passed and its title agreed to.

S. F. No. 10, A bill for an act relating to cities; providing for the establishment of tourist information centers; authorizing payments of expenses of governing officers in certain cases; amending Minnesota Statutes 1976, Sections 465.53 and 465.54.

The bill was read for the third time and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 124 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Abeln	Cummiskey	Jensen	Moe	Sherwood
Adams	Dahl	Johnson	Munger	Sieben, H.
Anderson, B.	Dean	Jude	Murphy	Sieben, M.
Anderson, D.	Den Ouden	Kaley	Neisen	Simoneau
Anderson, G.	Eckstein	Kalis	Neisen, B.	Skoglund
Anderson, I.	Eken	Kelly, R.	Nelson	Smogard
Anderson, R.	Ellingson	Kelly, W.	Niehaus	Spanish
Arlandson	Enebo	Kempe, A.	Norton	Stanton
Battaglia	Erickson	Kempe, R.	Novak	Stoa
Beauchamp	Esau	King	Osthoff	Suss
Begich	Evans	Knickerbocker	Patton	Tomlinson
Berg	Ewald	Kostohryz	Pehler	Vanasek
Berglin	Fjoslien	Kroening	Peterson	Voss
Berkelman	Forsythe	Kvam	Petrafeso	Waldorf
Biersdorf	Friedrich	Laidig	Pleasant	Welch
Birnstihl	Fudro	Langseth	Prahl	Wenstrom
Brandl	Fugina	Lehto	Reding	Wenzel
Braun	George	Lemke	Rice	White
Byrne	Gunter	Mangan	Rose	Wieser
Carlson, A.	Hanson	Mann	St. Onge	Wigley
Carlson, L.	Haugerud	McCarron	Sarna	Williamson
Casserly	Heinitz	McCollar	Savelkoul	Wynia
Clark	Hokanson	McDonald	Schulz	Zubay
Clawson	Jacobs	McEachern	Searle	Speaker Sabo
Corbid	Jaros	Metzen	Searles	

The bill was passed and its title agreed to.

S. F. No. 305, A bill for an act relating to intoxicating liquor; expiration date of municipal licenses; amending Minnesota Statutes 1976, Section 340.11, Subdivision 16.

The bill was read for the third time and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 129 yeas and 1 nay as follows:

Those who voted in the affirmative were:

Abeln	Brinkman	Esau	Kahn	McCollar
Adams	Byrne	Evans	Kaley	McDonald
Albrecht	Carlson, A.	Faricy	Kalis	McEachern
Anderson, B.	Carlson, D.	Fjoslien	Kelly, R.	Metzen
Anderson, D.	Carlson, L.	Forsythe	Kelly, W.	Moe
Anderson, G.	Casserly	Friedrich	Kempe, A.	Munger
Anderson, I.	Clark	Fudro	Kempe, R.	Murphy
Anderson, R.	Clawson	Fugina	King	Neisen
Arlandson	Cohen	George	Knickerbocker	Nelsen, B.
Battaglia	Corbid	Gunter	Kostohryz	Nelson
Beauchamp	Cummiskey	Hanson	Kroening	Niehaus
Begich	Dahl	Haugerud	Kvam	Norton
Berg	Dean	Heinitz	Laidig	Novak
Berglin	Den Ouden	Hokanson	Langseth	Osthoff
Berkelman	Eckstein	Jacobs	Lehto	Patton
Biersdorf	Eken	Jaros	Lemke	Pehler
Birnstihl	Ellingson	Jensen	Mangan	Peterson
Brandl	Enebo	Johnson	Mann	Petrafeso
Braun	Erickson	Jude	McCarron	Pleasant

Prahl	Schulz	Skoglund	Vanasek	Wieser
Rice	Searle	Smogard	Voss	Wigley
Rose	Searles	Spanish	Waldorf	Williamson
St. Onge	Sherwood	Stanton	Welch	Wynia
Sarna	Sieben, H.	Stoa	Wenstrom	Zubay
Savelkoul	Sieben, M.	Suss	Wenzel	Speaker Sabo
Scheid	Simoneau	Tomlinson	White	

Those who voted in the negative were:

Ewald

The bill was passed and its title agreed to.

S. F. No. 813, A bill for an act relating to the county of Carlton; authorization of certain payments to the city of Cloquet.

The bill was read for the third time and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 122 yeas and 2 nays as follows:

Those who voted in the affirmative were:

Abeln	Cohen	Jacobs	Metzen	Sieben, H.
Adams	Corbid	Jaros	Moe	Sieben, M.
Albrecht	Cummiskey	Jensen	Munger	Simoneau
Anderson, B.	Dahl	Johnson	Murphy	Skoglund
Anderson, D.	Dean	Jude	Neisen	Smogard
Anderson, G.	Den Ouden	Kahn	Nelsen, B.	Stanton
Anderson, I.	Eckstein	Kaley	Nelson	Stoa
Anderson, R.	Ellingson	Kalis	Niehaus	Suss
Arlandson	Enebo	Kelly, W.	Norton	Tomlinson
Battaglia	Erickson	Kempe, A.	Novak	Vanasek
Beauchamp	Esau	Kempe, R.	Osthoff	Voss
Begich	Evans	Knickerbocker	Patton	Waldorf
Berg	Ewald	Kostohryz	Pehler	Welch
Berglin	Faricy	Kroening	Peterson	Wenstrom
Berkelman	Fjoslien	Kvam	Petrafeso	Wenzel
Birnstihl	Forsythe	Laidig	Pleasant	White
Brandl	Friedrich	Langseth	Reding	Wieser
Braun	Fudro	Lehto	Rose	Wigley
Byrne	Fugina	Lemke	Sarna	Williamson
Carlson, A.	George	Mangan	Savelkoul	Wynia
Carlson, D.	Gunter	Mann	Scheid	Zubay
Carlson, L.	Hanson	McCarron	Schulz	Speaker Sabo
Casserly	Haugerud	McCollar	Searle	
Clark	Heinitz	McDonald	Searles	
Clawson	Hokanson	McEachern	Sherwood	

Those who voted in the negative were:

Biersdorf St. Onge

The bill was passed and its title agreed to.

S. F. No. 855, A bill for an act relating to St. Louis county; providing for the automobile expenses of county commissioners; amending Laws 1959, Chapter 301, Section 1.

The bill was read for the third time and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 129 yeas and 2 nays as follows:

Those who voted in the affirmative were:

Abeln	Corbid	Jaros	Moe	Searles
Adams	Cummiskey	Jensen	Munger	Sherwood
Albrecht	Dahl	Johnson	Murphy	Sieben, H.
Anderson, B.	Dean	Jude	Neisen	Sieben, M.
Anderson, G.	Den Ouden	Kahn	Nelsen, B.	Simoneau
Anderson, I.	Eckstein	Kaley	Nelson	Skoglund
Anderson, R.	Eken	Kalis	Niehaus	Smogard
Arlandson	Ellingson	Kelly, R.	Norton	Spanish
Battaglia	Enebo	Kelly, W.	Novak	Stanton
Beauchamp	Erickson	Kempe, A.	Osthoff	Stoa
Begich	Esau	Kempe, R.	Patton	Suss
Berg	Evans	King	Pehler	Tomlinson
Berglin	Ewald	Knickerbocker	Peterson	Vanasek
Berkelman	Faricy	Kostohryz	Petrafeso	Voss
Biersdorf	Fjoslien	Kroening	Pleasant	Waldorf
Birnstihl	Forsythe	Laidig	Prahl	Welch
Brandl	Friedrich	Langseth	Reding	Wenstrom
Braun	Fudro	Lehto	Rice	Wenzel
Brinkman	Fugina	Lemke	Rose	White
Byrne	George	Mangan	St. Onge	Wieser
Carlson, A.	Gunter	Mann	Samuelson	Wigley
Carlson, D.	Hanson	McCarron	Sarna	Williamson
Carlson, L.	Haugerud	McCollar	Savelkoul	Wynia
Cassery	Heinitz	McDonald	Scheid	Zubay
Clark	Hokanson	McEachern	Schulz	Speaker Sabo
Clawson	Jacobs	Metzen	Searle	

Those who voted in the negative were:

Anderson, D. Kvam

The bill was passed and its title agreed to.

CONSIDERATION UNDER RULE 1.10

Pursuant to rule 1.10, Norton requested immediate consideration of S. F. No. 1416, H. F. No. 351 and S. F. No. 1034.

S. F. No. 1416 was reported to the House.

Samuelson moved to amend S. F. No. 1416, as follows: Strike everything after the enacting clause and insert:

"Section 1. [WELFARE, CORRECTIONS, HEALTH; APPROPRIATIONS.] The sums set forth in the columns design-

nated "APPROPRIATIONS" are appropriated from the general fund, or any other fund designated, to the agencies and for the purposes specified in the following sections of this act, to be available for the fiscal years indicated for each purpose. The figures "1977", "1978", and "1979", wherever used in this act, mean that the appropriation or appropriations listed thereunder shall be available for the year ending June 30, 1977, June 30, 1978, or June 30, 1979, respectively.

APPROPRIATIONS
Available for the Year
Ending June 30,

1978	1979
\$	\$

Sec. 2. COMMISSIONER OF
PUBLIC WELFARE

Subdivision 1. Program and Administrative Support	19,923,225	20,681,324
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Approved Complement — 193.75

The amounts that may be expended from this appropriation for each activity are as follows:

Special County Aids

\$3,000,000	\$3,000,000
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County Administrative Reimbursement

\$12,100,000	\$12,826,000
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Administrative Support

\$4,823,225	\$4,855,324
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All payments from money appropriated for equalization aid shall be based upon a formula that includes four factors: recipient rate, per capita income, per capita taxable value, and per capita expenditures for welfare.

Salary expenditures for computation of equalization aid shall not be included for purposes of computing county per capita welfare costs or in county welfare costs.

1978

1979

\$

\$

Notwithstanding any law to the contrary, initial payments for equalization aid to counties shall be made on or before October 1, 1977, for fiscal year 1978 and on October 1, 1978, for fiscal year 1979. Final payments shall be made before October 1 of the following fiscal year.

For the purposes of equalization aid, welfare costs shall be deemed to include all forms of public assistance and the administrative costs thereof, to-wit: medical assistance, aid to dependent children, Minnesota supplemental assistance, payments to the commissioner of public welfare for care and treatment of patients in state institutions, medical relief, hospital charges, maintenance of children not under state guardianship, general assistance, and all administrative costs except university hospitals care, care of children under state guardianships, and poor burials.

No county shall be entitled to the benefits of this act if it has transferred any money available for welfare purposes to any other county funds, except that where money is otherwise unavailable, a transfer may be made to the general revenue fund of the county for payment of rent of office space for the county welfare board. A transfer shall be made only with the approval of the governor after consultation with the Minnesota public relief advisory committee. Transfer of money for payment of rent shall not be considered an expenditure for equalization aid reimbursement. Any federal money received in lieu of taxes because of federal grants shall be available for welfare purposes.

No county shall receive from state money paid for equalization aid an amount in excess of 75 percent of its cost of welfare as defined in this subdivision.

1978

\$

1979

\$

Notwithstanding any law to the contrary, the formula used in this subdivision for equalizing welfare costs shall be used for computing distressed county aid for daytime activity centers and community mental health centers.

Any money appropriated by this subdivision for the Red Lake Band of Chippewa Indians in excess of the county costs for this purpose shall cancel to the general fund.

Reimbursements for general relief-Indians and the Red Lake Band of Chippewa Indians shall be prorated if the appropriation made in this subdivision is insufficient to provide full reimbursement.

Estimated federal money to be deposited in the general fund that is earned by the various accounts of the department of public welfare is detailed on the worksheets of the conferees of the senate and house of representatives, a true copy of which is on file in the office of the commissioner of finance. If federal money anticipated is less than shown on the official worksheets, the commissioner of finance shall reduce the amount available from the specific appropriation by a like amount. The reductions shall be noted in the budget document submitted to the 71st legislature in addition to an estimate of similar federal money anticipated for the 1979-1981 biennium.

Not more than \$5,000 annually is appropriated from salary savings to be used for the payment of interview expenses of job applicants, pursuant to section 245.035.

Notwithstanding any state law to the contrary, the commissioner of public welfare shall not adjust the budget standards for any categorical aid program in excess of the amount au-

	1978	1979
	\$	\$

thorized by the legislature, unless federal law or regulation require it.

In determining the amount of the public assistance grants, the commissioner shall effect a five percent increase on July 1, 1977 and a five percent increase on July 1, 1978.

Subd. 2. Community Service	40,928,168	43,323,259
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Approved Complement — 119

The amounts that may be expended from this appropriation for each activity are as follows:

Community Mental Health Centers

\$16,381,753	\$17,113,959
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Daytime Activity Centers

\$7,728,500	\$8,189,888
-------------	-------------

Day Care

\$1,078,117	\$1,139,303
-------------	-------------

Cost of Care—

Emotionally Disturbed

\$1,016,600	\$1,089,596
-------------	-------------

Mentally Retarded

\$3,565,460	\$3,781,188
-------------	-------------

Residential Services—

Mentally Ill

\$676,000	\$710,000
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Mentally Retarded

\$1,000,000	\$1,000,000
-------------	-------------

	1978	1979
	\$	\$
Chemically Dependent		
	\$4,142,297	\$4,642,965

Vocational Rehabilitation of the Blind

	\$2,780,480	\$2,879,451
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Notwithstanding any other law, no client receiving aid from services for the blind for purposes of vocational rehabilitation shall be required to maintain grade point ratios or other scholastic requirements in excess of the educational or vocational institutions requirements for all students attending such institutions.

Foster Grandparents

	\$350,000	\$400,000
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Program Support

	\$2,208,964	\$2,376,909
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The appropriation for community mental health centers provides for a 50 percent matching, except for counties affected by equalization aid, of local community mental health centers approved expenditures.

Any conditions imposed by the granting agency upon the local vendor of nutritional services shall not be more restrictive than state law or federal regulation.

Notwithstanding any law to the contrary, county boards may select the appropriate contiguous region to associate with for community mental health services.

The daytime activity centers appropriation provides for a 60 percent

	1978	1979
	\$	\$

matching, except for counties affected by equalization aid payments, of local daytime activity centers approved expenditures.

Five percent of the appropriation for foster grandparents may be retained by the Minnesota board on aging as a fee for administrative services and expenses, pursuant to Minnesota Statutes, Section 256.976.

Of the sum of \$775,000 appropriated from the general fund by Laws 1976, Chapter 125, Section 10, Subdivision 3, for residential and aftercare treatment programs or facilities for native Americans, up to \$500,000 of the unexpended balance is hereby reappropriated to the commissioner of public welfare for the purposes of Laws 1976, Chapter 125, Section 3.

Subd. 3. Income Maintenance	256,091,471	275,739,966
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Approved Complement — 221

The amounts that may be expended from this appropriation for each activity are as follows:

Aid to Families with Dependent Children, Medical Assistance, and Minnesota Supplemental Assistance

\$217,748,476	\$235,020,865
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General Assistance and General Assistance Medical Care

\$31,902,402	\$34,232,659
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Centralized Disbursement

\$5,096,883	\$5,139,802
-------------	-------------

Support

\$1,343,710	\$1,346,640
-------------	-------------

1978

1979

\$

\$

General Assistance deficiency

\$2,413,669 for 1977

If the appropriation for aid to families with dependent children, medical assistance, and Minnesota supplemental assistance and general assistance medical care is insufficient for either year, the appropriation for the other year shall be available therefore by direction of the governor after consulting with the legislative advisory commission.

Notwithstanding the provisions of any other law, the commissioner of public welfare may utilize the money provided in this subdivision, pursuant to the approval of the governor, to pay a portion of the cost of day care and vocational training programs. The portion of the cost not paid by federal money shall be paid equally from state and local money. The cases selected by the commissioner for the new programs, on the average, shall not have a greater cost than if they remained in this program. The commissioner shall develop criteria, selection principles, and other rules to carry out the intent of this provision.

The commissioner of public welfare shall provide supplementary grants not to exceed \$150,000 per year, for aid to families with dependent children and shall include the following costs in determining the amount of the supplementary grants: major home repairs, repair of major home appliances, utility recaps, supplementary dietary needs not covered by medical assistance, and replacement of essential household furnishings and essential major appliances.

The amount appropriated for implementation of Minnesota Statutes, Section 245.0313 shall be available only if

	1978	1979
	\$	\$

matched by federal money. If the cost of care in state institutions falls below the projections used for implementation of Minnesota Statutes, Section 245.0313, any excess appropriation shall revert to the general fund.

If the medical assistance budget appears to require adjustment during the biennium due to insufficient legislative appropriations, such adjustments shall be made on a nondiscriminatory basis for all categories of assistance in the medical assistance program.

Subd. 4. Residential Services	100,817,455	99,691,568
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Approved Complement —

State Hospitals — 5,484

Nursing Homes — 622

Support — 49.5

The amounts that may be expended from this appropriation for each activity are as follows:

State Hospitals

Current Expense

\$11,429,562	\$12,282,088
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Salaries

\$76,417,587	\$76,502,817
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Repairs and Replacements

\$1,313,514

Special Equipment

\$708,750

Nursing Homes

	\$	1978	\$	1979
Current Expense				
	\$1,409,750	\$1,554,314		
Salaries				
	\$7,956,713	\$7,964,326		
Repairs and Replacements				
	\$125,610			
Special Equipment				
	\$69,607			
Support				
	\$1,386,362	\$1,388,023		

The commissioner of public welfare is authorized to fill up to 100 human services technician positions in the state hospitals in addition to the legislative complement enumerated in section 2, subdivision 4 for the purpose of alleviating recruitment delays in direct patient care, as salary savings become available to fund such positions.

\$100,000 of the appropriation for state hospitals is available to develop plans for a new security facility for 150 to 160 residents to be located on the St. Peter state hospital campus. The commissioner of public welfare shall submit the plan to the legislature by January 16, 1978.

Any unexpended balance remaining in the first year for special equipment and repairs and replacements shall not cancel but shall be available for the second year of the biennium.

A special account in the department of public welfare may be established from this appropriation to pay for special costs relating to the mental health

	1978	1979
	\$	\$

commitment act and review boards for veterans hospitals.

All new positions granted in these appropriations for hospitals and nursing homes shall be direct patient care positions.

As the hospital population decreases, the supportive staff complement shall be reduced in direct proportion.

The commissioner of public welfare shall equitably distribute the positions authorized by the legislature between the state hospitals consistent with the over all program of the department.

The information for the budgets for the nursing homes, and hospitals shall be submitted to the 1979 legislature on an individual hospital basis together with a summary budget in the same format as the legislature appropriated money.

In the pilot project for emotionally disturbed children, the participating counties shall reimburse the state for 30 percent of the net project costs.

Sec. 3. COMMISSIONER OF VOCATIONAL REHABILITATION

Subdivision 1. Vocational Rehabilitation Services	2,227,870	2,292,921
Subd. 2. Sheltered Employment and Work Activity	2,290,717	3,136,477
Subd. 3. General Support	168,934	172,251

Funds received from worker's compensation carriers for services provided by the department of rehabilitation for the benefit of injured workers, shall be deposited in the accounts of the department of rehabilitation, and reported in the same ratio to state and federal funds

	1978	1979
	\$	\$

expended. Should such deposits exceed the amount shown on worksheets of the conferees of the senate and house of representatives, the commissioner of finance shall reduce the amounts available from the general appropriation for the department of rehabilitation by the amount of such excess. The federal share of these recoupments shall be deposited as required by federal law, regulation and guideline.

Subd. 4. The commissioner of vocational rehabilitation may expend money received from school districts, governmental subdivisions, mental health authorities, and private nonprofit organizations for the purpose of conducting joint or cooperative vocational rehabilitation programs, and this money is appropriated for these purposes.

Subd. 5. The number of state funded positions shall not exceed the number shown on official worksheets.

Sec. 4. COMMISSIONER OF CORRECTIONS

Subdivision 1. General Support . . .	4,349,237	4,366,199
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Approved Complement —

July 1, 1977 — 98.7

July 1, 1978 — 96.7

The amounts that may be expended from this appropriation for each activity are as follows:

County Probation Reimbursement

\$1,154,609	\$1,339,955	
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Subsidy Programs

\$473,291	\$322,945	
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	1978	1979
	\$	\$

Support

	\$2,721,337	\$2,703,299
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This appropriation includes money for training of group home parents in county homes.

No new program may be implemented unless a statistical evaluation of its objectives and accomplishments accompanies the development of the program.

Subd. 2. Special Services	2,325,221	2,421,601
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Approved Complement — 44.3

The amounts that may be expended from this appropriation for each activity are as follows:

Health Care

	\$1,687,902	\$1,802,973
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\$350,000 the first year and \$400,000 the second year of this appropriation is to establish staff, equip, maintain and operate a psychiatric unit at one of the adult correctional institutions for the care and treatment of inmates who become mentally ill.

Any person confined in a state correctional institution for adults who had been adjudicated to be mentally ill and in need of treatment, may be committed to the commissioner of corrections and placed in the psychiatric unit established pursuant to this subdivision.

Education

	\$354,357	\$329,357
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Special Support

	\$228,882	\$236,791
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	1978	1979
	\$	\$
Industries Support		
	\$54,080	\$52,480

The health care appropriation shall be used to provide professional health care to persons confined in institutions under the control of the commissioner of corrections, and to cover costs of their care in hospitals and other medical facilities not under the control of the commissioner of corrections, including the secure treatment unit operated by the St. Paul-Ramsey Hospital. All reimbursements for such health care services shall be deposited in the general fund.

Subd. 3. Community Services	8,994,540	12,627,921
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Approved Complement —

July 1, 1977 — 138.9

July 1, 1978 — 140.9

The amounts that may be expended from this appropriation for each activity are as follows:

Probation and Parole

	\$2,636,652	\$2,648,391
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Residential Programs

	\$1,300,000	\$1,400,000
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Community Corrections Act

	\$5,057,888	\$8,579,530
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As counties begin participating in the corrections subsidy act, the complement of the central office shall be reduced by the number of positions transferred to the counties entering the act.

The commissioner of corrections shall select the counties that may participate

	1978	1979
	\$	\$

under the corrections subsidy act after consulting with the appropriate finance committees of the legislature.

Subd. 4. Correctional Institutions	28,068,768	26,814,227
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Approved Complement — 1124.50

Current Expense

\$7,357,912	\$6,101,657
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Salaries

\$20,048,443	\$20,097,464
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Special Equipment

\$207,872	\$206,393
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Repairs and Replacements

\$454,541	\$408,713
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Deficiency

\$507,800 for 1977

\$140,000 of this appropriation is available to develop a case management team for programming for the most difficult to handle juvenile.

Any unexpended balances in special equipment and repairs and replacements remaining in the first year shall not cancel but shall be available for the second year of the biennium.

Notwithstanding any law to the contrary, any encumbered money appropriated by Laws 1971, Chapter 963, Section 2, Subdivision 15, Clause (2) and Laws 1971, Chapter 963, Section 2, Subdivision 16, Clause (4) shall not cancel, but shall remain available until the projects are completed.

	1978	1979
	\$	\$
Sec. 5. CORRECTIONS OMBUDSMAN		
Salaries, Supplies and Expense	199,000	199,000
Sec. 6. BOARD OF HEALTH		
Subdivision 1. Preventive and Personal Health Services		
	5,794,375	6,030,835
Approved Complement — 173.75		
Subd. 2. Health Systems Quality		
Assurance	1,441,775	1,472,051
Approved Complement — 67.25		

Of this appropriation \$244,182 for fiscal year 1978 and \$245,409 for fiscal year 1979 are appropriated from the trunk highway fund for emergency medical services activities.

Subd. 3. Health Support Services	8,898,038	9,207,826
Approved Complement — 72.50		

As counties begin participating in the community health services act, the complement of the department shall be reduced by the number of positions transferred to the counties entering the act.

For the purposes of the community health services act, the commissioner of finance may authorize the transfer of money to the community health services activity from the other subdivisions in section 6.

If the appropriation for community health services is insufficient for either year, the appropriation for the other year shall be available therefor by direction of the governor after consulting with the legislative advisory commission.

	1978	1979
	\$	\$
Subd. 4. Community Health		
Subsidy Contingent		1,542,877

The commissioner of finance shall not permit the allotment of these funds until the department of health certifies the eligibility of the counties who will participate in the act.

Sec. 7. HEALTH RELATED BOARDS

Subdivision 1. Board of Chiropractic

Examiners	34,223	34,426
Subd. 2. Board of Dentistry	165,941	166,057
Subd. 3. Board of Medical Examiners	277,955	278,886
Subd. 4. Board of Nursing	522,923	524,049
Subd. 5. Board of Examiners for Nursing Home Administrators	60,588	60,975
Subd. 6. Board of Optometry	33,808	33,810
Subd. 7. Board of Pharmacy	200,983	201,835
Subd. 8. Board of Podiatry	5,366	5,437
Subd. 9. Board of Psychology	35,727	37,076
Subd. 10. Board of Veterinary Medicine	21,404	21,849

Subd. 11. The commissioner of finance shall not permit the allotment, encumbrance, or expenditure of any money appropriated in this section in excess of the anticipated biennial revenues.

	1978	1979
	\$	\$
Sec. 8. CONTINGENT FOR STATE INSTITUTIONS	650,000	

This appropriation shall be used for emergency purposes and for the purchase of food, clothing, drugs, and fuel for any of the institutions for which an appropriation is made in this act. No expenditure shall be made from this appropriation without the direction of the governor after consultation with the legislative advisory commission.

Any unexpended balance remaining in the first year shall not cancel but shall be available for the second year of the biennium.

The allowance for food may be adjusted annually according to the United States department of labor, bureau of labor statistics publication wholesale price index, upon the approval of the governor. Adjustments shall be based on the June, 1977, wholesale food price index, but the adjustment shall be prorated if the wholesale food price index adjustment would require money in excess of this appropriation.

Sec. 9. WORKERS' COMPENSATION

To be transferred by the commissioner of finance to the department of labor and industry, compensation revolving fund, for fiscal year 1977, in payment of obligations incurred by the following departments in the amounts indicated:

Corrections	267,930
Public Welfare	966,852

Sec. 10. UNEMPLOYMENT COMPENSATION

To the unemployment compensation fund for fiscal year 1977, in reimburse-

	\$ 1978	\$ 1979
ment of unemployment compensation benefits paid for former employees of the following departments:		

Corrections	296,985
Corrections Ombudsman	3,098
Public Welfare	1,044,934

Sec. 11. [RECEIPTS.] All funds, sums of money, or other resources provided or to be received, including all receipts, collections, legislative allocations, transfers, and other income and receipts properly belonging to and to be used for financing activities, programs, and other projects other than the institutions now or hereafter under the supervision and jurisdiction of the commissioner of public welfare not otherwise specifically designated as income or credits to other state departments or funds by law, shall be credited to and become a part of the appropriations provided for in section 2, subdivisions 1, 2 and 3.

Sec. 12. [PROVISIONS.] Money appropriated under this act for the purchase of provisions within the item "current expense" shall be used solely for that purpose. The amounts appropriated for provisions are shown on the worksheets of the conferees of the senate and house of representatives, a true copy of which is on file in the offices of the commissioner of finance. Any money so provided and not used for purchase of provisions shall be cancelled into the fund from which appropriated, except that money so provided and not used for the purchase of provisions because of population decreases may be transferred and used for the purchase of medical and hospital supplies after consultation with the legislative advisory commission, whose opinion shall be advisory only.

Sec. 13. [TRANSFERS.] Subdivision 1. The commissioner of public welfare, the commissioner of corrections, the commissioner of vocational rehabilitation and the commissioner of health shall not transfer any money to or from personnel services, or claims and grants, as shown on the official worksheets of the conferees of the senate and house of representatives, a true copy of which is on file in the office of the commissioner of finance, except for those transfers that have the written approval of the governor, who shall consult with the legislative advisory commission for its recommendations, which shall be advisory only.

Subd. 2. The commissioner of public welfare with the approval of the commissioner of finance may transfer unobligated

appropriation balances and positions between and within the various subdivisions appropriated under section 2. Such transfers shall be reported forthwith to the house appropriations and senate finance committees.

Subd. 3. The commissioner of corrections may transfer appropriations among all subdivisions of section 4 in the best interest of the security and rehabilitation programs and for more efficient utilization of personnel and facilities. Transfers shall be made with the written approval of the governor after consulting with the legislative advisory commission.

Subd. 4. The authority of the commissioner of corrections to transfer authorized positions among programs is subject to the restrictions imposed by subdivision 3.

Sec. 14. [APPROVED COMPLEMENT.] Except as otherwise provided, whenever an appropriation made in this act to any institution or agency discloses an approved complement, the institution or agency is limited in the employment of the number of full-time equivalent persons indicated by the approved complement. Part-time and summer student help may be employed with the advance approval of the commissioner of finance, and shall not be included in the approved complement. The approved complement does not include employees engaged in repair or construction projects who may be employed only with the advance approval of the commissioner of finance.

Additional employees over the number of the approved complement may be employed on the basis of public necessity or emergency with the written approval of the governor, but the governor shall not approve the additional personnel until he has consulted with the legislative advisory commission. Any requests for increases in the approved complement shall be forwarded to the appropriate committees on finance of the legislature not less than 30 days prior to the legislative advisory commission meeting.

Sec. 15. [STAFF HOUSING.] The commissioner of corrections shall reduce staff housing as soon as possible.

Sec. 16. [FISCAL NOTES.] Notwithstanding any other law to the contrary, the departments of health, public welfare, vocational rehabilitation, corrections and the health related boards shall not put into effect any rule, regulation, or standard, which has a fiscal impact in excess of \$100,000 annually without first providing the house appropriations and the senate finance committees with fiscal notes.

Sec. 17. Minnesota Statutes 1976, Section 261.233, is repealed."

Further amend by striking the title and inserting:

"A bill for an act relating to the organization and operation of state government; appropriating money for welfare, corrections, health, and other purposes, including appropriations for the departments of public welfare, vocational rehabilitation, corrections, corrections ombudsman, health, health related boards, and public assistance programs; repealing Minnesota Statutes 1976, Section 261.233."

The motion prevailed and the amendment was adopted.

Carlson, A., moved to amend S. F. No. 1416, as amended, as follows:

Page 5, line 4, delete "\$4,142,297" and insert "\$4,207,297".

After line 4, insert "The agency shall conduct a study on chemical dependency and its impact on the criminal justice system with recommendations on treatment. A report shall be submitted to the legislature no later than January 1, 1979."

A roll call was requested and properly seconded.

The question was taken on the adoption of the amendment and the roll was called. There were 25 yeas and 92 nays as follows:

Those who voted in the affirmative were:

Abeln	Esau	Jaros	McDonald	Savelkoul
Anderson, R.	Evans	Kaley	Nelsen, B.	Searles
Carlson, A.	Ewald	Kempe, R.	Peterson	Waldorf
Clawson	Fjoslien	Knickerbocker	Pleasant	White
Dean	Friedrich	Laidig	Rose	Williamson

Those who voted in the negative were:

Adams	Cummiskey	Kalis	Neisen	Skoglund
Anderson, B.	Dahl	Kelly, R.	Niehaus	Smogard
Anderson, G.	Den Ouden	Kelly, W.	Norton	Spanish
Anderson, I.	Eckstein	Kempe, A.	Novak	Stanton
Arlandson	Eken	King	Osthoff	Stoa
Battaglia	Ellingson	Kostohryz	Patton	Suss
Begich	Enebo	Kroening	Pehler	Tomlinson
Berg	Farcy	Langseth	Prahl	Vanasek
Berglin	Fudro	Lehto	Reding	Voss
Birnstihl	Fugina	Lemke	Rice	Welch
Brandl	George	Mangan	St. Onge	Wenstrom
Braun	Hanson	Mann	Samuelson	Wenzel
Brinkman	Haugerud	McCarron	Sarna	Wieser
Byrne	Hokanson	McCollar	Scheid	Wynia
Carlson, D.	Jacobs	McEachern	Schulz	Zubay
Carlson, L.	Jensen	Metzen	Sherwood	Speaker Sabo
Casserly	Johnson	Moe	Sieben, H.	
Clark	Jude	Munger	Sieben, M.	
Corbid	Kahn	Murphy	Simoneau	

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

McDonald moved to amend S. F. No. 1416, as amended, as follows:

Page 4, line 32, strike "\$7,728,500" and insert "\$9,228,500".

Page 4, line 32, strike "\$8,189,888" insert "\$10,189,888".

A roll call was requested and properly seconded.

The question was taken on the adoption of the amendment and the roll was called. There were 11 yeas and 98 nays as follows:

Those who voted in the affirmative were:

Anderson, R.	Kempe, R.	Nelsen, B.	Rose	Welch
Carlson, A.	McDonald	Osthoff	Searles	
Evans	Neisen			

Those who voted in the negative were:

Abeln	Cohen	Jacobs	Munger	Skoglund
Adams	Corbid	Jaros	Murphy	Smogard
Anderson, B.	Cummiskey	Jensen	Nelson	Spanish
Anderson, D.	Dean	Johnson	Norton	Stanton
Anderson, G.	Den Ouden	Jude	Novak	Stoa
Anderson, I.	Eckstein	Kahn	Patton	Suss
Arlandson	Eken	Kelly, R.	Pehler	Tomlinson
Battaglia	Ellingson	Kelly, W.	Peterson	Vanasek
Begich	Enebo	King	Petrafaso	Voss
Berg	Erickson	Kroening	Reding	Waldorf
Berglin	Faricy	Laidig	Rice	Wenstrom
Berkelman	Fjoslien	Langseth	St. Onge	Wenzel
Birnstihl	Forsythe	Lehto	Samuelson	White
Braun	Fudro	Lemke	Sarna	Wieser
Byrne	Fugina	Mangan	Scheid	Williamson
Carlson, D.	George	Mann	Schulz	Wynia
Carlson, L.	Gunter	McCarron	Sherwood	Zubay
Casserly	Hanson	McEachern	Sieben, H.	Speaker Sabo
Clark	Haugerud	Metzen	Sieben, M.	
Clawson	Hokanson	Moe	Simoneau	

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

S. F. No. 1416, A bill for an act relating to the organization and operation of state government; appropriating money for welfare, corrections, health, and other purposes, including appropriations for the departments of public welfare, vocational rehabilitation, corrections, corrections ombudsman, health, health related boards, and public assistance programs; repealing Minnesota Statutes 1976, Section 261.233.

The bill was read for the third time, as amended, and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 120 yeas and 9 nays as follows:

Those who voted in the affirmative were:

Abeln	Clark	Jaros	McEachern	Searle
Adams	Clawson	Jensen	Metzen	Searles
Albrecht	Cohen	Johnson	Moe	Sherwood
Anderson, B.	Corbid	Jude	Munger	Sieben, H.
Anderson, D.	Cummiskey	Kahn	Murphy	Sieben, M.
Anderson, G.	Dahl	Kalis	Neisen	Simoneau
Anderson, I.	Den Ouden	Kelly, R.	Nelsen, B.	Skoglund
Arlandson	Eckstein	Kelly, W.	Nelson	Smogard
Battaglia	Eken	Kempe, A.	Niehaus	Spanish
Beauchamp	Ellingson	Kempe, R.	Norton	Stanton
Begich	Enebo	King	Novak	Stoa
Berg	Erickson	Knickerbocker	Osthoff	Suss
Berglin	Ewald	Kostohryz	Patton	Tomlinson
Berkelman	Faricy	Kroening	Peehler	Vanasek
Biersdorf	Forsythe	Kvam	Petrafeso	Voss
Birnstihl	Fudro	Laidig	Prahl	Waldorf
Brandl	Fugina	Langseth	Reding	Welch
Braun	George	Lehto	Rice	Wenstrom
Brinkman	Gunter	Lemke	Rose	Wenzel
Byrne	Hanson	Mangan	St. Onge	White
Carlson, A.	Haugerud	Mann	Samuelson	Wieser
Carlson, D.	Heinitz	McCarron	Sarna	Williamson
Carlson, L.	Hokanson	McCollar	Scheid	Wynia
Casserly	Jacobs	McDonald	Schulz	Speaker Sabo

Those who voted in the negative were:

Dean	Friedrich	Peterson	Savelkoul	Zubay
Fjoslien	Kaley	Pleasant	Wigley	

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

H. F. No. 351, A bill for an act relating to historic sites; providing for the administration and control of additional sites by the Minnesota historical society; amending Minnesota Statutes 1976, Section 138.025, by adding subdivisions.

The bill was read for the third time and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 126 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Abeln	Berglin	Cohen	Fjoslien	Jensen
Adams	Berkelman	Corbid	Forsythe	Johnson
Albrecht	Biersdorf	Cummiskey	Friedrich	Jude
Anderson, B.	Birnstihl	Dahl	Fudro	Kahn
Anderson, D.	Braun	Dean	Fugina	Kaley
Anderson, G.	Brinkman	Den Ouden	George	Kalis
Anderson, I.	Byrne	Eckstein	Gunter	Kelly, R.
Anderson, R.	Carlson, A.	Eken	Hanson	Kelly, W.
Arlandson	Carlson, D.	Ellingson	Haugerud	Kempe, A.
Battaglia	Carlson, L.	Enebo	Heinitz	Kempe, R.
Beauchamp	Casserly	Evans	Hokanson	King
Begich	Clark	Ewald	Jacobs	Knickerbocker
Berg	Clawson	Faricy	Jaros	Kostohryz

Kroening	Moe	Pleasant	Sieben, H.	Welch
Kvam	Munger	Prahl	Sieben, M.	Wenstrom
Laidig	Murphy	Reding	Simoneau	Wenzel
Langseth	Neisen	Rice	Skoglund	White
Lehto	Nelsen, B.	Rose	Smogard	Wieser
Lemke	Nelson	St. Onge	Spanish	Wigley
Mangan	Niehaus	Samuelson	Stanton	Williamson
Mann	Norton	Sarna	Stoa	Zubay
McCarron	Novak	Saveikoul	Suss	Speaker Sabo
McCollar	Patton	Scheid	Tomlinson	
McDonald	Pehler	Schulz	Vanasek	
McEachern	Peterson	Searles	Voss	
Metzen	Petrafeso	Sherwood	Waldorf	

The bill was passed and its title agreed to.

S. F. No. 1034 was reported to the House.

Munger moved to amend S. F. No. 1034, as follows:

Strike everything after the enacting clause and insert:

“Section 1. [APPROPRIATION; AMTRAK RAIL SERVICE.] Subdivision 1. In order to continue Amtrak rail service between Minneapolis-St. Paul and Duluth until June 30, 1977, the following amounts are appropriated from the general fund to the commissioner of transportation:

(1) To cover past deficits of Amtrak operations under the 1975-1976 and 1976-1977 contracts \$69,051

(2) For the operation of Amtrak between February 1, 1977 and June 30, 1977 \$255,000

Subd. 2. Notwithstanding the provisions of Minnesota Statutes, Section 16A.28, or any other law to the contrary, the money appropriated by subdivision 1 shall not cancel, but shall be available for the purposes specified until expended.

Subd. 3. The sum of \$15,000 is hereby appropriated to the state planning agency to study the potential and importance of railroad right-of-ways as possible corridors for power transmissions, pipelines and/or other transportation modes. The study shall be completed in time for consideration by the 1978 legislature. The sale of abandoned railroad right-of-way property by private railroad companies shall not take place until after June 30, 1978.

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

The motion prevailed and the amendment was adopted.

Nelsen, B., moved to amend S. F. No. 1034, as amended, as follows:

Page 2, line 4, after "legislature." delete "The sale of".

Page 2, delete line 5.

Page 2, delete line 6.

A roll call was requested and properly seconded.

The question was taken on the adoption of the amendment and the roll was called. There were 44 yeas and 80 nays as follows:

Those who voted in the affirmative were:

Abeln	Erickson	Kvam	Pleasant	Waldorf
Albrecht	Esau	Lemke	Rose	Wenstrom
Anderson, I.	Evans	McDonald	St. Onge	Wenzel
Anderson, R.	Fjoslien	Neisen	Savelkoul	White
Birnstihl	Friedrich	Nelsen, B.	Searle	Wieser
Braun	Gunter	Niehaus	Searles	Wigley
Carlson, D.	Heinitz	Osthoff	Sieben, H.	Williamson
Clawson	Kaley	Patton	Smogard	Zubay
Den Ouden	Kroening	Peterson	Voss	

Those who voted in the negative were:

Adams	Clark	Hanson	Lehto	Sarna
Anderson, B.	Cohen	Haugerud	Mangan	Scheid
Anderson, D.	Corbid	Hokanson	McCarron	Schulz
Anderson, G.	Cummiskey	Jacobs	McCollar	Sherwood
Arlandson	Dahl	Jaros	McEachern	Sieben, M.
Battaglia	Dean	Jensen	Metzen	Simoneau
Beauchamp	Eckstein	Jude	Moe	Skoglund
Begich	Eken	Kahn	Munger	Spanish
Berg	Ellingson	Kelly, R.	Murphy	Stanton
Berglin	Enebo	Kelly, W.	Nelson	Stoa
Brandl	Ewald	Kempe, R.	Norton	Suss
Brinkman	Faricy	King	Novak	Tomlinson
Byrne	Forsythe	Knickerbocker	Pehler	Vanasek
Carlson, A.	Fudro	Kostohryz	Petrafeso	Welch
Carlson, L.	Fugina	Laidig	Reding	Wynia
Casserly	George	Langseth	Rice	Speaker Sabo

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

St. Onge was excused for the remainder of today's session.

Carlson, D., moved to amend S. F. No. 1034, as amended, as follows:

Page 2, line 2, after "other" insert "non-recreational".

The motion prevailed and the amendment was adopted.

Wieser moved to amend S. F. No. 1034, as amended, as follows:

Page 2, line 6, after "place" insert "to any private person or public body".

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

Anderson, I., moved to amend S. F. No. 1034, as amended, as follows:

Page 1, line 18, after "shall" delete "not".

Page 1, line 19, before "shall" delete "but" and insert "and".

Page 1, line 19, after "shall" insert "not".

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

S. F. No. 1034, A bill for an act relating to transportation; appropriating money for the operation of Amtrak rail service between the Twin Cities and Duluth.

The bill was read for the third time, as amended, and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 93 yeas and 33 nays as follows:

Those who voted in the affirmative were:

Adams	Carlson, D.	Hokanson	McCarron	Sieben, H.
Anderson, B.	Carlson, L.	Jacobs	McCollar	Sieben, M.
Anderson, D.	Casserly	Jaros	Metzen	Simoneau
Anderson, G.	Clark	Jensen	Moe	Skoglund
Anderson, I.	Clawson	Johnson	Munger	Smogard
Arlandson	Cummiskey	Jude	Murphy	Spanish
Battaglia	Dahl	Kahn	Norton	Stanton
Beauchamp	Dean	Kalis	Novak	Stoa
Begich	Eken	Kelly, R.	Osthoff	Tomlinson
Berg	Ellingson	Kelly, W.	Patton	Voss
Berglin	Enebo	Kempe, A.	Pehler	Waldorf
Berkelman	Erickson	King	Reding	Welch
Biersdorf	Esau	Kostohryz	Rice	Wenstrom
Birnstihl	Faricy	Kroening	Samuelson	Wenzel
Brandl	Fudro	Laidig	Sarna	White
Braun	Fugina	Langseth	Scheid	Wynia
Brinkman	George	Lehto	Schulz	Speaker Sabo
Byrne	Hanson	Mangan	Searle	
Carlson, A.	Haugerud	Mann	Sherwood	

Those who voted in the negative were:

Abeln	Ewald	Knickerbocker	Niehaus	Suss
Albrecht	Foraythe	Kvam	Peterson	Vanasek
Anderson, R.	Friedrich	Lemke	Petrafeso	Wieser
Corbid	Gunter	McDonald	Pleasant	Wigley
Den Ouden	Heinitz	McEachern	Rose	Williamson
Eckstein	Kaley	Neisen	Savelkoul	
Evans	Kempe, R.	Nelsen, B.	Searles	

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

CALENDAR

There being no objection, the bills on the Calendar for today were continued on the Calendar for one day.

GENERAL ORDERS

There being no objection, the bills on General Orders for today were continued on General Orders for one day.

MOTIONS AND RESOLUTIONS

Casserly moved that the name of Hokanson be shown as chief author on H. F. No. 1136. The motion prevailed.

Wenzel moved that the name of Patton be stricken and the name of Metzgen be added as an author on H. F. No. 1399. The motion prevailed.

Casserly moved that H. F. No. 679, now on General Orders, be re-referred to the Committee on Appropriations. The motion prevailed.

ANNOUNCEMENT BY THE SPEAKER

The Speaker announced the appointment of the following members of the House to the Conference Committee on H. F. No. 1510:

Faricy; Sieben, M.; Enebo; Searle, and Dean.

POINT OF ORDER

Savelkoul raised a point of order pursuant to rule 5.8 that H. F. No. 968 be re-referred to the Committee on Governmental Operations. The Speaker ruled the point of order not well taken.

ADJOURNMENT

Anderson, I., moved that when the House adjourns today it adjourn until 10:00 a.m., Friday, April 29, 1977. The motion prevailed.

Anderson, I., moved that the House adjourn. The motion prevailed, and the Speaker declared the House stands adjourned until 10:00 a.m., Friday, April 29, 1977.

EDWARD A. BURDICK, Chief Clerk, House of Representatives

STATE OF MINNESOTA

SEVENTIETH SESSION—1977

FORTY-FOURTH DAY

SAINT PAUL, MINNESOTA, FRIDAY, APRIL 29, 1977

The House of Representatives convened at 10:00 a.m. and was called to order by the Speaker.

Prayer was offered by the Chaplain.

The roll was called and the following members were present:

Abeln	Corbid	Johnson	Murphy	Sieben, H.
Adams	Cummiskey	Jude	Neisen	Simoneau
Albrecht	Dahl	Kahn	Nelsen, B.	Skoglund
Anderson, B.	Dean	Kaley	Nelsen, M.	Smogard
Anderson, D.	Den Ouden	Kalis	Nelson	Spanish
Anderson, G.	Eckstein	Kelly, R.	Niehaus	Stanton
Anderson, I.	Eken	Kelly, W.	Norton	Stoa
Anderson, R.	Ellingson	Kempe, A.	Novak	Suss
Arlanson	Enebo	Kempe, R.	Osthoff	Swanson
Battaglia	Erickson	King	Patton	Tomlinson
Beauchamp	Esau	Knickerbocker	Pehler	Vanasek
Begich	Evans	Kostohryz	Peterson	Voss
Berg	Ewald	Kroening	Petrafaso	Waldorf
Berglin	Faricy	Kvam	Pleasant	Welch
Berkelman	Fjoslien	Laidig	Prahl	Wenstrom
Biersdorf	Forsythe	Langseth	Reding	Wenzel
Birnstihl	Friedrich	Lehto	Rice	White
Brandl	Fudro	Lemke	Rose	Wieser
Braun	Fugina	Mangan	St. Onge	Wigley
Brinkman	George	Mann	Samuelson	Williamson
Byrne	Gunter	McCarron	Sarna	Wynia
Carlson, A.	Hanson	McCollar	Savelkoul	Zubay
Carlson, D.	Heinitz	McDonald	Scheid	Speaker Sabo
Carlson, L.	Hokanson	McEachern	Schulz	
Cassery	Jacobs	Metzen	Searle	
Clark	Jaros	Moe	Searles	
Cohen	Jensen	Munger	Sherwood	

A quorum was present.

Haugerud was excused. Clawson and Sieben, M., were excused until 11:45 a.m.

The Chief Clerk proceeded to read the Journal of the preceding day. Esau moved that further reading of the Journal be dispensed with and that the Journal be approved as corrected by the Chief Clerk. The motion prevailed.

REPORTS OF CHIEF CLERK

Pursuant to Rules of the House, printed copies of H. F. Nos. 856 and 1226 and S. F. Nos. 233, 288, 557, 572, 932, 1150, 881, 882, 922, 967, 968, 875, 970, 971, 1138, 1175, 836, 969, 973, 1014, 1096, 397, 626, 997, 1196, 975, 1127, 664, 903, 1022, 1369, 1382, 964 and 311 have been placed in the members' files.

S. F. No. 1382 and H. F. No. 862, which had been referred to the Chief Clerk for comparison, were examined and found to be identical.

Tomlinson moved that S. F. No. 1382 be substituted for H. F. No. 862 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 903 and H. F. No. 1307, which had been referred to the Chief Clerk for comparison, were examined and found to be identical.

Kroening moved that S. F. No. 903 be substituted for H. F. No. 1307 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 875 and H. F. No. 652, which had been referred to the Chief Clerk for comparison, were examined and found to be identical with certain exceptions.

SUSPENSION OF RULES

Carlson, A., moved that the rules be so far suspended that S. F. No. 875 be substituted for H. F. No. 652 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 932 and H. F. No. 869, which had been referred to the Chief Clerk for comparison, were examined and found to be identical with certain exceptions.

SUSPENSION OF RULES

Osthoff moved that the rules be so far suspended that S. F. No. 932 be substituted for H. F. No. 869 and that the House File be indefinitely postponed. The motion prevailed.

PETITIONS AND COMMUNICATIONS

The following communication was received:

STATE OF MINNESOTA
OFFICE OF THE GOVERNOR
ST. PAUL 55155

April 28, 1977

The Honorable Martin Sabo
Speaker of the House
State of Minnesota

Dear Speaker Sabo:

I have the honor to inform you that I received, approved, and signed and deposited in the Office of the Secretary of State the following House File:

H. F. No. 57, An act relating to health and safety; licensing and certification of ambulance services; amending Minnesota Statutes 1976.

Sincerely,

RUDY PERPICH
Governor

REPORTS OF STANDING COMMITTEES

Hanson from the Committee on Commerce and Economic Development to which was referred:

H. F. No. 1343, A bill for an act relating to consumer protection; transferring the consumer services section from the department of commerce to the attorney general; amending Minnesota Statutes 1976, Sections 45.15; and 45.16.

Reported the same back with the recommendation that the bill pass and be re-referred to the Committee on Appropriations.

The report was adopted.

Hanson from the Committee on Commerce and Economic Development to which was referred:

S. F. No. 319, A bill for an act relating to crimes; regulating public dances; amending Minnesota Statutes 1976, Sections 624.42, and 624.46.

Reported the same back with the recommendation that the bill pass.

The report was adopted.

Munger from the Committee on Environment and Natural Resources to which was referred:

H. F. No. 1300, A bill for an act relating to outdoor recreation; appropriating money for acquisition and betterment of parks, trails, wildlife lands, outdoor athletic courts, and for other purposes; authorizing sale of bonds; amending Minnesota Statutes 1976, Sections 85.016; 473.121, Subdivision 14; 473.302; 473.303, by adding a subdivision; 473.315, Subdivision 1; Chapter 4, by adding a section; and Chapter 85, by adding a section.

Reported the same back with the recommendation that the bill pass and be re-referred to the Committee on Appropriations.

The report was adopted.

Munger from the Committee on Environment and Natural Resources to which was referred:

S. F. No. 530, A bill for an act relating to used motor oil recycling; requiring certain collection facilities or the posting of certain notices; providing a penalty.

Reported the same back with the recommendation that the bill pass and be placed on the Consent Calendar.

The report was adopted.

Brinkman from the Committee on Financial Institutions and Insurance to which was referred:

H. F. No. 893, A bill for an act relating to safe deposit companies; including credit unions among those businesses that may rent out safe deposit boxes without license or bond therefor; amending Minnesota Statutes 1976, Section 55.06, Subdivision 1.

Reported the same back with the following amendments:

Page 1, after line 8, insert:

“Section 1. Minnesota Statutes 1976, Section 52.04, is amended to read:

52.04 [POWERS.] A credit union shall have the following powers:

(1) To receive the savings of its members either as payment on shares or as deposits, including the right to conduct Christmas clubs, vacation clubs, and other such thrift organizations within its membership;

(2) To make loans to members for provident or productive purposes as provided in section 52.16;

(3) To make loans to a cooperative society or other organization having membership in the credit union;

(4) To deposit in state and national banks and trust companies authorized to receive deposits;

(5) To invest in any investment legal for savings banks or for trust funds in the state;

(6) To borrow money as hereinafter indicated;

(7) To adopt and use a common seal and alter the same at pleasure; and

(8) To make payments on shares of and deposit with any other credit union chartered by this or any other state or operating under the provisions of the federal credit union act, in amounts not exceeding in the aggregate 25 percent of its unimpaired assets providing that payments on shares of and deposit with credit unions chartered by other states shall be restricted to credit unions insured by the National Credit Union Administration. The restrictions imposed by this clause shall not apply to share accounts and deposit accounts of Minnesota central credit union in U. S. central credit union;

(9) To contract with any licensed insurance company or society to insure the lives of members to the extent of their share accounts, in whole or in part, and to pay all or a portion of the premium therefor;

(10) To indemnify each director, officer, or committee member, or former director, officer, or committee member against all expenses, including attorney's fees but excluding amounts paid pursuant to a judgment or settlement agreement, reasonably incurred by him in connection with or arising out of any action, suit, or proceeding to which he is a party by reason of being or having been a director, officer, or committee member of the credit union, except with respect to matters as to which he shall be finally adjudged in such action, suit, or proceeding to be liable for negligence or misconduct in the performance of his duties. Such indemnification shall not be exclusive of any other rights to which he may be entitled under any bylaw, agreement, vote of members, or otherwise; and

(11) Upon written authorization from a member, retained at the credit union, to make payments to third parties by withdrawals from the member's share or deposit accounts or through proceeds of loans made to such member, or by permitting the credit union to make such payments from the member's funds

prior to deposit; to permit draft withdrawals from member accounts; however, this clause does not permit a credit union to establish demand deposits (checking accounts) for its members;

(12) To inform its members as to the availability of various group purchasing plans which are related to the promotion of thrift or the borrowing of money for provident and productive purposes by means of informational materials placed in the credit union's office, through its publications, or by direct mailings to members by the credit union;

(13) To facilitate its members' voluntary purchase of types of insurance incidental to promotion of thrift or the borrowing of money for provident and productive purposes including, but not limited to the following types of group or individual insurance: Fire, theft, automobile, life and temporary disability; to be the policy holder of a group insurance plan or a sub-group under a master policy plan and to disseminate information to its members concerning the insurance provided thereunder; to remit premiums to an insurer or the holder of a master policy on behalf of a credit union member, provided that the credit union shall obtain written authorization from such member for remittance by share or deposit withdrawals or through proceeds of loans made by such members, or by permitting the credit union to make such payments from the member's funds prior to deposit; and to accept from the insurer reimbursement for the actual cost of ministerial tasks performed pertaining to insurance;

(14) In furtherance of the twofold purpose of promoting thrift among its members and creating a source of credit for them at legitimate rates of interest for provident purposes, and not in limitation of the specific powers hereinbefore conferred, to have all the powers enumerated, authorized, and permitted by this chapter, and such other rights, privileges and powers as may be incidental to, or necessary for, the accomplishment of the objectives and purposes of the credit union; *and*

(15) *To rent safe deposit boxes to its members provided the credit union obtains adequate insurance or bonding coverage for losses which might result from the rental of safe deposit boxes."*

Renumber the remaining sections.

Amend the title as follows:

Page 1, line 6, delete "Section' and insert "Sections 52.04; and".

With the recommendation that when so amended the bill pass and be placed on the Consent Calendar.

The report was adopted.

Brinkman from the Committee on Financial Institutions and Insurance to which was referred:

H. F. No. 1031, A bill for an act relating to insurance companies; prescribing penalties for violation of certain filing requirements; amending Minnesota Statutes 1976, Chapter 72A, by adding a section; repealing Minnesota Statutes 1976, Section 72A.06.

Reported the same back with the following amendments:

Page 1, line 14, delete "*but not limited to*".

Page 1, line 20, after "*cause*" insert "*to the commissioner*".

Page 1, line 21, after the period insert "*If the company has not made the requisite showing within the ten day period,*".

Page 2, line 1, delete "*but not limited to*".

Page 2, line 4, delete "*forfeit*" and insert "*pay*".

Page 2, line 5, delete "*forfeitures required*" and insert "*monetary penalties imposed*".

Page 2, line 10, delete "*but not limited to*".

Page 2, delete lines 15 to 20.

Page 2, line 22, delete "*but not limited to*".

Page 2, line 24, delete "*of the*" and insert "*after*".

Page 2, line 25, delete "*the commissioner*" and insert "*shareholders or members of the company*".

Page 3, line 1, delete "*but not*".

Page 3, line 2, delete "*limited to*".

Page 3, line 11, after "*state*" insert "*, including fraternal, reciprocal and township mutuals,*".

Page 3, line 14, delete "*forfeit*" and insert "*pay*".

With the recommendation that when so amended the bill pass.

The report was adopted.

Brinkman from the Committee on Financial Institutions and Insurance to which was referred:

S. F. No. 49, A bill for an act relating to business or agricultural loans; rate of interest therein; amending Minnesota Statutes 1976, Section 334.011, Subdivisions 1 and 4.

Reported the same back with the following amendments:

Page 1, line 18, delete "*five*" and insert "*four*".

With the recommendation that when so amended the bill pass.

The report was adopted.

Brinkman from the Committee on Financial Institutions and Insurance to which was referred:

S. F. No. 716, A bill for an act relating to credit unions; authorizing certain contracts between credit unions; amending Minnesota Statutes 1976, Section 52.04.

Reported the same back with the recommendation that the bill pass and be placed on the Consent Calendar.

The report was adopted.

Rice from the Committee on General Legislation and Veterans Affairs to which was referred:

H. F. No. 1399, A bill for an act relating to veterans; providing bronze star markers for veterans; appropriating funds to the commissioner of veterans affairs; amending Minnesota Statutes 1976, Chapter 197, by adding a section.

Reported the same back with the following amendments:

Page 1, delete section 2.

Amend the title as follows:

Page 1, line 3, delete "appropriating funds to the".

Page 1, line 4, delete "commissioner of veterans affairs;".

With the recommendation that when so amended the bill pass and be re-referred to the Committee on Rules and Legislative Administration.

The report was adopted.

SECOND READING OF HOUSE BILLS

H. F. Nos. 893 and 1031 were read for the second time.

SECOND READING OF SENATE BILLS

S. F. Nos. 1382, 903, 875, 932, 319, 530, 49, and 716 were read for the second time.

INTRODUCTION AND FIRST READING
OF HOUSE BILLS

The following House Files were introduced:

McCarron and Novak introduced:

H. F. No. 1589, A bill for an act relating to crimes; prohibiting the keeping of gambling records or devices; providing for minimum sentences for certain gambling felonies; providing for confiscation of gambling devices; amending Minnesota Statutes 1976, Sections 609.11; 609.76; and Chapter 609, by adding a section.

The bill was read for the first time and referred to the Committee on Criminal Justice.

Novak, McCarron, Simoneau and Kelly, R., introduced:

H. F. No. 1590, A bill for an act relating to crimes; specifying the acts constituting arson; amending Minnesota Statutes 1976, Sections 609.562 and 609.563.

The bill was read for the first time and referred to the Committee on Criminal Justice.

McCarron, Novak and Cohen introduced:

H. F. No. 1591, A bill for an act relating to crimes; requiring public utilities to discontinue the furnishing of facilities used for the transmittal of gambling information.

The bill was read for the first time and referred to the Committee on Criminal Justice.

Corbid, Langseth, Braun, Eken and Kelly, W., introduced:

H. F. No. 1592, A bill for an act relating to flood control and water management problems in the watershed of the Red River of the North; providing for water retention projects; appropriating money to the lower Red River watershed management board.

The bill was read for the first time and referred to the Committee on Environment and Natural Resources.

Wynia, McCollar, Haugerud, Anderson, I., and Fjoslien introduced:

H. F. No. 1593, A bill for an act relating to insurance; legal expense insurance; authorizing the use of closed panel insurance plans; amending Minnesota Statutes 1976, Section 60A.08, Subdivision 10.

The bill was read for the first time and referred to the Committee on Financial Institutions and Insurance.

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Mr. Speaker:

I hereby announce the passage by the Senate of the following House File, herewith returned, as amended by the Senate, in which amendment the concurrence of the House is respectfully requested:

H. F. No. 809, A bill for an act changing the boundary line between Lac qui Parle county and Big Stone county; amending Laws 1937, Chapter 423, Section 1.

PATRICK E. FLAHAVEN, Secretary of the Senate

CONCURRENCE AND REPASSAGE

Smogard moved that the House concur in the Senate amendments to H. F. No. 809 and that the bill be repassed as amended by the Senate. The motion prevailed.

H. F. No. 809, A bill for an act relating to Lac qui Parle and Big Stone counties; changing the boundary lines between the counties; amending Laws 1937, Chapter 423, Section 1.

The bill was read for the third time, as amended by the Senate, and placed upon its repassage.

The question was taken on the repassage of the bill and the roll was called. There were 118 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Abeln	Cohen	Jaros	Munger	Sherwood
Adams	Corbid	Jensen	Murphy	Sieben, H.
Albrecht	Cummiskey	Johnson	Neisen	Simoneau
Anderson, B.	Dahl	Kaley	Nelsen, B.	Skoglund
Anderson, D.	Dean	Kalis	Nelsen, M.	Smogard
Anderson, G.	Den Ouden	Kelly, W.	Nelson	Stoa
Anderson, I.	Eckstein	Kempe, A.	Niehaus	Suss
Anderson, R.	Eken	Kempe, R.	Norton	Swanson
Arlandson	Enebo	King	Novak	Tomlinson
Battaglia	Erickson	Knickerbocker	Osthoff	Vanasek
Beauchamp	Esau	Kostohryz	Patton	Voss
Begich	Evans	Kroening	Pehler	Waldorf
Berg	Ewald	Laidig	Peterson	Welch
Berglin	Faricy	Langseth	Petrafeso	Wenstrom
Berkelman	Fjoslien	Lehto	Reding	Wenzel
Biersdorf	Forsythe	Lemke	Rice	White
Birnstihl	Friedrich	Mangan	Rose	Wieser
Brandl	Fudro	Mann	St. Onge	Wigley
Braun	Fugina	McCarron	Sarna	Williamson
Byrne	George	McCollar	Savelkoul	Wynia
Carlson, A.	Gunter	McDonald	Scheid	Zubay
Carlson, D.	Heinitz	McEachern	Schulz	Speaker Sabo
Carlson, L.	Hokanson	Metzen	Searle	
Clark	Jacobs	Moe	Searles	

The bill was repassed, as amended by the Senate, and its title agreed to.

Mr. Speaker:

I hereby announce the passage by the Senate of the following House File, herewith returned, as amended by the Senate, in which amendment the concurrence of the House is respectfully requested:

H. F. No. 763, A bill for an act relating to labor; prohibiting certain terms in employment contracts relating to inventions by employees.

PATRICK E. FLAHAVER, Secretary of the Senate

CONCURRENCE AND REPASSAGE

Fudro moved that the House concur in the Senate amendments to H. F. No. 763 and that the bill be repassed as amended by the Senate. The motion prevailed.

H. F. No. 763, A bill for an act relating to labor; prohibiting certain terms in employment agreements relating to inventions by employees.

The bill was read for the third time, as amended by the Senate, and placed upon its repassage.

The question was taken on the repassage of the bill and the roll was called. There were 123 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Abeln	Cohen	Jensen	Munger	Sherwood
Adams	Corbid	Johnson	Murphy	Sieben, H.
Albrecht	Cummiskey	Jude	Neisen	Simoneau
Anderson, B.	Dahl	Kaley	Nelsen, B.	Skoglund
Anderson, D.	Dean	Kalis	Nelsen, M.	Smogard
Anderson, G.	Den Ouden	Kelly, R.	Nelson	Spanish
Anderson, I.	Eckstein	Kelly, W.	Niehaus	Stoa
Anderson, R.	Eken	Kempe, A.	Norton	Suss
Arlandson	Enebo	Kempe, R.	Novak	Swanson
Battaglia	Erickson	King	Osthoff	Tomlinson
Beauchamp	Esau	Knickerbocker	Patton	Vanasek
Begich	Evans	Kostohryz	Pehler	Voss
Berg	Ewald	Kroening	Peterson	Waldorf
Berglin	Faricy	Laidig	Petrafeso	Welch
Berkelman	Fjoslien	Langseth	Pleasant	Wenstrom
Biersdorf	Forsythe	Lehto	Reding	Wenzel
Birnstihl	Friedrich	Lemke	Rice	White
Brandl	Fudro	Mangan	Rose	Wieser
Braun	Fugina	Mann	St. Onge	Wigley
Brinkman	George	McCarron	Samuelson	Williamson
Byrne	Gunter	McCollar	Sarna	Wynia
Carlson, A.	Heinitz	McDonald	Savelkoul	Zubay
Carlson, D.	Hokanson	McEachern	Schulz	Speaker Sabo
Carlson, L.	Jacobs	Metzen	Searle	
Clark	Jaros	Moe	Searles	

The bill was repassed, as amended by the Senate, and its title agreed to.

Mr. Speaker:

I hereby announce the passage by the Senate of the following House File, herewith returned, as amended by the Senate, in which amendment the concurrence of the House is respectfully requested:

H. F. No. 1208, A bill for an act relating to commerce; regulating mobile home lot payments; prohibiting entrance fees; specifying required notice for termination of tenancies; amending Minnesota Statutes 1976, Sections 327.43, Subdivision 1; and 327.44.

PATRICK E. FLAHAVERN, Secretary of the Senate

CONCURRENCE AND REPASSAGE

Simoneau moved that the House concur in the Senate amendments to H. F. No. 1208 and that the bill be repassed as amended by the Senate. The motion prevailed.

H. F. No. 1208, A bill for an act relating to mobile homes; regulating mobile home lot payments; prohibiting entrance fees; providing for termination of land leases; amending Minnesota Statutes 1976, Sections 327.43, Subdivision 1; and 327.44.

The bill was read for the third time, as amended by the Senate, and placed upon its repassage.

The question was taken on the repassage of the bill and the roll was called. There were 127 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Abeln	Cohen	Jaros	Munger	Sherwood
Adams	Corbid	Jensen	Murphy	Sieben, H.
Albrecht	Cummiskey	Johnson	Neisen	Simoneau
Anderson, B.	Dahl	Jude	Nelsen, B.	Skoglund
Anderson, D.	Dean	Kaley	Nelsen, M.	Smogard
Anderson, G.	Den Ouden	Kalis	Nelson	Spanish
Anderson, I.	Eckstein	Kelly, R.	Niehaus	Stoa
Anderson, R.	Eken	Kelly, W.	Norton	Suss
Arlandson	Ellingson	Kempe, A.	Novak	Swanson
Battaglia	Enebo	Kempe, R.	Osthoff	Tomlinson
Beauchamp	Erickson	King	Patton	Vanasek
Begich	Esau	Knickerbocker	Pehler	Voss
Berg	Evans	Kostohryz	Peterson	Waldorf
Berglin	Ewald	Kroening	Petrafeso	Welch
Berkelman	Faricy	Laidig	Pleasant	Wenstrom
Biersdorf	Fjoslien	Langseth	Reding	Wenzel
Birnstihl	Forsythe	Lehto	Rice	White
Brandl	Friedrich	Lemke	Rose	Wieser
Braun	Fudro	Mangan	St. Onge	Wigley
Brinkman	Fugina	Mann	Samuelson	Williamson
Byrne	George	McCarron	Sarna	Wynia
Carlson, A.	Gunter	McCollar	Savelkoul	Zubay
Carlson, D.	Hanson	McDonald	Scheid	Speaker Sabo
Carlson, L.	Heinitz	McEachern	Schulz	
Casserly	Hokanson	Metzen	Searle	
Clark	Jacobs	Moe	Searles	

The bill was repassed, as amended by the Senate, and its title agreed to.

Mr. Speaker:

I hereby announce that the Senate has concurred in and adopted the report of the Conference Committee on:

H. F. No. 301, A bill for an act relating to veterans; establishing a deadline for entering military service and becoming eligible for veterans preference; redefining the term "veteran" for certain other purposes; amending Minnesota Statutes 1976, Sections 43.30 and 197.447.

The Senate has repassed said bill in accordance with the recommendation and report of the Conference Committee. Said House File is herewith returned to the House.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

I hereby announce the passage by the Senate of the following Senate File, herewith transmitted:

S. F. No. 1077.

PATRICK E. FLAHAVEN, Secretary of the Senate

FIRST READING OF SENATE BILLS

S. F. No. 1077, A bill for an act relating to the organization and operation of state government; creating a crime control planning board to supersede the governor's commission on crime prevention and control; requiring a statewide comprehensive plan for law enforcement and criminal justice administration; empowering the board to make grants to governmental agencies; designating the board as the state planning agency for purposes of federal legislation; prescribing other powers and duties; requiring annual reports; creating regional crime control advisory councils; requiring the preparation of regional plans; appropriating money.

The bill was read for the first time and referred to the Committee on Criminal Justice.

CONSENT CALENDAR

S. F. No. 1381, A bill for an act relating to the city of Saint Paul; authorizing the city council to adopt rules permitting payroll deductions for nonprofit entities.

The bill was read for the third time and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 127 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Abeln	Anderson, I.	Berg	Braun	Clark
Adams	Anderson, R.	Berglin	Brinkman	Cohen
Albrecht	Arlandson	Berkelman	Byrne	Corbid
Anderson, B.	Battaglia	Biersdorf	Carlson, A.	Cummiskey
Anderson, D.	Beauchamp	Birnstihl	Carlson, D.	Dahl
Anderson, G.	Begich	Brandl	Carlson, L.	Dean

Den Ouden	Jacobs	Mangan	Peterson	Stoa
Eckstein	Jaros	Mann	Petrafeso	Suss
Eken	Jensen	McCarron	Pleasant	Swanson
Ellingson	Johnson	McCollar	Reding	Tomlinson
Enebo	Jude	McDonald	Rice	Vanasek
Erickson	Kahn	McEachern	Rose	Voss
Esau	Kaley	Metzen	St. Onge	Waldorf
Evans	Kalis	Moe	Samuelson	Welch
Ewald	Kelly, R.	Munger	Sarna	Wenstrom
Fariy	Kelly, W.	Murphy	Savelkoul	Wenzel
Fjoslien	Kempe, A.	Neisen	Scheid	White
Forsythe	Kempe, R.	Nelsen, B.	Schulz	Wieser
Friedrich	King	Nelsen, M.	Searle	Wigley
Fudro	Knickerbocker	Nelson	Searles	Williamson
Fugina	Kostohryz	Niehaus	Sherwood	Wynia
George	Kroening	Norton	Sieben, H.	Zubay
Gunter	Laidig	Novak	Simoneau	Speaker Sabo
Hanson	Langseth	Osthoff	Skoglund	
Heinitz	Lehto	Patton	Smogard	
Hokanson	Lemke	Pehler	Spanish	

The bill was passed and its title agreed to.

H. F. No. 970, A bill for an act relating to natural resources; amending certain laws concerning minnows; amending Minnesota Statutes 1976, Sections 97.40, Subdivision 27; 97.45, Subdivision 15; 97.55, Subdivision 13; 98.46, Subdivisions 5 and 17; and 101.42, Subdivision 5.

The bill was read for the third time and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 124 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Abein	Cohen	Jaros	Moe	Searles
Adams	Corbid	Jensen	Murphy	Sherwood
Albrecht	Cummiskey	Johnson	Neisen	Sieben, H.
Anderson, B.	Dahl	Jude	Nelsen, B.	Simoneau
Anderson, D.	Dean	Kahn	Nelsen, M.	Skoglund
Anderson, G.	Den Ouden	Kaley	Nelson	Smogard
Anderson, I.	Eckstein	Kalis	Niehaus	Spanish
Anderson, R.	Eken	Kelly, R.	Norton	Stoa
Arlandson	Ellingson	Kelly, W.	Novak	Suss
Battaglia	Enebo	Kempe, A.	Osthoff	Swanson
Beauchamp	Erickson	Kempe, R.	Patton	Tomlinson
Begich	Esau	King	Pehler	Vanasek
Berg	Ewald	Knickerbocker	Peterson	Voss
Berglin	Fariy	Kostohryz	Petrafeso	Waldorf
Berkelman	Fjoslien	Kroening	Pleasant	Welch
Biersdorf	Forsythe	Laidig	Reding	Wenstrom
Birnstihl	Friedrich	Langseth	Rice	Wenzel
Brandl	Fudro	Lehto	Rose	White
Braun	Fugina	Lemke	St. Onge	Wieser
Brinkman	George	Mann	Samuelson	Wigley
Byrne	Gunter	McCarron	Sarna	Williamson
Carlson, A.	Hanson	McCollar	Savelkoul	Wynia
Carlson, D.	Heinitz	McDonald	Scheid	Zubay
Carlson, L.	Hokanson	McEachern	Schulz	Speaker Sabo
Clark	Jacobs	Metzen	Searle	

The bill was passed and its title agreed to.

There being no objection the order of business reverted to Messages from the Senate.

MESSAGES FROM THE SENATE

The following message was received from the Senate:

Mr. Speaker:

I hereby announce the passage by the Senate of the following Senate File, herewith transmitted:

S. F. No. 895.

PATRICK E. FLAHAVEN, Secretary of the Senate

FIRST READING OF SENATE BILLS

S. F. No. 895, A bill for an act relating to metropolitan government; providing for sports facilities; establishing a sports commission and prescribing its powers and duties; providing financing; providing a tax on the sales of certain intoxicating and fermented malt beverages in the metropolitan area; prohibiting certain restrictive agreements relating to the telecasting of games; increasing the levy limitation base for the city of Bloomington; regulating facilities location; amending Minnesota Statutes 1976, Section 340.11, Subdivision 11a.

The bill was read for the first time.

Patton moved that S. F. No. 895 and H. F. No. 771, now on General Orders, be referred to the Chief Clerk for comparison. The motion prevailed.

CONSIDERATION UNDER RULE 1.10

Pursuant to rule 1.10, Norton requested immediate consideration of H. F. No. 550 and S. F. No. 32.

H. F. No. 550 was reported to the House.

Rose moved to amend H. F. No. 550, as follows:

Add an article to read:

"ARTICLE VIII

EARLY CHILDHOOD AND FAMILY EDUCATION PROGRAMS.

Section 1. [POLICY.] *The legislature declares it to be policy of the state to provide the opportunity for all children to develop their maximum potential and, recognizing that a child's first five years lay the foundation for his future intellectual development, finds it necessary that families with pre-school-aged children be assisted by services and educational programs that stimulate the mental, physical and social growth of these children at home and later at school. Therefore, a comprehensive program of early childhood and family education with emphasis on the children between the ages of three to five years is needed to supplement public education in Minnesota.*

Sec. 2. [OBJECTIVES.] *The council on quality education in cooperation with the state department of education shall develop a comprehensive plan by which parents can help their children under age five to develop to the maximum level the physical, mental and social potential which they possess. The objectives of the plan shall be (1) to strengthen the role of the family as the first and most fundamental influence on learning and child development; (2) to maximize the importance of a child's education within the natural environment of his home and community; and (3) to provide opportunities for young children and their parents to be involved together in the learning process.*

Sec. 3. [COUNCIL DUTIES.] *The council on quality education in cooperation with the state department of education shall establish the comprehensive plan in fiscal year 1978 and design it so that the number of participating schools will gradually increase until by fiscal year 1981 there are early childhood and family education programs throughout the state.*

The comprehensive plan shall require participating school districts to: (1) apply for early childhood and family education programming in accordance with rules and regulations of the council; (2) develop a local master plan on a school by school basis within the district or, if the council approves, develop a joint plan with another district; (3) submit the plan to the council for review and approval.

The council in cooperation with the state department shall promulgate rules to be used in evaluation of the plans submitted by the districts. The rules shall include, but not be limited to, provisions as to:

(a) *Assessment of the need of parents and children in the district;*

(b) *Defined and measurable program objectives;*

(c) *A local program designed so that all school attendance areas can be included in not more than five years;*

(d) *Coordination of available resources and existing services with the local plan;*

(e) *Identification of potential barriers to learning for children age three to five;*

(f) *Parent education in child-development for parents with children age three to five; and*

(g) *Direct parental, teacher and community involvement in all phases of the development, administration and evaluation of the program.*

The comprehensive plan may also include: libraries of educational materials, family services, education for parenthood in secondary schools, in-center activity, home-based programs, referral services, bilingual language programs, and primary child care services.

The council and the state department shall also provide professional and technical assistance to districts.

The council shall appoint an advisory committee on early childhood and family education programs to aid in the design, development, implementation and review of the comprehensive and master plans.

Sec. 4. [MASTER PLAN APPROVAL.] *Beginning with fiscal year 1979, school districts may submit master plans developed in accordance with the rules as provided in section 3, or with approval of the council, may submit master plans developed jointly with another district or districts. The council shall evaluate programs and notify districts of its approval or disapproval within three months from submission of the plan. The council shall not approve a master plan which duplicates services provided by other public or private nonprofit agencies. In approving programs, the council shall give preference to districts which developed their programs in cooperation with a regional educational cooperative service unit organized pursuant to Minnesota Statutes, Section 123.58. Approval of programs shall be distributed as equally as possible among districts in these three groups: cities of Minneapolis and St. Paul; suburbs in the metropolitan area as defined in Minnesota Statutes, Section 473.121, Subdivision 2; and those outside of the metropolitan area. In each group, priority shall be given to districts which: (1) have the greatest number of families determined to have need for early childhood and family education programs; and (2) have the lowest measure of assessed valuation per pupil.*

No master plan shall be approved unless the council determines that parents, teachers and the community actively cooperated in all stages of its development.

Sec. 5. [FINANCING.] *In addition to funds appropriated for the programs by this act, a school district may use funds from private sources and other government agencies when available and may charge reasonable fees if a child or his parent or guardian has the ability to pay. All funds related to these programs shall be kept in a separate account and shall be maintained in accordance with Minnesota Statutes, Sections 121.90 to 121.92. The state board shall assist the districts in applying for funds for any phase of the programs.*

Sec. 6. [REVIEW.] *The council in cooperation with the state department shall annually review all approved master plans of districts or joint districts. If they determine that the district has been unsuccessful in meeting the objectives of its approved plan, they shall terminate the program, withhold funding from extension of the program to another school or schools or, if requested by the district or program center, waive any requirement if they find sufficient need and justification for the waiver. The council shall include the findings of its review in its annual report to the legislature until June 30, 1981, after which time the department may report all review findings biennially.*

Sec. 7. *The local school board in each district shall provide for an advisory committee to be selected from residents of the attendance area of the school in which an early childhood and family education program is funded. A majority of the members shall be parents participating in the program. The advisory committee shall aid in the design, development, coordination, supervision and review of early childhood and family education programs and set priorities for child learning and development services in the area. The committee shall report to the school board, the council on quality education, and a district community school advisory council where such council exists.*

Sec. 8. *Each local program may employ personnel deemed necessary for the program and also may contract with private nonprofit or public agencies for provision of services. Qualifications for professional and paraprofessional employees shall be determined by the state board of education.*

Sec. 9. *Notwithstanding any provision of this act, participation by all parents and children in these early childhood and family education programs shall be voluntary and shall not preclude participation in any other state or local program. All programs shall provide services to all qualified parents and children regardless of race, religion, or ethnic background, and no such programs shall be used in whole or part for religious worship or instruction.*

Sec. 10. *All pilot programs established pursuant to Minnesota Statutes, Sections 3.9271 to 3.9275 shall be continued for fiscal year 1978. After June 30, 1978, the pilot programs shall be incorporated into the comprehensive plan. In fiscal year 1978,*

the council in cooperation with the state department shall: (1) collect and disseminate information regarding the operation of the pilot programs, with assistance from the educational co-operative service units if they deem it necessary; and (2) develop the comprehensive plan provided for in section 3.

Sec. 11. *There is appropriated from the general fund to the council on quality education for the purposes of this act:*

\$620,000 1978,

\$3,428,000 1979.

For fiscal years 1980 and 1981, the legislature shall review the progress made in implementing this act and appropriate funds as it finds necessary. After June 30, 1981, the responsibility for continued operation of the programs shall be delegated to the state department of education to be financed from any funds at its disposal but in no event shall the foundation aid formula be used or altered for funding of these programs.

Any unexpended balance remaining from the appropriations in this section shall not cancel but shall be carried over for the next fiscal year."

A roll call was requested and properly seconded.

The question was taken on the adoption of the amendment and the roll was called. There were 33 yeas and 89 nays as follows:

Those who voted in the affirmative were:

Abeln	Cummiskey	Kaley	Neisen	Spanish
Adams	Dean	Kempe, R.	Nelsen, B.	Waldorf
Anderson, D.	Evans	Kvam	Peterson	Wigley
Anderson, R.	Ewald	Laidig	Pleasant	Williamson
Biersdorf	Fjoslien	McDonald	Rose	Zubay
Carlson, A.	Forsythe	Metzen	Savelkoul	
Carlson, L.	Friedrich	Murphy	Searles	

Those who voted in the negative were:

Albrecht	Brinkman	Faricy	Kempe, A.	Nelsen, M.
Anderson, B.	Byrne	Fudro	King	Niehaus
Anderson, G.	Carlson, D.	Fugina	Knickerbocker	Norton
Anderson, I.	Cassery	George	Kostohryz	Novak
Arlandson	Clark	Hanson	Kroening	Osthoff
Battaglia	Cohen	Hokanson	Langseth	Patton
Beauchamp	Corbid	Jaros	Lemke	Pehler
Begich	Dahl	Jensen	Mangan	Petrafeso
Berg	Den Ouden	Johnson	Mann	Prahl
Berglin	Eckstein	Jude	McCarron	Reding
Berkelman	Eken	Kahn	McCollar	Rice
Birnstihl	Ellingson	Kalis	McEachern	St. Onge
Brandl	Enebo	Kelly, R.	Moe	Samuelson
Braun	Esau	Kelly, W.	Munger	Sarna

Scheid	Skoglund	Suss	Welch	Wieser
Schulz	Smogard	Swanson	Wenstrom	Wynia
Sieben, H.	Stanton	Tomlinson	Wenzel	Speaker Sabo
Simoneau	Stoa	Vanasek	White	

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

Peterson moved to amend H. F. No. 550, as follows:

Page 12, line 5, strike "29" and insert "26".

Page 16, line 22, strike "29" insert "26".

Page 16, line 29, delete "29" and insert "26".

A roll call was requested and properly seconded.

The question was taken on the adoption of the amendment and the roll was called. There were 33 yeas and 93 nays as follows:

Those who voted in the affirmative were:

Albrecht	Den Ouden	Friedrich	Lemke	Savelkoul
Anderson, D.	Eckstein	Heinitz	McDonald	Searle
Anderson, R.	Erickson	Kaley	Nelsen, B.	Searles
Biersdorf	Evans	Kempe, R.	Niehaus	Wigley
Carlson, A.	Ewald	Knickerbocker	Peterson	Zubay
Carlson, D.	Fjoslien	Kvam	Pleasant	
Dean	Forsythe	Laidig	Rose	

Those who voted in the negative were:

Abeln	Clark	Kahn	Nelsen, M.	Skoglund
Adams	Clawson	Kalis	Nelson	Smogard
Anderson, B.	Cohen	Kelly, R.	Norton	Stanton
Anderson, G.	Corbid	Kelly, W.	Novak	Stoa
Anderson, I.	Cummiskey	Kempe, A.	Osthoff	Suss
Arlandson	Dahl	King	Patton	Swanson
Battaglia	Eken	Kostohryz	Pehler	Tomlinson
Beauchamp	Enebo	Kroening	Petrafero	Vanasek
Begich	Faricy	Langseth	Prahl	Voss
Berg	Fudro	Mangan	Reding	Waldorf
Berglin	Fugina	Mann	Rice	Welch
Berkelman	George	McCarron	St. Onge	Wenstrom
Birnstihl	Gunter	McCollar	Samuelson	Wenzel
Brandl	Hanson	McEachern	Sarna	Wieser
Braun	Hokanson	Metzen	Scheid	Williamson
Brinkman	Jaros	Moe	Sherwood	Wynia
Byrne	Jensen	Munger	Sieben, H.	Speaker Sabo
Carlson, L.	Johnson	Murphy	Sieben, M.	
Cassery	Jude	Neisen	Simoneau	

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

Peterson moved to amend H. F. No. 550, as follows:

Page 11, line 24, delete "\$1,025" and insert "\$1,050".

Page 11, line 31, delete "\$1,025" and insert "\$1,050" and delete "\$65" and insert "\$90".

Page 11, line 32, delete "\$1,025" and insert "\$1,050".

Page 15, line 6, delete "\$1,025" and insert "\$1,050".

Page 15, line 10, delete "\$1,025" and insert "\$1,050" and delete "\$65" and insert "\$90".

Page 21, line 6, delete "\$606,100,000" and insert "\$631,100,000".

Page 32, line 13, delete "\$1,025" and insert "\$1,050".

A roll call was requested and properly seconded.

The question was taken on the adoption of the amendment and the roll was called. There were 46 yeas and 84 nays as follows:

Those who voted in the affirmative were:

Abel	Den Ouden	Heinitz	Neisen	Swanson
Albrecht	Eckstein	Jensen	Neisen, B.	Wenzel
Anderson, D.	Erickson	Kaley	Niehaus	White
Anderson, R.	Esau	Kempe, A.	Osthoff	Wigley
Arlandson	Evans	Kempe, R.	Peterson	Williamson
Biersdorf	Ewald	Knickerbocker	Pleasant	Zubay
Birnstihl	Fjoslien	Kvam	Rose	
Carlson, A.	Forsythe	Laidig	Savelkoul	
Carlson, D.	Friedrich	Mann	Searle	
Dean	George	McDonald	Searles	

Those who voted in the negative were:

Adams	Cohen	Kahn	Murphy	Sieben, M.
Anderson, B.	Corbid	Kalis	Nelson	Simoneau
Anderson, G.	Cummiskey	Kelly, R.	Norton	Skoglund
Anderson, I.	Dahl	Kelly, W.	Novak	Smogard
Battaglia	Eken	King	Patton	Stanton
Beauchamp	Ellingson	Kostohryz	Pehler	Stoa
Begich	Enebo	Kroening	Petrafeso	Suss
Berg	Faricy	Langseth	Prahl	Tomlinson
Berglin	Fudro	Lehto	Reding	Vanasek
Brandl	Fugina	Lemke	Rice	Voss
Braun	Gunter	Mangan	St. Onge	Waldorf
Brinkman	Hanson	McCarron	Samuelson	Welch
Byrne	Hokanson	McCollar	Sarna	Wenstrom
Carlson, L.	Jacobs	McEachern	Scheid	Wieser
Casserly	Jaros	Metzen	Schulz	Wynia
Clark	Johnson	Moe	Sherwood	Speaker Sabo
Clawson	Jude	Munger	Sieben, H.	

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

Fjoslien and Nelsen, B., moved to amend H. F. No. 550, as follows:

Page 49, delete lines 15 to 30.

Renumber the sections accordingly.

Page 59, line 17, delete "\$56,144,485" and insert "\$65,960,367".

Page 60, strike lines 21 to 32.

Strike all of page 61.

Page 62, strike lines 1 and 2.

Renumber the sections accordingly.

Page 62, line 6, delete "Sections" and insert "Section".

Page 62, line 7, delete "124.565, Subdivision 2; and".

Page 62, line 10, delete "3, 3a,".

Further amend the title as follows:

Page 1, line 33, delete "124.565, Subdivision 1".

Page 1, line 34, delete "and 3;".

Page 2, line 9, delete "124.565, Subdivision 2;".

A roll call was requested and properly seconded.

The question was taken on the adoption of the amendment and the roll was called. There were 50 yeas and 74 nays as follows:

Those who voted in the affirmative were:

Albrecht	Fjoslien	Kempe, A.	Nelsen, B.	Sarna
Anderson, D.	Friedrich	Kempe, R.	Nelsen, M.	Scheid
Anderson, R.	Fudro	Kroening	Niehaus	Searles
Berkelman	Hanson	Kvam	Peterson	Simoneau
Carlson, A.	Heinitz	Laidig	Pleasant	Smogard
Carlson, D.	Jacobs	Mangan	Prahl	Spanish
Carlson, L.	Jude	McDonald	Rice	Swanson
Dean	Kaley	Munger	Rose	Wenzel
Eckstein	Kalis	Murphy	St. Onge	Wigley
Evans	Kelly, R.	Neisen	Samuelson	Williamson

Those who voted in the negative were:

Abeln	Anderson, B.	Anderson, I.	Battaglia	Begich
Adams	Anderson, G.	Arlandson	Beauchamp	Berg

Berglin	Enebo	Knickerbocker	Osthoff	Suss
Biersdorf	Ewald	Kostohryz	Patton	Tomlinson
Birnsthil	Faricy	Langseth	Pehler	Vanasek
Brandl	Forsythe	Lehto	Petrafeso	Voss
Braun	Fugina	Lemke	Reding	Waldorf
Byrne	George	Mann	Savelkoul	Welch
Casserly	Gunter	McCarron	Searle	Wenstrom
Clark	Jaros	McCollar	Sherwood	White
Cohen	Jensen	McEachern	Sieben, H.	Wieser
Corbid	Johnson	Metzen	Sieben, M.	Wynia
Cummiskey	Kahn	Moe	Skoglund	Zubay
Den Ouden	Kelly, W.	Nelson	Stanton	Speaker Sabo
Eken	King	Norton	Stoa	

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

Nelsen, B., moved to amend H. F. No. 550, as follows:

Page 54, line 5, after "*necessary*" insert "*supplies and equipment for these programs and 50 percent of the costs of necessary*".

Page 54, line 7, after "*salaries*" insert "*, supplies, equipment*".

Page 54, line 12, strike "*travel costs*" and insert "*the costs designated in subdivision 2 which are*".

Page 55, line 2, after "*salaries*" insert "*, supplies, equipment*".

Page 58, line 29, strike "\$18,500,000" and insert "\$20,700,000".

A roll call was requested and properly seconded.

The question was taken on the adoption of the amendment and the roll was called. There were 34 yeas and 92 nays as follows:

Those who voted in the affirmative were:

Albrecht	Den Ouden	Kaley	Nelsen, M.	Sieben, H.
Anderson, D.	Erickson	Kempe, R.	Niehaus	Swanson
Anderson, R.	Evans	Kvam	Peterson	White
Biersdorf	Fjoslien	Laidig	Pleasant	Wigley
Carlson, A.	Forsythe	Mangan	Rice	Williamson
Carlson, D.	Friedrich	McDonald	Rose	Zubay
Dean	Heinitz	Nelsen, B.	Searles	

Those who voted in the negative were:

Abeln	Begich	Byrne	Eckstein	Fugina
Adams	Berg	Carlson, L.	Eken	George
Anderson, B.	Berglin	Casserly	Ellingson	Gunter
Anderson, G.	Berkelman	Clark	Enebo	Hanson
Anderson, I.	Birnsthil	Clawson	Esau	Hokanson
Arlandson	Brandl	Cohen	Ewald	Jacobs
Battaglia	Braun	Corbid	Faricy	Jaros
Beauchamp	Brinkman	Cummiskey	Fudro	Jensen

Johnson	Lemke	Patton	Searle	Voss
Jude	Mann	Pehler	Sherwood	Waldorf
Kahn	McCarron	Petrafeso	Sieben, M.	Welch
Kalis	McEachern	Prahl	Simoneau	Wenstrom
Kelly, R.	Metzen	Reding	Skoglund	Wenzel
Kelly, W.	Murphy	St. Onge	Smogard	Wieser
King	Neisen	Samuelson	Stanton	Wynia
Knickerbocker	Nelson	Sarna	Stoa	Speaker Sabo
Kostobryz	Norton	Saveikoul	Suss	
Langseth	Novak	Scheid	Tomlinson	
Lehto	Osthoff	Schulz	Vanasek	

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

H. F. No. 550, A bill for an act relating to the operation of government; providing for aids to education, tax levies, and the distribution of tax revenues; providing additional aids and levies for school districts with declining enrollment; eliminating foundation aid for summer programs for non-handicapped children; changing the method of distributing the agricultural tax credit; eliminating state aid for community education; establishing formulas for current funding of adult and secondary vocational education; creating a legislative school finance study commission; providing special retirement privileges for experienced teachers who teach part time or take an extended leave of absence; appropriating money; amending Minnesota Statutes 1976, Sections 120.10, Subdivision 1; 120.17, Subdivisions 1a and 5a; 121.11, Subdivision 5; 121.902; 121.914, Subdivisions 1, 2, 3 and 4; 121.917, Subdivisions 1 and 2; 123.335, Subdivision 2; 123.39, Subdivision 5; 123.351, Subdivision 5; 123.581, Subdivisions 1, 2, 3 and 6; 123.71, Subdivisions 1 and 2; 123.742, Subdivision 1; 124.11; 124.14, Subdivision 1; 124.17, Subdivisions 1, 2, and by adding a subdivision; 124.19, Subdivision 1; 124.20; 124.212, Subdivisions 1, 3a, 6b, 7b and 8a, and by adding a subdivision; 124.213; 124.222, Subdivisions 1a, 1b, 2a, 3, 6, and by adding a subdivision; 124.223; 124.26, Subdivisions 1 and 4; 124.271, Subdivisions 2 and 5; 124.30, Subdivision 5; 124.32; 124.38, Subdivision 7; 124.562, Subdivision 1; 124.565, Subdivisions 1 and 3; 124.57; 124.572; 124.573; 128A.02, Subdivisions 2 and 3; 128A.06; 273.132; 273.138, Subdivision 3; 275.125, Subdivisions 2a, 8, 9, 9a, and 13; and 475.61, Subdivision 4; amending Minnesota Statutes 1976, Chapter 136A, by adding a section; Chapter 354, by adding sections and Chapter 354A, by adding sections; amending Laws 1967, Chapter 822, Section 7, as amended; Laws 1969, Chapter 775, Section 4, Subdivision 2, as amended; Laws 1969, Chapter 1060, Section 7, as amended; and Laws 1976, Chapter 271, Section 94; repealing Minnesota Statutes 1976, Sections 124.215, Subdivision 2a; 124.222, Subdivisions 4 and 5; 124.25; 124.271, Subdivisions 1, 2, 3, 4 and 5; 124.30; 124.562, Subdivision 6; 124.563, Subdivision 4; 124.565, Subdivision 2; 124.57, Subdivisions 1 and 3, as added; 473.633; and 473.635.

The bill was read for the third time and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 128 yeas and 3 nays as follows:

Those who voted in the affirmative were:

Abeln	Clawson	Jaros	Moe	Sieben, H.
Adams	Cohen	Jensen	Munger	Sieben, M.
Albrecht	Corbid	Johnson	Murphy	Simoneau
Anderson, B.	Cummiskey	Jude	Neisen	Skoglund
Anderson, D.	Dahl	Kahn	Nelsen, B.	Smogard
Anderson, G.	Den Ouden	Kaley	Nelsen, M.	Spanish
Anderson, I.	Eckstein	Kalis	Nelson	Stanton
Anderson, R.	Eken	Kelly, R.	Niehaus	Stoa
Arlandson	Ellingson	Kelly, W.	Norton	Suss
Battaglia	Enebo	Kempe, A.	Novak	Swanson
Beauchamp	Erickson	Kempe, R.	Osthoff	Tomlinson
Begich	Esau	King	Patton	Vanasek
Berg	Evans	Knickerbocker	Pehler	Voss
Berglin	Ewald	Kostohryz	Petrafaso	Waldorf
Berkelman	Faricy	Kroening	Prahl	Welch
Biersdorf	Fjoslien	Laidig	Reding	Wenstrom
Birnstihl	Forsythe	Langseth	Rice	Wenzel
Brandt	Friedrich	Lehto	Rose	White
Braun	Fudro	Lemke	St. Onge	Wieser
Brinkman	Fugina	Mangan	Samuelson	Wigley
Byrne	George	Mann	Sarna	Williamson
Carlson, A.	Gunter	McCarron	Savelkoul	Wynia
Carlson, D.	Hanson	McCollar	Scheid	Zubay
Carlson, L.	Heinitz	McDonald	Schulz	Speaker Sabo
Casserly	Hokanson	McEachern	Searles	
Clark	Jacobs	Metzen	Sherwood	

Those who voted in the negative were:

Dean Peterson Searle

The bill was passed and its title agreed to.

S. F. No. 32 was reported to the House.

Berg moved to amend S. F. No. 32, the unofficial engrossment, as follows:

Page 11, line 12, delete "\$27,320,000" and insert "\$27,080,000".

Page 11, line 14, delete "\$6,830,000" and insert "\$6,770,000".

The motion prevailed and the amendment was adopted.

Welch moved to amend S. F. No. 32, the unofficial engrossment, as follows:

Page 11, after line 29, insert:

"The commissioner shall not make grants for sanitation and reforestation for wood utilization and disposal systems in excess

of 67 percent of the amounts specified in clauses (a) to (c) to the municipalities located within the metropolitan area, as defined in section 18.023, subdivision 1."

The motion prevailed and the amendment was adopted.

Nelsen, M., moved that the rules be so far suspended and that S. F. No. 32, as amended, be returned to General Orders.

A roll call was requested and properly seconded.

The question was taken on the motion by Nelsen, M., and the roll was called. There were 21 yeas and 89 nays as follows:

Those who voted in the affirmative were:

Anderson, G.	Biersdorf	Johnson	Prahl	Wieser
Anderson, I.	Braun	McDonald	St. Onge	
Anderson, R.	Brinkman	Nelsen, M.	Samuelson	
Battaglia	Carlson, D.	Niehaus	Vanasek	
Begich	Evans	Patton	Welch	

Those who voted in the negative were:

Abeln	Dean	Jude	McEachern	Sieben, H.
Adams	Den Ouden	Kahn	Metzen	Sieben, M.
Arlandson	Eckstein	Kaley	Moe	Simoneau
Berg	Ellingson	Kalis	Murphy	Skoglund
Berglin	Enebo	Kelly, R.	Neisen	Stanton
Berkelman	Ewald	Kelly, W.	Nelsen, B.	Stoa
Birnstihl	Faricy	Kempe, A.	Nelson	Suss
Brandl	Forsythe	Kempe, R.	Norton	Swanson
Byrne	Friedrich	King	Novak	Tomlinson
Carlson, A.	Fudro	Knickerbocker	Osthoff	Waldorf
Carlson, L.	Fugina	Kostohryz	Pehler	Wenstrom
Casserly	George	Kroening	Peterson	Wenzel
Clark	Gunter	Laidig	Petrafeso	White
Clawson	Hanson	Lehto	Reding	Williamson
Cohen	Heinitz	Lemke	Rose	Wynia
Corbid	Hokanson	Mangan	Sarna	Zubay
Cummiskey	Jacobs	McCarron	Scheid	Speaker Sabo
Dahl	Jaros	McCollar	Searles	

The motion did not prevail.

Welch moved to amend S. F. No. 32, the unofficial engrossment, as follows:

Page 6, line 24, delete "45" and insert "30".

A roll call was requested and properly seconded.

The question was taken on the adoption of the amendment and the roll was called. There were 50 yeas and 74 nays as follows:

Those who voted in the affirmative were:

Albrecht	Corbid	Jacobs	Nelsen, B.	Sherwood
Anderson, B.	Cummiskey	Johnson	Niehaus	Smogard
Anderson, D.	Den Ouden	Jude	Prahl	Stoa
Anderson, G.	Eckstein	Kaley	Reding	Suss
Anderson, I.	Erickson	Kelly, W.	Rose	Vanasek
Beauchamp	Esau	Langseth	St. Onge	Voss
Biersdorf	Evans	Lemke	Samuelson	Welch
Braun	Fjoslien	McCollar	Savelkoul	Wenstrom
Brinkman	Fugina	McDonald	Schulz	Wieser
Carlson, D.	Gunter	Murphy	Searles	Wigley

Those who voted in the negative were:

Abeln	Clawson	Jaros	Metzen	Scheid
Adams	Cohen	Jensen	Moe	Sieben, H.
Anderson, R.	Dahl	Kahn	Neisen	Sieben, M.
Arlandson	Dean	Kalis	Nelsen, M.	Simoneau
Battaglia	Ellingson	Kelly, R.	Nelson	Skoglund
Begich	Enebo	Kempe, R.	Norton	Stanton
Berg	Ewald	King	Novak	Swanson
Berglin	Faricy	Knickerbocker	Osthoff	Tomlinson
Birnstihl	Forsythe	Kostohryz	Patton	Waldorf
Brandl	Friedrich	Kroening	Pehler	White
Byrne	Fudro	Laidig	Peterson	Williamson
Carlson, A.	George	Lehto	Petrafeso	Wynia
Carlson, L.	Hanson	Mann	Pleasant	Zubay
Cassery	Heinitz	McCarron	Rice	Speaker Sabo
Clark	Hokanson	McEachern	Sarna	

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

Anderson, G., moved to amend S. F. No. 32, the unofficial engrossment, as follows:

Page 7, after line 26, insert:

“(f) No municipality, as defined in subdivision 1, shall receive an amount in excess of 12 1/2 percent of the total grant monies made available by this act.”.

A roll call was requested and properly seconded.

The question was taken on the adoption of the amendment and the roll was called. There were 59 yeas and 62 nays as follows:

Those who voted in the affirmative were:

Abeln	Birnstihl	Evans	Kelly, W.	Nelsen, B.
Albrecht	Braun	Fjoslien	Kempe, R.	Nelsen, M.
Anderson, B.	Brinkman	Friedrich	Langseth	Niehaus
Anderson, D.	Carlson, D.	Fugina	Lemke	Peterson
Anderson, G.	Corbid	Gunter	Mann	Prahl
Anderson, I.	Den Ouden	Hokanson	McCarron	Reding
Anderson, R.	Eckstein	Jacobs	McCollar	Savelkoul
Beauchamp	Erickson	Johnson	Murphy	Schulz
Biersdorf	Esau	Jude	Neisen	Searles

Sherwood	Stanton	Vanasek	Wenstrom	Wieser
Smogard	Stoa	Voss	Wenzel	Wigley
Spanish	Suss	Welch	White	

Those who voted in the negative were:

Adams	Dean	Kelly, R.	Munger	Sieben, M.
Arlandson	Ellingson	Kempe, A.	Nelson	Simoneau
Berkelman	Enebo	King	Norton	Skoglund
Brandl	Ewald	Knickerbocker	Novak	Swanson
Byrne	Faricy	Kroening	Osthoff	Tomlinson
Carlson, A.	Forsythe	Kvam	Pehler	Waldorf
Carlson, L.	Fudro	Laidig	Petrafeso	Williamson
Casserly	George	Lehto	Pleasant	Wynia
Clark	Hanson	Mangan	Rice	Zubay
Clawson	Heinitz	McDonald	Rose	Speaker Sabo
Cohen	Jaros	McEachern	Sarna	
Cummiskey	Jensen	Metzen	Scheid	
Dahl	Kahn	Moe	Sieben, H.	

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

McCollar moved to amend S. F. No. 32, the unofficial engrossment, as amended, as follows:

Page 11, line 12, delete "\$27,080,000" and insert "\$22,392,500".

Page 11, line 18, strike "\$24,687,500" insert "\$20,000,000".

A roll call was requested and properly seconded.

The question was taken on the adoption of the amendment and the roll was called. There were 34 yeas and 84 nays as follows:

Those who voted in the affirmative were:

Albrecht	Corbid	Gunter	Niehaus	Vanasek
Anderson, D.	Den Ouden	Jacobs	Osthoff	Voss
Anderson, I.	Eckstein	Johnson	Samuelson	Welch
Anderson, R.	Erickson	Jude	Schulz	Wenstrom
Beauchamp	Esau	McCollar	Sherwood	Wieser
Braun	Fjoslien	McDonald	Smogard	Wigley
Brinkman	Fugina	Nelsen, M.	Suss	

Those who voted in the negative were:

Abeln	Carlson, A.	Evans	Kahn	Lehto
Adams	Carlson, D.	Ewald	Kaley	Mangan
Anderson, B.	Carlson, L.	Faricy	Kalis	Mann
Anderson, G.	Casserly	Forsythe	Kelly, R.	McCarron
Arlandson	Clark	Friedrich	Kelly, W.	McEachern
Berg	Clawson	Fudro	Kempe, A.	Metzen
Berglin	Cohen	George	Kempe, R.	Moe
Berkelman	Cummiskey	Hanson	King	Munger
Biersdorf	Dahl	Heinitz	Knickerbocker	Murphy
Birnstihl	Dean	Hokanson	Kroening	Neisen
Brandl	Ellingson	Jaros	Laidig	Nelsen, B.
Byrne	Enebo	Jensen	Langseth	Nelson

Norton	Rose	Simoneau	Swanson	Williamson
Novak	Sarna	Skoglund	Tomlinson	Wynia
Petrafeso	Scheid	Spanish	Waldorf	Zubay
Reding	Sieben, H.	Stanton	Wenzel	Speaker Sabo
Rice	Sieben, M.	Stoa	White	

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

Anderson, I., offered an amendment to S. F. No. 32.

POINT OF ORDER

Farcy raised a point of order pursuant to rule 3.9 that the Anderson, I., amendment was not in order. Norton, as Speaker Pro Tempore, ruled the point of order well taken and the amendment out of order.

Welch moved to amend S. F. No. 32, the unofficial engrossment, as follows:

Page 6, line 25, after the period, strike the balance of the line and strike all of line 26 and line 27 through the period.

The motion prevailed and the amendment was adopted.

Neisen moved to amend S. F. No. 32, the unofficial engrossment, as follows:

Page 7, after line 26, insert *"no county, city or town shall receive an amount in excess of 15 percent of the total grant monies made available by this act."*

A roll call was requested and properly seconded.

The question was taken on the adoption of the amendment and the roll was called. There were 72 yeas and 54 nays as follows:

Those who voted in the affirmative were:

Abeln	Clawson	Johnson	Patton	Stoa
Albrecht	Corbid	Jude	Pehler	Suss
Anderson, B.	Den Ouden	Kaley	Peterson	Swanson
Anderson, D.	Eckstein	Kalis	Prahl	Vanasek
Anderson, G.	Eken	Kelly, W.	Reding	Voss
Anderson, I.	Erickson	Kempe, R.	St. Onge	Welch
Anderson, R.	Esau	Kvam	Samuelson	Wenstrom
Battaglia	Evans	Langseth	Savelkoul	Wenzel
Beauchamp	Fjoslien	Lemke	Schulz	White
Begich	Friedrich	Mann	Searles	Wieser
Biersdorf	Fugina	McCollar	Sherwood	Wigley
Birnstihl	Gunter	Neisen	Simoneau	Zubay
Braun	Hokanson	Nelsen, B.	Smogard	
Brinkman	Jacobs	Nelsen, M.	Spanish	
Carlson, D.	Jensen	Niehaus	Stanton	

Those who voted in the negative were:

Adams	Cohen	Hanson	McDonald	Sarna
Arlandson	Cummiskey	Heinitz	Metzen	Scheid
Berg	Dahl	Jaros	Moe	Sieben, H.
Berglin	Dean	Kahn	Munger	Sieben, M.
Berkelman	Ellingson	Kelly, R.	Murphy	Skoglund
Brandl	Enebo	Kempe, A.	Norton	Tomlinson
Byrne	Ewald	King	Osthoff	Waldorf
Carlson, A.	Faricy	Knickerbocker	Petrafeso	Williamson
Carlson, L.	Forsythe	Kroening	Pleasant	Wynia
Casserly	Fudro	Laidig	Rice	Speaker Sabo
Clark	George	Lehto	Rose	

The motion prevailed and the amendment was adopted.

S. F. No. 32, A bill for an act relating to shade tree disease control; authorizing grants for municipal shade tree removal and reforestation programs; authorizing a shade tree disease control research program; appropriating money; amending Minnesota Statutes 1976, Sections 18.023, Subdivisions 1, 1a, 2, 3a, 4, 7, 8 and 11, and adding a subdivision; 116.07, Subdivision 4; and 275.50, by adding a subdivision; repealing Minnesota Statutes 1976, Section 18.023, Subdivision 6.

The bill was read for the third time, as amended, and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 90 yeas and 35 nays as follows:

Those who voted in the affirmative were:

Abeln	Dahl	Kahn	Neisen	Sieben, M.
Adams	Dean	Kaley	Nelson	Simoneau
Albrecht	Ellingson	Kalis	Norton	Skoglund
Anderson, B.	Enebo	Kelly, R.	Novak	Smogard
Arlandson	Evans	Kempe, A.	Osthoff	Spanish
Beauchamp	Ewald	Kempe, R.	Patton	Stanton
Berg	Faricy	King	Peher	Stoa
Berkelman	Forsythe	Knickerbocker	Peterson	Swanson
Biersdorf	Friedrich	Kostohryz	Petrafeso	Tomlinson
Birnstihl	Fudro	Kroening	Pleasant	Waldorf
Brandl	George	Laidig	Reding	Welch
Byrne	Hanson	Lehto	Rice	Wenstrom
Carlson, A.	Heinitz	Mann	Rose	Wenzel
Carlson, L.	Hokanson	McEachern	Sarna	White
Casserly	Jacobs	Metzen	Savelkoul	Williamson
Clark	Jaros	Moe	Scheid	Wynia
Cohen	Jensen	Munger	Searles	Zubay
Cummiskey	Jude	Murphy	Sieben, H.	Speaker Sabo

Those who voted in the negative were:

Anderson, D.	Begich	Den Ouden	Fjoslien	Lenke
Anderson, G.	Braun	Eckstein	Fugina	McCarron
Anderson, I.	Brinkman	Eken	Johnson	Nelsen, B.
Anderson, R.	Carlson, D.	Erickson	Kelly, W.	Nelsen, M.
Battaglia	Corbid	Esau	Langseth	Niehaus

Prahl
St. Onge

Samuelson
Schulz

Sherwood
Suss

Vanasek
Voss

Wieser
Wigley

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

Spanish was excused for the remainder of today's session.

CALENDAR

H. F. No. 1180, A bill for an act relating to financial institutions; permitting the establishment and operation of electronic funds transfer facilities; prescribing the powers and duties of the commissioner of banks in relation to funds transfer facilities; protecting the privacy and security of customers of financial institutions who use electronic funds transfer facilities; prescribing penalties.

The bill was read for the third time and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 96 yeas and 31 nays as follows:

Those who voted in the affirmative were:

Abeln	Dean	Kalis	Nelson	Stanton
Adams	Den Ouden	Kelly, R.	Niehaus	Stoa
Anderson, B.	Eckstein	Kelly, W.	Norton	Suss
Anderson, D.	Ellingson	Kempe, A.	Patton	Swanson
Anderson, G.	Enebo	Kempe, R.	Pehler	Tomlinson
Arlandson	Esau	King	Peterson	Voss
Beauchamp	Evans	Knickerbocker	Pleasant	Waldorf
Berg	Ewald	Kvam	Reding	Wenstrom
Berkelman	Forsythe	Laidig	Rose	Wenzel
Biersdorf	Friedrich	Langseth	St. Onge	White
Brandl	George	Lehto	Samuelson	Wieser
Braun	Gunter	Lemke	Savelkoul	Wigley
Brinkman	Hanson	Mangan	Scheid	Williamson
Carlson, A.	Heinitz	Mann	Schulz	Wynia
Carlson, L.	Hokanson	McCarron	Searles	Zubay
Casserly	Jacobs	McCollar	Sieben, H.	Speaker Sabo
Clark	Jensen	Munger	Sieben, M.	
Clawson	Jude	Murphy	Simoneau	
Cohen	Kahn	Neisen	Skoglund	
Corbid	Kaley	Nelsen, B.	Smogard	

Those who voted in the negative were:

Anderson, I.	Carlson, D.	Fudro	Metzen	Sherwood
Anderson, R.	Cummiskey	Fugina	Nelsen, M.	Vanasek
Battaglia	Dahl	Jaros	Novak	Welch
Begich	Eken	Johnson	Osthoff	
Berglin	Erickson	Kostohryz	Prahl	
Birnstihl	Farcy	Kroening	Rice	
Byrne	Fjoslien	McEachern	Sarna	

The bill was passed and its title agreed to.

H. F. No. 456, A bill for an act relating to the operation of state government; providing for the purchase of certain motor vehicles for use by investigative and undercover agents of the department of public safety; amending Minnesota Statutes 1976, Section 16.07, by adding a subdivision.

The bill was read for the third time and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 126 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Abeln	Clawson	Jaros	Munger	Sieben, M.
Adams	Corbid	Jensen	Murphy	Simoneau
Albrecht	Cummiskey	Johnson	Neisen	Skoglund
Anderson, B.	Dahl	Jude	Nelsen, B.	Smogard
Anderson, D.	Dean	Kahn	Nelsen, M.	Stanton
Anderson, G.	Den Ouden	Kaley	Nelson	Stoa
Anderson, I.	Eckstein	Kalis	Niehaus	Suss
Anderson, R.	Eken	Kelly, R.	Norton	Swanson
Arlandson	Ellingson	Kelly, W.	Novak	Tomlinson
Battaglia	Enebo	Kempe, A.	Osthoff	Vanasek
Beauchamp	Erickson	Kempe, R.	Patton	Voss
Begich	Esau	King	Pehler	Waldorf
Berg	Evans	Knickerbocker	Peterson	Welch
Berglin	Ewald	Kostohryz	Pleasant	Wenstrom
Berkelman	Faricy	Kroening	Prahl	Wenzel
Biersdorf	Fjoslien	Kvam	Rice	White
Birnstihl	Forsythe	Laidig	Rose	Wieser
Brandl	Friedrich	Langseth	St. Onge	Wigley
Braun	Fudro	Lehto	Samuelson	Williamson
Brinkman	Fugina	Lemke	Sarna	Wynia
Byrne	George	Mangan	Savelkoul	Zubay
Carlson, A.	Gunter	Mann	Scheid	Speaker Sabo
Carlson, D.	Hanson	McCarron	Schulz	
Carlson, L.	Heinitz	McCollar	Searles	
Casserly	Hokanson	McEachern	Sherwood	
Clark	Jacobs	Metzen	Sieben, H.	

The bill was passed and its title agreed to.

S. F. No. 70, A bill for an act relating to judgments; providing for enforcement of foreign judgments in courts of this state.

The bill was read for the third time and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 127 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Abeln	Anderson, G.	Beauchamp	Biersdorf	Byrne
Adams	Anderson, I.	Begich	Birnstihl	Carlson, A.
Albrecht	Anderson, R.	Berg	Brandl	Carlson, D.
Anderson, B.	Arlandson	Berglin	Braun	Carlson, L.
Anderson, D.	Battaglia	Berkelman	Brinkman	Casserly

Clark	George	Kvam	Patton	Stanton
Clawson	Gunter	Laidig	Pehler	Stoa
Corbid	Hanson	Langseth	Peterson	Suss
Cummiskey	Heinitz	Lehto	Pleasant	Swanson
Dahl	Hokanson	Lemke	Prahl	Tomlinson
Dean	Jacobs	Mangan	Reding	Vanasek
Den Ouden	Jaros	Mann	Rice	Voss
Eckstein	Jensen	McCarron	Rose	Waldorf
Eken	Johnson	McCollar	St. Onge	Welch
Ellingson	Jude	McEachern	Samuelson	Wenstrom
Enebo	Kahn	Metzen	Sarna	Wenzel
Erickson	Kaley	Munger	Savelkoul	White
Esau	Kalis	Murphy	Scheid	Wieser
Evans	Kelly, R.	Neisen	Schulz	Wigley
Ewald	Kelly, W.	Nelsen, B.	Searles	Williamson
Faricy	Kempe, A.	Nelsen, M.	Sherwood	Wynia
Fjoslien	Kempe, R.	Nelson	Sieben, H.	Zubay
Forsythe	King	Niehaus	Sieben, M.	Speaker Sabo
Friedrich	Knickerbocker	Norton	Simoneau	
Fudro	Kostohryz	Novak	Skoglund	
Fugina	Kroening	Osthoff	Smogard	

The bill was passed and its title agreed to.

H. F. No. 192, A bill for an act relating to employment services; administration; eliminating certain provisions relating to political activity of employees; amending Minnesota Statutes 1976, Section 268.12, Subdivision 5.

The bill was read for the third time and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 122 yeas and 1 nay as follows:

Those who voted in the affirmative were:

Abein	Clark	Hokanson	Munger	Sieben, H.
Adams	Clawson	Jacobs	Murphy	Sieben, M.
Albrecht	Corbid	Jaros	Neisen	Simoneau
Anderson, B.	Cummiskey	Jensen	Nelsen, B.	Smogard
Anderson, D.	Dahl	Johnson	Nelsen, M.	Stanton
Anderson, G.	Dean	Jude	Nelson	Stoa
Anderson, I.	Den Ouden	Kaley	Niehaus	Suss
Anderson, R.	Eckstein	Kalis	Norton	Swanson
Arlandson	Eken	Kelly, R.	Novak	Tomlinson
Battaglia	Ellingson	Kempe, A.	Osthoff	Vanasek
Beauchamp	Enebo	Kempe, R.	Patton	Voss
Begich	Erickson	King	Pehler	Waldorf
Berg	Esau	Knickerbocker	Peterson	Welch
Berglin	Evans	Kostohryz	Prahl	Wenstrom
Berkelman	Ewald	Kroening	Reding	Wenzel
Biersdorf	Faricy	Laidig	Rice	White
Birnstihl	Fjoslien	Langseth	Rose	Wieser
Brandl	Forsythe	Lehto	St. Onge	Wigley
Braun	Friedrich	Lemke	Samuelson	Williamson
Brinkman	Fudro	Mangan	Sarna	Wynia
Byrne	Fugina	Mann	Savelkoul	Zubay
Carlson, A.	George	McCarron	Scheid	Speaker Sabo
Carlson, D.	Gunter	McCollar	Schulz	
Carlson, L.	Hanson	McEachern	Searles	
Casserly	Heinitz	Metzen	Sherwood	

Those who voted in the negative were:

Kahn

The bill was passed and its title agreed to.

H. F. No. 1096 was reported to the House and given its third reading.

There being no objection, H. F. No. 1096 was continued on the Calendar for one day.

S. F. No. 362, A bill for an act relating to retirement; miscellaneous amendments to the teachers retirement law; amending Minnesota Statutes 1976, Sections 354.05, Subdivision 2; 354.06, Subdivision 2, and by adding a subdivision; 354.07, by adding a subdivision; 354.10; 354.41, Subdivision 6; 354.43, Subdivision 4; 354.49, Subdivision 5; 354.50, Subdivision 2; 354.53, Subdivision 1; and 354.58.

The bill was read for the third time and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 125 yeas and 1 nay as follows:

Those who voted in the affirmative were:

Abeln	Clark	Jacobs	McEachern	Schulz
Adams	Clawson	Jaros	Metzen	Searles
Albrecht	Corbid	Jensen	Munger	Sieben, H.
Anderson, B.	Cummiskey	Johnson	Murphy	Sieben, M.
Anderson, D.	Dahl	Jude	Neisen	Simoneau
Anderson, G.	Dean	Kahn	Nelsen, B.	Skoglund
Anderson, I.	Den Ouden	Kaley	Nelsen, M.	Smogard
Anderson, R.	Eckstein	Kalis	Nelson	Stanton
Arlandson	Eken	Kelly, R.	Niehaus	Stoa
Battaglia	Ellingson	Kelly, W.	Norton	Suss
Beauchamp	Enebo	Kempe, A.	Novak	Swanson
Begich	Erickson	Kempe, R.	Osthoff	Tomlinson
Berg	Esau	King	Patton	Vanasek
Berglin	Evans	Knickerbocker	Pehler	Voss
Berkelman	Ewald	Kostohryz	Peterson	Waldorf
Eiersdorf	Fjoslien	Kroening	Pleasant	Welch
Birnstihl	Forsythe	Kvam	Prahl	Wenstrom
Brandl	Friedrich	Laidig	Reding	Wenzel
Braun	Fudro	Langseth	Rice	White
Brinkman	Fugina	Lehto	Rose	Wieser
Byrne	George	Lemke	St. Onge	Wigley
Carlson, A.	Gunter	Mangan	Samuelson	Williamson
Carlson, D.	Hanson	Mann	Sarna	Wynia
Carlson, L.	Heinitz	McCarron	Savelkoul	Zubay
Cassery	Hokanson	McCollar	Scheid	Speaker Sabo

Those who voted in the negative were:

Faricy

The bill was passed and its title agreed to.

H. F. No. 157, A bill for an act relating to public utilities; providing for refund of overcharges if certain rates become effective before approval by the public service commission; removing construction in progress from rate bases; prohibiting approval of rates which make allowances for certain advertising expenses; delaying implementation of certain rate schedules; restricting approval of rates which make allowances for charitable contributions; regulating telephone company rates; amending Minnesota Statutes 1976, Section 216B.16, Subdivisions 1, 2, and 6, and by adding subdivisions; and Chapter 237, by adding a section; repealing Minnesota Statutes 1976, Section 237.08.

The bill was read for the third time and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 119 yeas and 8 nays as follows:

Those who voted in the affirmative were:

Abeln	Clark	Jacobs	McEachern	Searles
Adams	Clawson	Jaros	Metzen	Sherwood
Albrecht	Cohen	Jensen	Munger	Sieben, H.
Anderson, B.	Corbid	Johnson	Murphy	Sieben, M.
Anderson, D.	Cummiskey	Jude	Neisen	Simoneau
Anderson, G.	Dahl	Kahn	Nelsen, B.	Skoglund
Anderson, I.	Dean	Kaley	Nelsen, M.	Smogard
Anderson, R.	Den Ouden	Kalis	Nelson	Stanton
Arlandson	Eckstein	Kelly, R.	Niehaus	Stoa
Battaglia	Ellingson	Kelly, W.	Norton	Suss
Beauchamp	Enebo	Kempe, A.	Novak	Swanson
Begich	Erickson	Kempe, R.	Osthoff	Tomlinson
Berg	Esau	King	Patton	Vanasek
Berglin	Evans	Knickerbocker	Pehler	Voss
Berkelman	Ewald	Kostohryz	Peterson	Waldorf
Biersdorf	Faricy	Kvam	Pleasant	Welch
Birnstihl	Fjoslien	Laidig	Prahl	Wenstrom
Brandl	Forsythe	Langseth	Reding	Wenzel
Braun	Friedrich	Lehto	Rose	Wieser
Brinkman	Fudro	Lemke	St. Onge	Wigley
Byrne	George	Mangan	Samuelson	Wynia
Carlson, A.	Gunter	Mann	Sarna	Zubay
Carlson, L.	Heinitz	McCarron	Savelkoul	Speaker Sabo
Casserly	Hokanson	McCollar	Scheid	

Those who voted in the negative were:

Carlson, D.	Fugina	Kroening	Schulz	White
Eken	Hanson	Rice		

The bill was passed and its title agreed to.

H. F. No. 320, A bill for an act relating to labor; providing for the reduction of the tip credit in computing minimum wage; amending Minnesota Statutes 1976, Sections 177.23, Subdivision

9; 177.24; repealing Minnesota Statutes 1976, Section 177.28, Subdivision 4.

The bill was read for the third time and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 102 yeas and 22 nays as follows:

Those who voted in the affirmative were:

Abeln	Clawson	Kalis	Neisen	Simoneau
Anderson, B.	Cohen	Kelly, R.	Nelsen, M.	Skoglund
Anderson, G.	Corbid	Kelly, W.	Nelson	Smogard
Anderson, I.	Cummiskey	Kempe, A.	Niehaus	Stanton
Arlandson	Dahl	Kempe, R.	Norton	Stoa
Battaglia	Dean	King	Novak	Suss
Beauchamp	Eckstein	Knickerbocker	Osthoff	Swanson
Begich	Eken	Kostohryz	Patton	Tomlinson
Berg	Ellingson	Kroening	Pehler	Vanasek
Berglin	Enebo	Laidig	Prahl	Voss
Berkelman	Faricy	Langseth	Reding	Waldorf
Birnstihl	Fugina	Lehto	Rice	Welch
Brandl	George	Lemke	Rose	Wenstrom
Braun	Gunter	Mangan	St. Onge	Wenzel
Brinkman	Hanson	Mann	Samuelson	White
Byrne	Hokanson	McCarron	Sarna	Williamson
Carlson, A.	Jacobs	McCollar	Scheid	Wynia
Carlson, D.	Jaros	McEachern	Schulz	Speaker Sabo
Carlson, L.	Jensen	Metzen	Sherwood	
Cassery	Jude	Munger	Sieben, H.	
Clark	Kahn	Murphy	Sieben, M.	

Those who voted in the negative were:

Albrecht	Evans	Heinitz	Peterson	Wigley
Anderson, D.	Ewald	Johnson	Pleasant	Zubay
Biersdorf	Fjoslien	Kaley	Savelkoul	
Den Ouden	Forsythe	Kvam	Searles	
Erickson	Friedrich	Nelsen, B.	Wieser	

The bill was passed and its title agreed to.

H. F. No. 1172, A bill for an act relating to agriculture; produce; inspection; fees; potato grading; labeling and inspection; prohibiting certain sales of artificially colored potatoes; amending Minnesota Statutes 1976, Sections 27.07; 30.10; 30.20; and Chapter 30, by adding sections; repealing Minnesota Statutes 1976, Sections 30.121; 30.13; 30.14; and 30.478.

The bill was read for the third time and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 124 yeas and 1 nay as follows:

Those who voted in the affirmative were:

Abeln	Cohen	Jaros	Metzen	Sherwood
Adams	Cummiskey	Jensen	Munger	Sieben, H.
Albrecht	Dahl	Johnson	Murphy	Sieben, M.
Anderson, B.	Dean	Jude	Neisen	Simoneau
Anderson, G.	Den Ouden	Kahn	Nelsen, B.	Skoglund
Anderson, I.	Eckstein	Kaley	Nelson, M.	Smogard
Arlandson	Eken	Kalis	Nelson	Stanton
Battaglia	Ellingson	Kelly, R.	Niehaus	Stoa
Beauchamp	Enebo	Kelly, W.	Norton	Suss
Begich	Erickson	Kempe, A.	Novak	Swanson
Berg	Esau	Kempe, R.	Osthoff	Tomlinson
Berglin	Evans	King	Patton	Vanasek
Berkelman	Ewald	Knickerbocker	Pehler	Voss
Biersdorf	Faricy	Kostohryz	Peterson	Waldorf
Birnsthil	Fjoslien	Kroening	Pleasant	Welch
Brandl	Forsythe	Kvam	Prahl	Wenstrom
Braun	Friedrich	Laidig	Reding	Wenzel
Brinkman	Fudro	Langseth	Rice	White
Byrne	Fugina	Lehto	Rose	Wieser
Carlson, A.	George	Lemke	St. Onge	Wigley
Carlson, D.	Gunter	Mangan	Samuelson	Williamson
Carlson, L.	Hanson	Mann	Sarna	Wynia
Casserly	Heinitz	McCarron	Savelkoul	Zubay
Clark	Hokanson	McCollar	Schulz	Speaker Sabo
Clawson	Jacobs	McEachern	Searles	

Those who voted in the negative were:

Anderson, D.

The bill was passed and its title agreed to.

H. F. No. 1017, A bill for an act relating to consumer protection; regulating invention development services; prescribing contract terms and disclosures to customers; defining terms; requiring invention developers to file a bond; providing penalties.

The bill was read for the third time and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 129 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Abeln	Berglin	Clawson	Evans	Jacobs
Adams	Berkelman	Cohen	Ewald	Jaros
Albrecht	Biersdorf	Corbid	Faricy	Jensen
Anderson, B.	Birnsthil	Cummiskey	Fjoslien	Johnson
Anderson, D.	Brandl	Dahl	Forsythe	Jude
Anderson, G.	Braun	Dean	Friedrich	Kahn
Anderson, I.	Brinkman	Den Ouden	Fudro	Kaley
Anderson, R.	Byrne	Eckstein	Fugina	Kalis
Arlandson	Carlson, A.	Eken	George	Kelly, R.
Battaglia	Carlson, D.	Ellingson	Gunter	Kelly, W.
Beauchamp	Carlson, L.	Enebo	Hanson	Kempe, A.
Begich	Casserly	Erickson	Heinitz	Kempe, R.
Berg	Clark	Esau	Hokanson	King

Knickerbocker	Metzen	Pehler	Searles	Voss
Kostohryz	Moe	Peterson	Sherwood	Waldorf
Kroening	Munger	Pleasant	Sieben, H.	Welch
Kvam	Murphy	Prahl	Sieben, M.	Wenstrom
Laidig	Neisen	Reding	Simoneau	Wenzel
Langseth	Nelsen, B.	Rice	Skoglund	White
Lehto	Nelsen, M.	Rose	Smogard	Wieser
Lemke	Nelson	St. Onge	Stanton	Wigley
Mangan	Niehaus	Samuelson	Stoa	Williamson
Mann	Norton	Sarna	Suss	Wynia
McCarron	Novak	Saveikoul	Swanson	Zubay
McCollar	Osthoff	Scheid	Tomlinson	Speaker Sabo
McEachern	Patton	Schulz	Vanasek	

The bill was passed and its title agreed to.

H. F. No. 888, A bill for an act relating to education; authorizing school boards to appoint a student advisory member.

The bill was read for the third time and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 117 yeas and 12 nays as follows:

Those who voted in the affirmative were:

Abeln	Clawson	Johnson	Neisen	Simoneau
Adams	Cohen	Jude	Nelsen, B.	Skoglund
Albrecht	Corbid	Kahn	Nelsen, M.	Smogard
Anderson, G.	Cummiskey	Kalis	Nelson	Stanton
Anderson, I.	Dahl	Kelly, R.	Norton	Stoa
Anderson, R.	Dean	Kelly, W.	Novak	Suss
Arlandson	Eckstein	Kempe, A.	Osthoff	Swanson
Battaglia	Ellingson	Kempe, R.	Patton	Tomlinson
Beauchamp	Enebo	King	Pehler	Vanasek
Begich	Evans	Kostohryz	Pleasant	Voss
Berg	Ewald	Kroening	Prahl	Waldorf
Berglin	Faricy	Kvam	Reding	Welch
Berkelman	Forsythe	Laidig	Rice	Wenstrom
Biersdorf	Friedrich	Lehto	Rose	Wenzel
Birnstihl	Fudro	Lemke	St. Onge	White
Brandl	Fugina	Mangan	Samuelson	Wieser
Braun	George	Mann	Sarna	Wigley
Brinkman	Gunter	McCarron	Saveikoul	Williamson
Byrne	Hanson	McCollar	Scheid	Wynia
Carlson, A.	Heinitz	McEachern	Schulz	Zubay
Carlson, D.	Hokanson	Metzen	Searles	Speaker Sabo
Carlson, L.	Jacobs	Moe	Sherwood	
Cassery	Jaros	Munger	Sieben, H.	
Clark	Jensen	Murphy	Sieben, M.	

Those who voted in the negative were:

Anderson, B.	Eken	Fjoslien	Langseth	Peterson
Anderson, D.	Erickson	Kaley	Niehaus	
Den Ouden	Esau	Knickerbocker		

The bill was passed and its title agreed to.

There being no objection the order of business reverted to Introduction and First Reading of House Bills.

INTRODUCTION AND FIRST READING OF HOUSE BILLS

The following House Files were introduced :

Norton, for the Committee on Appropriations, introduced :

H. F. No. 1594, A bill for an act relating to the organization and operation of state government; appropriating money for maintenance of various semi-state activities and for other purposes; amending Minnesota Statutes 1976, Section 139.10, by adding a subdivision; and Chapter 139, by adding a section.

The bill was read for the first time and laid over one day.

Norton, for the Committee on Appropriations, introduced :

H. F. No. 1595, A bill for an act relating to the organization and operation of state government; appropriating money for the general administrative and judicial expenses of state government and limiting the use thereof; providing for the transfer of certain moneys in the state treasury; authorizing land acquisition in certain cases; fixing and limiting the amount of fees to be collected in certain cases; amending Minnesota Statutes 1976, Sections 5.08, Subdivision 2; 5.09; 10.30; 85A.04, Subdivision 1; 116D.04, Subdivision 3; 116E.03, Subdivision 1; 176.611, Subdivision 6a; 298.22, Subdivisions 1 and 2; 298.221; 298.244, Subdivision 1; and 326.241, Subdivision 3; 472.13, Subdivision 1; Chapter 16A, by adding a section; and Laws 1976, Chapter 260, Section 3; repealing Minnesota Statutes 1976, Sections 16.173 and 299D.03, Subdivision 4.

The bill was read for the first time and laid over one day.

GENERAL ORDERS

There being no objection, the bills on General Orders for today were continued on General Orders for one day.

MOTIONS AND RESOLUTIONS

Kelly, R., moved that S. F. No. 836 be recalled from the Committee on Financial Institutions and Insurance and together with H. F. No. 893, now on the Technical Consent Calendar, be referred to the Chief Clerk for comparison. The motion prevailed.

Wenzel moved that the name of Schulz be stricken and the name of Sarna be added as an author on H. F. No. 1399. The motion prevailed.

ADJOURNMENT

Anderson, I., moved that when the House adjourns today it adjourn until 2:00 p.m., Monday, May 2, 1977. The motion prevailed.

Anderson, I., moved that the House adjourn. The motion prevailed, and the Speaker declared the House stands adjourned until 2:00 p.m., Monday, May 2, 1977.

EDWARD A. BURDICK, Chief Clerk, House of Representatives

1897

The following bills were introduced and read twice:
 H. B. 100, by Mr. [Name], for the purpose of [purpose]
 H. B. 101, by Mr. [Name], for the purpose of [purpose]
 H. B. 102, by Mr. [Name], for the purpose of [purpose]
 H. B. 103, by Mr. [Name], for the purpose of [purpose]
 H. B. 104, by Mr. [Name], for the purpose of [purpose]
 H. B. 105, by Mr. [Name], for the purpose of [purpose]

STATE OF MINNESOTA

SEVENTIETH SESSION—1977

FORTY-FIFTH DAY

SAINT PAUL, MINNESOTA, MONDAY, MAY 2, 1977

The House of Representatives convened at 2:00 p.m. and was called to order by the Speaker.

Prayer was offered by the Chaplain.

The roll was called and the following members were present:

Abeln	Cohen	Jensen	Munger	Sherwood
Adams	Corbid	Johnson	Murphy	Sieben, H.
Albrecht	Cummiskey	Jude	Neisen	Sieben, M.
Anderson, B.	Dahl	Kahn	Nelsen, B.	Simoneau
Anderson, D.	Dean	Kaley	Nelsen, M.	Skoglund
Anderson, G.	Den Ouden	Kalis	Nelson	Smogard
Anderson, I.	Eckstein	Kelly, R.	Niehaus	Spanish
Anderson, R.	Eken	Kelly, W.	Norton	Stanton
Arlandson	Ellingson	Kempe, A.	Novak	Stoa
Battaglia	Enebo	Kempe, R.	Osthoff	Suss
Beauchamp	Erickson	King	Pehler	Swanson
Begich	Esau	Knickerbocker	Peterson	Tomlinson
Berg	Ewald	Kostohryz	Petrafaso	Vanasek
Berglin	Faricy	Kroening	Pleasant	Voss
Berkelman	Fjoslien	Kvam	Prahl	Waldorf
Biersdorf	Forsythe	Laidig	Reding	Welch
Birnstihl	Friedrich	Langseth	Rice	Wenstrom
Brandl	Fudro	Lehto	Rose	Wenzel
Braun	Fugina	Lemke	St. Onge	White
Brinkman	George	Mann	Samuelson	Wieser
Byrne	Gunter	McCarron	Sarna	Wigley
Carlson, A.	Hanson	McCollar	Savelkoul	Williamson
Carlson, L.	Heinitz	McDonald	Scheid	Wynia
Cassery	Hokanson	McEachern	Schulz	Zubay
Clark	Jacobs	Metzen	Searle	Speaker Sabo
Clawson	Jaros	Moe	Searles	

A quorum was present.

Evans and Haugerud were excused. Mangan and Patton were excused until 2:15 p.m. Carlson, D., was excused until 3:30 p.m.

The Chief Clerk proceeded to read the Journal of the preceding day. McCollar moved that further reading of the Journal be dispensed with and that the Journal be approved as corrected by the Chief Clerk. The motion prevailed.

REPORTS OF CHIEF CLERK

Pursuant to Rules of the House, printed copies of H. F. Nos. 893 and 1031 and S. F. Nos. 1077, 895 and 49 have been placed in the members' files.

S. F. No. 836 and H. F. No. 893, which had been referred to the Chief Clerk for comparison, were examined and found to be identical.

Kelly, R., moved that S. F. No. 836 be substituted for H. F. No. 893 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 895 and H. F. No. 771, which had been referred to the Chief Clerk for comparison, were examined and found to be identical with certain exceptions.

SUSPENSION OF RULES

Voss moved that the rules be so far suspended that S. F. No. 895 be substituted for H. F. No. 771 and that the House File be indefinitely postponed. The motion prevailed.

PETITIONS AND COMMUNICATIONS

The following communication was received:

STATE OF MINNESOTA
OFFICE OF THE SECRETARY OF STATE
ST. PAUL 55155

April 28, 1977

The Honorable Martin O. Sabo
Speaker of the House of Representatives
The Honorable Edward J. Gearty
President of the Senate

I have the honor to inform you that the following enrolled Acts of the 1977 Session of the State Legislature have been received from the Office of the Governor and are deposited in the Office of the Secretary of State for preservation, pursuant to the State Constitution, Article IV, Section 23:

<i>S.F. No.</i>	<i>H.F. No.</i>	<i>Session Laws Chapter No.</i>	<i>Date Approved 1977</i>	<i>Date Filed 1977</i>
	57	37	April 28	April 28

Sincerely,

JOAN ANDERSON GROWE
Secretary of State

SECOND READING OF HOUSE BILLS

H. F. Nos. 1594 and 1595 were read for the second time.

SECOND READING OF SENATE BILLS

S. F. Nos. 836 and 895 were read for the second time.

INTRODUCTION AND FIRST READING
OF HOUSE BILLS

The following House Files were introduced:

Brandl, Stanton, Pehler, Enebo and Prael introduced:

H. F. No. 1596, A bill for an act relating to labor; providing for agricultural labor; defining unfair labor practices; regulating agricultural employers and employees; creating a board; providing for representation elections; providing for investigations and hearings; providing for court review; providing penalties; providing an appropriation.

The bill was read for the first time and referred to the Committee on Agriculture.

Novak, McCarron and Cohen introduced:

H. F. No. 1597, A bill for an act relating to intoxicating and nonintoxicating liquor; suspension of licenses for gambling violations; amending Minnesota Statutes 1976, Section 340.135.

The bill was read for the first time and referred to the Committee on Commerce and Economic Development.

Neisen; Sieben, H.; Biersdorf; Schulz and McEachern introduced:

H. F. No. 1598, A bill for an act relating to uses and trusts; providing for the application to and limitation of certain general trust statutes in relation to industrial revenue bonds; amending Minnesota Statutes 1976, Sections 501.34 and 501.37.

The bill was read for the first time and referred to the Committee on Governmental Operations.

Eckstein, Kalis, Lemke, Esau and Nelsen, M., introduced:

H. F. No. 1599, A bill for an act relating to unemployment compensation; making certain daytime activity center teachers ineligible for benefits during certain periods; amending Minnesota Statutes 1976, Section 268.08, Subdivision 5.

The bill was read for the first time and referred to the Committee on Governmental Operations.

Kahn, Voss, Dean, Norton and Welch introduced:

H. F. No. 1600, A bill for an act relating to state expenditures; regulating the expenditure of federal funds.

The bill was read for the first time and referred to the Committee on Governmental Operations.

Berglin and Swanson introduced:

H. F. No. 1601, A bill for an act relating to public health; health related licensing boards; requiring reexamination for re-licensing of persons licensed by health related licensing boards; amending Minnesota Statutes 1976, Section 214.12.

The bill was read for the first time and referred to the Committee on Health and Welfare.

Berglin and Clark introduced:

H. F. No. 1602, A bill for an act relating to the city of Minneapolis; permitting the issuance of certain bonds.

The bill was read for the first time and referred to the Committee on Local and Urban Affairs.

Anderson, B.; Anderson, D.; Anderson, G.; Anderson, I., and Anderson, R., introduced:

H. F. No. 1603, A bill for an act relating to taxation; exempting certain homemade vehicles from the motor vehicle excise tax; amending Minnesota Statutes 1976, Sections 297B.01, Subdivision 8; and 297B.03.

The bill was read for the first time and referred to the Committee on Taxes.

Fugina, Begich, Battaglia and Berkelman introduced:

H. F. No. 1604, A bill for an act relating to town roads; providing cartways; amending Minnesota Statutes 1976, Section 164.08, Subdivision 2.

The bill was read for the first time and referred to the Committee on Transportation.

Lemke, Fudro, Birnstihl, Friedrich and Jensen introduced:

H. F. No. 1605, A bill for an act relating to motor vehicles, registration dates, display of plates or insignia; amending Minnesota Statutes 1976, Section 168.09, Subdivision 3.

The bill was read for the first time and referred to the Committee on Transportation.

HOUSE ADVISORIES

Pursuant to rule 5.3, the following House Advisory was introduced:

Casserly; Sieben, H.; Norton; Anderson, I., and Rice introduced:

H. A. No. 28, A proposal to reorganize the Insurance Division of the Commerce Department.

The advisory was referred to the Committee on Governmental Operations.

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Mr. Speaker:

I hereby announce the passage by the Senate of the following Senate Files, herewith transmitted:

S. F. Nos. 695, 914, 1023, 1093 and 1140.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

I hereby announce the passage by the Senate of the following Senate Files, herewith transmitted:

S. F. Nos. 324, 579, 767, 928 and 1116.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

I hereby announce the passage by the Senate of the following Senate Files, herewith transmitted:

S. F. Nos. 109 and 143.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

I hereby announce the passage by the Senate of the following Senate File, herewith transmitted:

S. F. No. 1165.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

I hereby announce the passage by the Senate of the following Senate Files, herewith transmitted:

S. F. Nos. 1166, 1208, 1234, 1302 and 1390.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

I hereby announce the passage by the Senate of the following Senate Files, herewith transmitted:

S. F. Nos. 977, 1120 and 1258.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

I hereby announce the passage by the Senate of the following Senate Files, herewith transmitted:

S. F. Nos. 603, 713, 787, 798 and 830.

PATRICK E. FLAHAVEN, Secretary of the Senate

FIRST READING OF SENATE BILLS

S. F. No. 695, A bill for an act relating to the Como Park zoo; requiring the metropolitan council to issue bonds for repair, construction, reconstruction, improvement, and rehabilitation of the Como Park zoo by the City of Saint Paul; amending Minnesota Statutes 1976, Chapter 473, by adding a section.

The bill was read for the first time and referred to the Committee on Local and Urban Affairs.

S. F. No. 914, A bill for an act relating to the city of Mankato; providing for the service of the police and fire chiefs.

The bill was read for the first time and referred to the Committee on Local and Urban Affairs.

S. F. No. 1023, A bill for an act relating to public indebtedness; regulating the sale of securities by municipalities subject to reverse repurchase agreements; providing penalties for misconduct of municipal officers in the execution of agreements; amending Minnesota Statutes 1976, Section 475.51, by adding a subdivision; and Chapter 475, by adding a section.

The bill was read for the first time and referred to the Committee on Local and Urban Affairs.

S. F. No. 1093, A bill for an act relating to taxation; providing for county treasurer to certify taxes prior to certification by county auditor; amending Minnesota Statutes 1976, Chapter 272, by adding a section.

The bill was read for the first time and referred to the Committee on Local and Urban Affairs.

S. F. No. 1140, A bill for an act relating to agriculture; food licensing; defining a custom processor and providing for a custom processing permit; amending Minnesota Statutes 1976, Sections 28A.03; 28A.04; and 28A.13.

The bill was read for the first time.

Suss moved that S. F. No. 1140 and H. F. No. 1443, now on General Orders, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 324, A bill for an act relating to drivers licenses; increasing the fee for driver's licenses, and establishing a fee for Minnesota identification cards; providing for uniform application fees; amending Minnesota Statutes 1976, Sections 171.06, Subdivisions 1, 2, and 4; and 171.07, Subdivisions 3, 4, and 5.

The bill was read for the first time and referred to the Committee on Transportation.

S. F. No. 579, A bill for an act relating to taxation; changing computation of certain income tax credits for contributions; providing that certain income tax credits for contributions may be carried forward; amending Minnesota Statutes 1976, Section 290.21, Subdivision 3.

The bill was read for the first time and referred to the Committee on Taxes.

S. F. No. 767, A bill for an act relating to mortgages; authorizing appointment of a receiver upon foreclosure and upon a showing that a mortgagor has breached certain covenants in the mortgage; amending Minnesota Statutes 1976, Sections 559.17; and 576.01.

The bill was read for the first time and referred to the Committee on Financial Institutions and Insurance.

S. F. No. 928, A bill for an act relating to taxation; altering the requirements for claiming withholding exemptions; amending Minnesota Statutes 1976, Section 290.92, Subdivision 5.

The bill was read for the first time and referred to the Committee on Taxes.

S. F. No. 1116, A bill for an act relating to plats; authorizing plats to be prepared by photographic process in counties having microfilm capabilities; amending Minnesota Statutes 1976, Sections 505.08, by adding a subdivision; 505.1792, Subdivision 2; and 508.47, Subdivision 4.

The bill was read for the first time and referred to the Committee on Local and Urban Affairs.

S. F. No. 109, A bill for an act relating to the organization of state government; providing that heads of certain departments and other governmental units of the state shall be appointed by and shall serve at the pleasure of the appointing authority; providing for the succession of commissioners; limiting the ability of former commissioners and former deputy commissioners to appear before their former agencies; defining position and duties of deputy department heads; standardizing the format and procedures relating to executive orders and reorganization orders; prescribing uses for executive orders; limiting the scope of reorganization orders; abolishing the board of health and transferring its powers to the commissioner of health; creating a health advisory council; eliminating obsolete language; amending Minnesota Statutes 1976, Sections 15.051, Subdivisions 1 and 3; 15.06; 16.01; 16.125; 16A.01, Subdivisions 2 and 3; 17.01;

43.001, Subdivisions 2 and 3; 45.02; 45.15; 84.01, Subdivision 2; 116.03, Subdivision 1; 116H.03, Subdivisions 2 and 3; 121.09; 121.16, Subdivision 1; 129A.02, Subdivision 2; 174.02, Subdivision 1; 175.001, Subdivision 1; 179.02; 196.02, Subdivision 1; 216A.06, Subdivision 1; 241.01, Subdivisions 1 and 2; 245.03; 268.12, Subdivision 1; 270.02, Subdivision 2; 298.22, Subdivision 1; 299A.01, Subdivisions 1 and 2; 362.09, Subdivision 1; 363.04, Subdivision 1; 462A.04, Subdivision 8; and Chapter 144, by adding a section; repealing Minnesota Statutes 1976, Sections 16.13; 121.07; 121.08; 121.10; 121.16, Subdivision 2; 144.01; 144.02; 144.03; 144.04; 175.001, Subdivision 4; and 216A.06, Subdivision 2.

The bill was read for the first time.

Petrafeso moved that S. F. No. 109 and H. F. No. 612, now on General Orders, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 143, A bill for an act relating to crimes and criminals; prohibiting certain acts against railroad employees and railroad property; prescribing penalties; amending Minnesota Statutes 1976, Chapter 609, by adding a section.

The bill was read for the first time and referred to the Committee on Criminal Justice.

S. F. No. 1165, A bill for an act relating to natural resources; state parks; requiring compatible uses of private lands within state parks; providing the commissioner of natural resources with authority to enforce compatible use standards; providing for the acquisition of private land within parks; amending Minnesota Statutes 1976, Chapter 85, by adding a section.

The bill was read for the first time and referred to the Committee on Environment and Natural Resources.

S. F. No. 1166, A bill for an act relating to administrative procedures; providing for water resource and conservation hearings to be held in accordance with the administrative procedure act; amending Minnesota Statutes 1976, Sections 105.44, Subdivisions 3, 5, 6, 7 and 8; 105.45; and 105.461; repealing Minnesota Statutes 1976, Section 105.47.

The bill was read for the first time.

Wenstrom moved that S. F. No. 1166 and H. F. No. 978, now on General Orders, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 1208, A bill for an act relating to elections; providing that polling places be accessible to the elderly and physi-

cally handicapped; providing assistance to voters unable to enter the polling place; amending Minnesota Statutes 1976, Sections 204A.09, by adding a subdivision; and 204A.34, Subdivision 2; repealing Minnesota Statutes 1976, Section 204A.11, Subdivision 4.

The bill was read for the first time.

Neisen moved that S. F. No. 1208 and H. F. No. 1096, now on the Calendar, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 1234, A bill for an act relating to education; authorizing the state board of education to create additional advisory task forces; amending Minnesota Statutes 1976, Section 15.014, by adding a subdivision.

The bill was read for the first time.

Nelsen, M., moved that S. F. No. 1234 and H. F. No. 1428, now on General Orders, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 1302, A bill for an act relating to transportation; providing for certain permitted advertising signs on federal primary aid highways; amending Minnesota Statutes 1976, Sections 173.03; 173.08; 173.13, Subdivision 1; and 173.16, Subdivision 1.

The bill was read for the first time and referred to the Committee on Transportation.

S. F. No. 1390, A bill for an act relating to public welfare; local mental health programs; authorizing counties bordering on economic development regions to obtain mental health services from adjacent regions; amending Minnesota Statutes 1976, Chapter 245, by adding a section.

The bill was read for the first time and referred to the Committee on Health and Welfare.

S. F. No. 977, A bill for an act relating to marriage; requiring certain information to be included on an application for a marriage license; amending Minnesota Statutes 1976, Sections 517.08, Subdivision 1; and 517.10.

The bill was read for the first time and referred to the Committee on General Legislation and Veterans Affairs.

S. F. No. 1120, A bill for an act relating to public waters; their classification and drainage; providing for venue of certain actions involving the commissioner of natural resources; amending Minnesota Statutes 1976, Chapter 105, by adding a section.

The bill was read for the first time and referred to the Committee on Environment and Natural Resources.

S. F. No. 1258, A bill for an act relating to the uniform commercial code; providing for the appropriation of the proceeds of bulk transfers; providing for the payment of creditors; amending Minnesota Statutes 1976, Sections 336.6-107; 336.6-108; and 336.6-109; and Chapter 336 by adding a section.

The bill was read for the first time and referred to the Committee on Commerce and Economic Development.

S. F. No. 603, A bill for an act relating to the public service commission; confining appeals from its decisions to the record; allowing the commission to appeal adverse decisions of the district court to the supreme court; amending Minnesota Statutes 1976, Section 216.25.

The bill was read for the first time and referred to the Committee on Governmental Operations.

S. F. No. 713, A bill for an act relating to the city of Fridley; membership of new police officers in the public employees retirement association; benefits and contributions for remaining members of the Fridley police pension association.

The bill was read for the first time and referred to the Committee on Governmental Operations.

S. F. No. 787, A bill for an act relating to shade tree disease; providing for a study by the commissioner of agriculture of the need for regulation of tree disease and removal specialists; requiring a report to the legislature.

The bill was read for the first time and referred to the Committee on Commerce and Economic Development.

S. F. No. 798, A bill for an act relating to worker's compensation; providing that persons assisting law enforcement officials may be eligible for benefits; amending Minnesota Statutes 1976, Section 176.011, Subdivision 9.

The bill was read for the first time and referred to the Committee on Governmental Operations.

S. F. No. 830, A bill for an act relating to the city of Duluth; authorizing the imposition of an additional tax on certain sales of food and drink; amending Laws 1973, Chapter 461, Section 1.

The bill was read for the first time and referred to the Committee on Taxes.

REPORT FROM THE COMMITTEE ON RULES AND
LEGISLATIVE ADMINISTRATION

Anderson, I., from the Committee on Rules and Legislative Administration, pursuant to rule 1.9, designated the following bills as a Special Order to be acted upon immediately following the Calendar for today: H. F. Nos. 808, 968, 313, 41, 240, 829, 338, 635, 972, 1094, 462, 1275, 1421, 461, 916, 981, 1114, 1322, 921, 938, 1386, 1015, 343 and 801.

PROGRESS REPORTS ON CONFERENCE COMMITTEES

Pursuant to Joint Rule 2.06, progress on H. F. Nos. 437, 586 and 339 was reported to the House.

CONSENT CALENDAR

S. F. No. 640, A bill for an act relating to the county of Hennepin; permitting longer duration contracts for goods and services entered into by the county of Hennepin; amending Laws 1969, Chapter 476, Section 1.

The bill was read for the third time and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 119 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Abeln	Clawson	Jensen	Murphy	Searles
Adams	Corbid	Jude	Neisen	Sherwood
Albrecht	Dahl	Kaley	Nelsen, B.	Sieben, H.
Anderson, B.	Dean	Kelly, R.	Nelsen, M.	Sieben, M.
Anderson, D.	Eckstein	Kelly, W.	Nelson	Simoneau
Anderson, G.	Eken	Kempe, A.	Niehaus	Skoglund
Anderson, I.	Ellingson	Kempe, R.	Norton	Smogard
Anderson, R.	Enebo	King	Novak	Stanton
Arlandson	Erickson	Knickerbocker	Osthoff	Stoa
Battaglia	Esau	Kostohryz	Patton	Suss
Beauchamp	Ewald	Kroening	Pehler	Swanson
Begich	Faricy	Kvam	Peterson	Tomlinson
Berg	Fjoslien	Laidig	Petrafeso	Vanasek
Berglin	Forsythe	Langseth	Pleasant	Waldorf
Berkelman	Friedrich	Lehto	Prahl	Welch
Biersdorf	Fudro	Lemke	Rice	Wenstrom
Birnstihl	Fugina	Mann	Rose	Wenzel
Brandl	George	McCarron	St. Onge	White
Braun	Gunter	McCollar	Samuelson	Wigley
Brinkman	Hanson	McDonald	Sarna	Williamson
Byrne	Heinitz	McEachern	Savelkoul	Wynia
Carlson, A.	Hokanson	Metzen	Scheid	Zubay
Carlson, L.	Jacobs	Moe	Schulz	Speaker Sabo
Clark	Jaros	Munger	Searle	

The bill was passed and its title agreed to.

S. F. No. 684, A bill for an act relating to Anoka county; creating an accrual accounting system; providing for purchase and payments for goods and services.

The bill was read for the third time and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 122 yeas and 1 nay as follows:

Those who voted in the affirmative were:

Abeln	Cohen	Johnson	Neisen	Sieben, M.
Adams	Corbid	Jude	Nelsen, B.	Simoneau
Albrecht	Cummiskey	Kahn	Nelsen, M.	Skoglund
Anderson, B.	Dahl	Kaley	Nelson	Smogard
Anderson, D.	Dean	Kelly, W.	Niehaus	Stanton
Anderson, G.	Eckstein	Kempe, A.	Norton	Stoa
Anderson, I.	Eken	Kempe, R.	Novak	Suss
Anderson, R.	Ellingson	King	Osthoff	Swanson
Arlandson	Enebo	Knickerbocker	Patton	Tomlinson
Battaglia	Esau	Kostohryz	Pehler	Vanasek
Beauchamp	Ewald	Kroening	Peterson	Voss
Begich	Faricy	Kvam	Petrafeso	Waldorf
Berg	Fjoslien	Laidig	Pleasant	Welch
Berglin	Forsythe	Langseth	Prahl	Wenstrom
Berkelman	Friedrich	Lehto	Reding	Wenzel
Biersdorf	Fudro	Lemke	Rice	White
Birnstihl	Fugina	Mann	Rose	Wieser
Brandl	George	McCarron	St. Onge	Wigley
Braun	Gunter	McCollar	Samuelson	Williamson
Brinkman	Hanson	McDonald	Sarna	Wynia
Carlson, A.	Heinitz	McEachern	Scheid	Zubay
Carlson, L.	Hokanson	Metzen	Schulz	Speaker Sabo
Casserly	Jacobs	Moe	Searles	
Clark	Jaros	Munger	Sherwood	
Clawson	Jensen	Murphy	Sieben, H.	

Those who voted in the negative were:

Kelly, R.

The bill was passed and its title agreed to.

H. F. No. 491, A bill for an act relating to retirement; police pensions in the city of Crookston.

The bill was read for the third time and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 128 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Abeln	Cohen	Jensen	Munger	Sherwood
Adams	Corbid	Johnson	Murphy	Sieben, H.
Albrecht	Cummiskey	Jude	Neisen	Sieben, M.
Anderson, B.	Dahl	Kahn	Nelsen, B.	Simoneau
Anderson, D.	Dean	Kaley	Nelsen, M.	Skoglund
Anderson, G.	Den Ouden	Kelly, R.	Nelson	Smogard
Anderson, I.	Eckstein	Kelly, W.	Niehaus	Stanton
Anderson, R.	Eken	Kempe, A.	Norton	Stoa
Arlandson	Ellingson	Kempe, R.	Novak	Suss
Battaglia	Enebo	King	Osthoff	Swanson
Beauchamp	Erickson	Knickerbocker	Patton	Tomlinson
Begich	Esau	Kostohryz	Pehler	Vanasek
Berg	Ewald	Kroening	Petrafeso	Voss
Berglin	Faricy	Kvam	Pleasant	Waldorf
Berkelman	Fjoslien	Laidig	Prahl	Welch
Biersdorf	Forsythe	Langseth	Reding	Wenstrom
Birnstihl	Friedrich	Lehto	Rice	Wenzel
Brandl	Fudro	Lemke	Rose	White
Braun	Fugina	Mangan	St. Onge	Wieser
Brinkman	George	Mann	Samuelson	Wigley
Byrne	Gunter	McCarron	Sarna	Williamson
Carlson, A.	Hanson	McCollar	Savelkoul	Wynia
Carlson, L.	Heinitz	McDonald	Scheid	Zubay
Casserly	Hokanson	McEachern	Schulz	Speaker Sabo
Clark	Jacobs	Metzen	Searle	
Clawson	Jaros	Moe	Searles	

The bill was passed and its title agreed to.

S. F. No. 530, A bill for an act relating to used motor oil recycling; requiring certain collection facilities or the posting of certain notices; providing a penalty.

The bill was read for the third time and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 124 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Abeln	Braun	Ewald	Kaley	McDonald
Adams	Brinkman	Faricy	Kelly, R.	McEachern
Albrecht	Byrne	Fjoslien	Kelly, W.	Metzen
Anderson, B.	Carlson, A.	Forsythe	Kempe, A.	Moe
Anderson, D.	Carlson, L.	Friedrich	Kempe, R.	Munger
Anderson, G.	Clark	Fudro	King	Murphy
Anderson, I.	Clawson	Fugina	Knickerbocker	Neisen
Anderson, R.	Cohen	George	Kostohryz	Nelsen, B.
Arlandson	Corbid	Gunter	Kroening	Nelsen, M.
Battaglia	Cummiskey	Hanson	Kvam	Nelson
Beauchamp	Dahl	Heinitz	Laidig	Niehaus
Begich	Dean	Hokanson	Langseth	Norton
Berg	Eckstein	Jacobs	Lehto	Novak
Berglin	Eken	Jaros	Lemke	Osthoff
Berkelman	Ellingson	Jensen	Mangan	Patton
Biersdorf	Enebo	Johnson	Mann	Pehler
Birnstihl	Erickson	Jude	McCarron	Peterson
Brandl	Esau	Kahn	McCollar	Petrafeso

Pleasant	Schulz	Skoglund	Vanasek	Wieser
Prahl	Searle	Smogard	Voss	Wigley
Rice	Searles	Stanton	Waldorf	Williamson
Rose	Sherwood	Stoa	Welch	Wynia
Sarna	Sieben, H.	Suss	Wenstrom	Zubay
Savelkoul	Sieben, M.	Swanson	Wenzel	Speaker Sabo
Scheid	Simoneau	Tomlinson	White	

The bill was passed and its title agreed to.

S. F. No. 716, A bill for an act relating to credit unions; authorizing certain contracts between credit unions; amending Minnesota Statutes 1976, Section 52.04.

The bill was read for the third time and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 127 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Abeln	Cohen	Jensen	Murphy	Sieben, H.
Adams	Corbid	Johnson	Neisen	Sieben, M.
Albrecht	Cummiskey	Jude	Nelson, B.	Simoneau
Anderson, B.	Dahl	Kahn	Nelsen, M.	Skoglund
Anderson, D.	Dean	Kaley	Nelson	Smogard
Anderson, G.	Den Ouden	Kelly, R.	Norton	Stanton
Anderson, I.	Ekstein	Kelly, W.	Novak	Stoa
Anderson, R.	Eken	Kempe, A.	Osthoff	Suss
Ariandson	Ellingson	Kempe, R.	Patton	Swanson
Battaglia	Enebo	King	Pehler	Tomlinson
Beauchamp	Erickson	Knickerbocker	Peterson	Vanasek
Begich	Esau	Kostohryz	Petrafaso	Voss
Berg	Ewald	Kroening	Pleasant	Waldorf
Berglin	Faricy	Kvam	Prahl	Welch
Berkelman	Fjoslien	Laidig	Reding	Wenstrom
Biersdorf	Forsythe	Langseth	Rice	Wenzel
Birnstihl	Friedrich	Lehto	Rose	White
Brandl	Fudro	Lemke	St. Onge	Wieser
Braun	Fugina	Mangan	Samuelson	Wigley
Brinkman	George	Mann	Sarna	Williamson
Byrne	Gunter	McCollar	Savelkoul	Wynia
Carlson, A.	Hanson	McDonald	Scheid	Zubay
Carlson, L.	Heinitz	McEachern	Schulz	Speaker Sabo
Casserly	Hokanson	Metzen	Searle	
Clark	Jacobs	Moe	Searles	
Clawson	Jaros	Munger	Sherwood	

The bill was passed and its title agreed to.

CONSIDERATION UNDER RULE 1.10

Pursuant to rule 1.10, Norton requested immediate consideration of H. F. No. 600.

H. F. No. 600 was reported to the House.

Savelkoul moved to amend H. F. No. 600, as follows:

Page 8, after line 8, insert:

"Subd. 2. No association, as defined in section 10A.01, whose resources includes payments obliged to be made by or on behalf of persons as a condition of their employment on the exercise of their profession may make a contribution."

Renumber the remaining subdivisions in order.

A roll call was requested and properly seconded.

The question was taken on the adoption of the amendment and the roll was called. There were 41 yeas and 82 nays as follows:

Those who voted in the affirmative were:

Albrecht	Dean	Friedrich	McDonald	Smogard
Anderson, B.	Den Ouden	Heinitz	Nelsen, B.	Wieser
Anderson, D.	Eckstein	Jensen	Niehaus	Wigley
Anderson, G.	Eken	Kaley	Peterson	Wynia
Anderson, R.	Erickson	Kempe, R.	Pleasant	Zubay
Berg	Esau	Knickerbocker	Rose	
Biersdorf	Ewald	Kvam	Savelkoul	
Brandl	Fjoslien	Laidig	Searle	
Carlson, A.	Forsythe	Lemke	Searles	

Those who voted in the negative were:

Abeln	Corbid	Kempe, A.	Norton	Skoglund
Adams	Cummiskey	King	Novak	Stanton
Anderson, I.	Dahl	Kostohryz	Osthoff	Stoa
Arlandson	Ellingson	Kroening	Patton	Suss
Battaglia	Enebo	Langseth	Pehler	Swanson
Beauchamp	Fudro	Lehto	Petrafeso	Tomlinson
Begich	Fugina	Mangan	Prahl	Voss
Berglin	George	Mann	Reding	Waldorf
Berkelman	Gunter	McCarron	Rice	Welch
Braun	Hokanson	McCollar	St. Onge	Wenstrom
Brinkman	Jacobs	McEachern	Samuelson	Wenzel
Byrne	Jaros	Metzen	Sarna	White
Carlson, L.	Johnson	Moe	Scheid	Williamson
Casserly	Jude	Munger	Sherwood	Speaker Sabo
Clark	Kahn	Murphy	Sieben, H.	
Clawson	Kelly, R.	Neisen	Sieben, M.	
Cohen	Kelly, W.	Nelson	Simoneau	

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

Savelkoul moved to amend H. F. No. 600, as follows:

Page 8, after line 8, insert:

"Subd. 2. No association organized principally or incidentally to advance the business, professional or other economic interests of its members may make a contribution."

Renumber the remaining subdivisions in order.

A roll call was requested and properly seconded.

The question was taken on the adoption of the amendment and the roll was called. There were 37 yeas and 91 nays as follows:

Those who voted in the affirmative were:

Albrecht	Eckstein	Heinitz	Lemke	Searle
Anderson, D.	Erickson	Jensen	McDonald	Searles
Anderson, R.	Esau	Kaley	Nelsen, B.	Sherwood
Biersdorf	Ewald	Kempe, R.	Niehaus	Wigley
Birnsthil	Fjoslien	Knickerbocker	Peterson	Zubay
Carlson, A.	Forsythe	Kostohryz	Pleasant	
Dean	Friedrich	Kvam	Rose	
Den Ouden	Gunter	Laidig	Savelkoul	

Those who voted in the negative were:

Abeln	Clawson	Kelly, R.	Novak	Stoa
Adams	Cohen	Kelly, W.	Osthoff	Suss
Anderson, B.	Corbid	Kempe, A.	Patton	Swanson
Anderson, G.	Cummiskey	King	Pehler	Tomlinson
Anderson, I.	Dahl	Kroening	Petraleso	Vanasek
Arlandson	Eken	Langseth	Prahl	Voss
Battaglia	Ellingson	Lehto	Reding	Waldorf
Beauchamp	Enebo	Mangan	Rice	Welch
Begich	Faricy	Mann	St. Onge	Wenstrom
Berg	Fudro	McCarron	Samuelson	Wenzel
Berglin	Fugina	McCollar	Sarna	White
Berkelman	George	McEachern	Scheid	Wieser
Brandl	Hanson	Metzen	Schulz	Williamson
Braun	Hokanson	Moe	Sieben, H.	Wynia
Brinkman	Jacobs	Murphy	Sieben, M.	Speaker Sabo
Byrne	Jaros	Neisen	Simoneau	
Carlson, L.	Johnson	Nelsen, M.	Skoglund	
Casserly	Jude	Nelson	Smogard	
Clark	Kahn	Norton	Stanton	

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

Savelkoul moved to amend H. F. No. 600, as follows:

Page 8, after line 8, insert:

"Subd. 2. No candidate for political office or member of a political elected body may solicit funds or accept funds from an individual or association or officers of a corporation which has pending before the body to which the candidate or member is seeking election an action governed by ordinance relating to a permit or license allowing a course of action."

Renumber the remaining subdivisions accordingly.

A roll call was requested and properly seconded.

Faricy moved to amend the Savelkoul amendment to H. F. No. 600, as follows:

On the third line, after "has" insert "presently".

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

The question recurred on the adoption of the Savelkoul amendment, as amended, and the roll was called. There were 53 yeas and 68 nays as follows:

Those who voted in the affirmative were:

Adams	Den Ouden	Heinitz	Nelsen, B.	Stanton
Albrecht	Eckstein	Jensen	Niehaus	Stoa
Anderson, D.	Erickson	Jude	Patton	Welch
Anderson, R.	Esau	Kaley	Peterson	Wenzel
Arlandson	Ewald	Kempe, R.	Pleasant	White
Biersdorf	Faricy	Knickerbocker	Reding	Wieser
Birnstihl	Fjoslien	Kvam	Rose	Wigley
Brandl	Forsythe	Laidig	Savelkoul	Wynia
Carlson, A.	Friedrich	Lemke	Searle	Zubay
Carlson, L.	Gunter	Mann	Searles	
Dean	Hanson	McDonald	Sherwood	

Those who voted in the negative were:

Abeln	Clark	Johnson	Neisen	Simoneau
Anderson, B.	Clawson	Kahn	Nelsen, M.	Skoglund
Anderson, G.	Cohen	Kelly, R.	Nelson	Smogard
Anderson, I.	Corbid	Kelly, W.	Norton	Suss
Battalgia	Cummiskey	King	Osthoff	Swanson
Beauchamp	Dahl	Kostohryz	Petrafeso	Tomlinson
Begich	Eken	Kroening	Prahl	Vanasek
Berg	Ellingson	Langseth	Rice	Voss
Berglin	Enebo	Mangan	St. Onge	Waldorf
Berkelman	Fudro	McCollar	Samuelson	Wenstrom
Braun	Fugina	McEachern	Scheid	Williamson
Brinkman	George	Metzen	Schulz	Speaker Sabo
Byrne	Jacobs	Munger	Sieben, H.	
Cassery	Jaros	Murphy	Sieben, M.	

The motion did not prevail and the amendment, as amended, was not adopted.

Johnson moved to amend H. F. No. 600, as follows:

Page 12, line 2, after the first "candidate" delete "other than a candidate for township office" and insert "as defined in section 16".

Page 12, line 19, after "*candidate*" insert "*as defined in section 16*".

A roll call was requested and properly seconded.

The question was taken on the adoption of the amendment and the roll was called. There were 64 yeas and 59 nays as follows:

Those who voted in the affirmative were:

Albrecht	Clawson	Jude	Nelsen, B.	Smogard
Anderson, B.	Den Ouden	Kaley	Nelsen, M.	Stanton
Anderson, D.	Eckstein	Kelly, W.	Niehaus	Stoa
Anderson, G.	Eken	Kempe, A.	Peterson	Suss
Anderson, I.	Erickson	Kvam	Reding	Vanasek
Anderson, R.	Esau	Langseth	Rose	Welch
Battaglia	Ewald	Lemke	Samuelson	Wenstrom
Begich	Fjoslien	Mangan	Savelkoul	Wenzel
Berkelman	Forsythe	Mann	Schulz	White
Biersdorf	Friedrich	McDonald	Searle	Wieser
Braun	Gunter	McEachern	Searles	Wigley
Brinkman	Heinitz	Murphy	Sherwood	Zubay
Carlson, A.	Johnson	Neisen	Skoglund	

Those who voted in the negative were:

Abeln	Cohen	Jacobs	Munger	Sieben, H.
Adams	Corbid	Jensen	Nelson	Sieben, M.
Arlandson	Cummiskey	Kahn	Osthoff	Simoneau
Beauchamp	Dean	Kelly, R.	Patton	Spanish
Berg	Ellingson	Kempe, R.	Pehler	Swanson
Berglin	Enebo	King	Petrafaso	Tomlinson
Birnsthil	Farcy	Kostohryz	Pleasant	Voss
Brandl	Fudro	Kroening	Prahl	Waldorf
Byrne	Fugina	Laidig	Rice	Williamson
Carlson, L.	George	Lehto	St. Onge	Wynia
Casserly	Hanson	McCollar	Sarna	Speaker Sabo
Clark	Hokanson	Metzen	Scheid	

The motion prevailed and the amendment was adopted.

H. F. No. 600, A bill for an act relating to elections; providing for uniform reporting dates for and disclosure of campaign contributions and expenditures of political committees and candidates; providing for statements of economic interest for candidates and persons elected to public office; defining certain terms; providing exemption from disclosure requirements for certain persons and political committees; providing restrictions on the use of government publications; prohibiting sample ballots which appear to be official ballots; giving the secretary of state and filing officers certain duties with respect to elections; permitting codes of ethics for counties, cities, and school districts; providing penalties; amending Minnesota Statutes 1976, Sections 210A.01, Subdivisions 1, 3, 5, 6, and 8, and by adding subdivisions; 210A.05, Subdivision 1; 210A.16; 210A.21; 210A.-24; 210A.27, Subdivision 1; 210A.29; 210A.32; and 290.09, Subdivision 2; and Chapters 123, by adding a section; 210A, by add-

ing sections; 375, by adding a section; and 471, by adding a section; repealing Minnesota Statutes 1976, Sections 123.015; 210.22; 210A.01, Subdivisions 4, 7, and 9; 210A.22; 210A.23; 210A.25; 210A.26; 210A.28; 210A.30; 210A.31; and 210A.33.

The bill was read for the third time, as amended, and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 102 yeas and 26 nays as follows:

Those who voted in the affirmative were:

Abeln	Cohen	Jude	Neisen	Simoneau
Adams	Corbid	Kahn	Nelsen, M.	Skoglund
Anderson, B.	Cummiskey	Kelly, R.	Nelson	Smogard
Anderson, G.	Daht	Kelly, W.	Norton	Spanish
Anderson, I.	Dean	Kempe, A.	Novak	Stanton
Arlandson	Den Ouden	Kempe, R.	Oshtoff	Stoa
Battaglia	Eken	King	Patton	Swanson
Beauchamp	Ellingson	Knickerbocker	Pehler	Tomlinson
Begich	Ewald	Kostohryz	Peterson	Vanasek
Berg	Faricy	Kroening	Petrafeso	Voss
Berglin	Friedrich	Laidig	Prahl	Waldorf
Berkelman	Fudro	Langseth	Rice	Welch
Biersdorf	Fugina	Lehto	St. Onge	Wenstrom
Brandl	George	Mangan	Samuelson	Wenzel
Braun	Gunter	McCarron	Sarna	White
Byrne	Hanson	McCollar	Savelkoul	Williamson
Carlson, A.	Hokanson	McEachern	Scheid	Wynia
Carlson, L.	Jacobs	Metzen	Schulz	Speaker Sabo
Casserly	Jaros	Moe	Sherwood	
Clark	Jensen	Munger	Sieben, H.	
Clawson	Johnson	Murphy	Sieben, M.	

Those who voted in the negative were:

Albrecht	Erickson	Lemke	Reding	Wigley
Anderson, D.	Fjoslien	Mann	Rose	Zubay
Anderson, R.	Forsythe	McDonald	Searle	
Eirnstihl	Heinitz	Nelsen, B.	Searles	
Brinkman	Kaley	Niehaus	Suss	
Eckstein	Kvam	Pleasant	Wieser	

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

SPECIAL ORDERS

H. F. No. 808 was reported to the House.

Fudro moved to amend H. F. No. 808, as follows:

Page 2, delete lines 2 to 11 and insert "Failure to pay any amount due and payable under the terms of the contract within 30 days of a monthly estimate or 90 days after the final estimate of the amount earned shall obligate the municipality to pay to the contractor simple interest on the past due amount at an an-

mual rate equal to the monthly index of long term United States bond yields for the month prior to the month in which this obligation is incurred plus an additional one percent per annum. Interest shall not be imposed with respect to any amount which a municipality may legally withhold as a result of breach of contract or other contractual claim."

Amend the title as follows:

Line 2, delete "improvements;" and insert "improvement".

Line 7, delete everything after "6".

Line 8, delete "section".

The motion prevailed and the amendment was adopted.

H. F. No. 808, A bill for an act relating to local improvement contracts; requiring percentage payments thereunder, and requiring payment of interest on money due and not paid in accordance with the contract; amending Minnesota Statutes 1976, Section 429.041, Subdivision 6.

The bill was read for the third time, as amended, and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 126 yeas and 2 nays as follows:

Those who voted in the affirmative were:

Abeln	Clawson	Jensen	Nelsen, M.	Simoneau
Adams	Cohen	Johnson	Nelson	Skoglund
Albrecht	Corbid	Jude	Niehaus	Smogard
Anderson, B.	Dahl	Kahn	Norton	Spanish
Anderson, D.	Dean	Kaley	Novak	Stanton
Anderson, G.	Den Ouden	Kelly, R.	Osthoff	Stoa
Anderson, I.	Eckstein	Kelly, W.	Patton	Suss
Anderson, R.	Eken	Kempe, R.	Pepler	Swanson
Arlandson	Ellingson	King	Peterson	Tomlinson
Battaglia	Enebo	Knickerbocker	Petrafeso	Vanasek
Beauchamp	Erickson	Kostohryz	Pleasant	Voss
Begich	Esau	Kroening	Prahl	Waldorf
Berg	Ewald	Kvam	Reding	Welch
Berglin	Faricy	Laidig	Rice	Wenstrom
Berkelman	Fjoslien	Langseth	Rose	Wenzel
Biersdorf	Forsythe	Lehto	St. Onge	White
Birnstihl	Friedrich	Lemke	Samuelson	Wieser
Brandl	Fudro	Mangan	Sarna	Wigley
Braun	Fugina	Mann	Savelkoul	Williamson
Brinkman	George	McCollar	Scheid	Wynia
Byrne	Gunter	McDonald	Schulz	Zubay
Carlson, A.	Hanson	McEachern	Searle	Speaker Sabo
Carlson, D.	Heinitz	Metzen	Searles	
Carlson, L.	Hokanson	Moe	Sherwood	
Cassery	Jacobs	Murphy	Sieben, H.	
Clark	Jaros	Nelsen, B.	Sieben, M.	

Those who voted in the negative were:

Kempe, A. Neisen

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

H. F. No. 968 was reported to the House.

Savelkoul and Begich moved to amend H. F. No. 968, as follows:

Page 2, after line 20, insert:

“Any order or requirement provided under clauses (a) and (b) shall be accompanied by an economic impact analysis detailing the estimated costs to all parties, including government agencies, complying with or affected by the order or requirement and detailing the cost to the agency for administration and enforcement of the order or requirement.”.

A roll call was requested and properly seconded.

Williamson moved to amend the Savelkoul and Begich amendment to H. F. No. 968, as follows:

After “order or requirement.” insert “The economic impact analysis shall also include the anticipated long-term costs to society if the order or requirements are not adopted or enforced.”.

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

The question recurred on the adoption of the Savelkoul amendment and the roll was called. There were 71 yeas and 45 nays as follows:

Those who voted in the affirmative were:

Abeln	Carlson, D.	Kaley	Neisen	Smogard
Albrecht	Clawson	Kelly, R.	Nelsen, B.	Suss
Anderson, B.	Corbid	Kelly, W.	Niehaus	Voss
Anderson, D.	Dean	Kempe, R.	Osthoff	Waldorf
Anderson, G.	Den Ouden	Knickerbocker	Patton	Welch
Anderson, R.	Eckstein	Kvam	Peterson	Wenstrom
Battaglia	Eken	Laidig	Pleasant	Wenzel
Beauchamp	Erickson	Lemke	Prahl	White
Begich	Esau	Mangan	Reding	Wieser
Berkelman	Ewald	Mann	Rose	Wigley
Biersdorf	Fjoslien	McCollar	St. Onge	Zubay
Birnstihl	Forsythe	McDonald	Samuelson	
Braun	Friedrich	McEachern	Savelkoul	
Brinkman	Hanson	Metzen	Searle	
Carlson, A.	Jensen	Murphy	Searles	

Those who voted in the negative were:

Adams	Clark	Gunter	Nelson	Simoneau
Anderson, I.	Cohen	Jacobs	Norton	Skoglund
Arlandson	Cummiskey	Jaros	Novak	Stanton
Berg	Dahl	Johnson	Petrafaso	Stoa
Berglin	Ellingson	Kahn	Scheid	Swanson
Brandl	Enebo	King	Schulz	Tomlinson
Byrne	Faricy	Langseth	Sherwood	Vanasek
Carlson, L.	Fudro	Lehto	Sieben, H.	Williamson
Casserly	Fugina	Moe	Sieben, M.	Speaker Sabo

The motion prevailed and the amendment was adopted.

H. F. No. 968, A bill for an act relating to the pollution control agency; its powers and duties; prescribing additional enforcement powers with respect to air, land, noise and hazardous waste pollution control; amending Minnesota Statutes 1976, Section 116.07, by adding a subdivision.

The bill was read for the third time, as amended, and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 64 yeas and 66 nays as follows:

Those who voted in the affirmative were:

Abeln	Cohen	Jaros	Novak	Stanton
Adams	Cummiskey	Kahn	Osthoff	Stoa
Anderson, I.	Dahl	Kelly, R.	Patton	Swanson
Arlandson	Dean	Kempe, A.	Pehler	Tomlinson
Berg	Ellingson	Kempe, R.	Petrafaso	Vanasek
Berglin	Enebo	King	Rice	Voss
Berkelman	Faricy	Kostohryz	Sarna	Waldorf
Brandl	Fudro	Kroening	Scheid	Wenzel
Byrne	Fugina	Lehto	Sherwood	White
Carlson, A.	George	Moe	Sieben, H.	Williamson
Carlson, L.	Hanson	Munger	Sieben, M.	Wynia
Casserly	Hokanson	Nelson	Simoneau	Speaker Sabo
Clark	Jacobs	Norton	Skoglund	

Those who voted in the negative were:

Albrecht	Corbid	Jude	Murphy	Searle
Anderson, B.	Den Ouden	Kaley	Neisen	Searles
Anderson, D.	Eckstein	Kelly, W.	Nelsen, B.	Smogard
Anderson, G.	Eken	Knickerbocker	Nelsen, M.	Spanish
Anderson, R.	Erickson	Kvam	Niehaus	Suss
Battaglia	Esau	Laidig	Peterson	Welch
Beauchamp	Ewald	Langseth	Pleasant	Wenstrom
Begich	Fjoslien	Lemke	Prahl	Wieser
Biersdorf	Forsythe	Mangan	Reding	Wigley
Birnstihl	Friedrich	Mann	Rose	Zubay
Braun	Gunter	McCollar	St. Onge	
Brinkman	Heinitz	McDonald	Samuelson	
Carlson, D.	Jensen	McEachern	Savelkoul	
Clawson	Johnson	Metzen	Schulz	

The bill was not passed as amended.

H. F. No. 313 was reported to the House.

Braun moved to amend H. F. No. 313, as follows:

Page 2, line 22, after "*older*" delete the new language in clause (d).

The motion prevailed and the amendment was adopted.

H. F. No. 313, A bill for an act relating to unemployment compensation; providing eligibility for benefits for certain retired workers; amending Minnesota Statutes 1976, Section 268.09, Subdivision 1, as amended by Laws 1977, Chapter 4.

The bill was read for the third time, as amended, and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 119 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Abeln	Clark	Jensen	Murphy	Sieben, M.
Adams	Clawson	Johnson	Neisen	Simoneau
Albrecht	Corbid	Jude	Nelsen, B.	Skoglund
Anderson, B.	Dahl	Kaley	Nelson	Smogard
Anderson, D.	Dean	Kelly, R.	Niehaus	Spanish
Anderson, G.	Den Ouden	Kelly, W.	Norton	Stanton
Anderson, I.	Eckstein	Kempe, A.	Novak	Stoa
Anderson, R.	Eken	Kempe, R.	Osthoff	Suss
Arlandson	Ellingson	King	Patton	Swanson
Battaglia	Enebo	Knickerbocker	Petrafaso	Tomlinson
Beauchamp	Esau	Kostohryz	Pleasant	Vanasek
Begich	Ewald	Kroening	Prahl	Voss
Berg	Faricy	Kvam	Reding	Waldorf
Berglin	Fjoslien	Laidig	Rice	Welch
Berkelman	Forsythe	Langseth	Rose	Wenstrom
Biersdorf	Friedrich	Lehto	St. Onge	Wenzel
Birnstihl	Fudro	Lemke	Sarna	White
Brandl	Fugina	Mangan	Savelkoul	Wieser
Braun	George	Mann	Scheid	Wigley
Byrne	Gunter	McCollar	Schulz	Williamson
Carlson, A.	Hanson	McDonald	Searle	Wynia
Carlson, D.	Hokanson	McEachern	Searles	Zubay
Carlson, L.	Jacobs	Metzen	Sherwood	Speaker Sabo
Casserly	Jaros	Munger	Sieben, H.	

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

H. F. No. 41 was reported to the House.

Knickerbocker moved to amend H. F. No. 41, as follows:

Page 3, after line 23, insert the following:

*"Subd. 2. [RULES, SMOKE DETECTOR LOCATION.]
The commissioner of public safety shall, by January 1, 1978, pro-*

mulgate rules concerning the placement of smoke detectors in dwellings, apartment houses, hotels, and lodging houses. The rules shall take into account designs of the guest rooms or dwelling units."

Renumber the remaining subdivisions.

Page 3, line 29, delete "*on the ceiling or wall at a point centrally located*".

Page 3, delete lines 30 to 32.

Page 4, delete lines 1 to 5.

Page 4, line 6, delete "*operating characteristics of the detector*" and insert "*in accordance with the rules regarding smoke detector location promulgated under the provisions of subdivision 2*".

Page 4, line 15, delete "*on the ceiling or wall at*".

Page 4, delete lines 16 to 27.

Page 4, line 28, delete "*detector*" and insert "*in accordance with the rules regarding smoke detector location promulgated under the provisions of subdivision 2*".

The motion prevailed and the amendment was adopted.

Enebo moved to amend H. F. No. 41, as follows:

Page 3, line 26, and page 4, line 12, after "*smoke detector*" insert "*, which has parts and batteries readily available in retail stores or distributorships,*".

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

Cummiskey moved to amend H. F. No. 41, as amended, as follows:

In the Knickerbocker amendment, page 3, line 23, delete "*, by January 1, 1978,*".

Page 5, line 26, delete "Sec. 3." insert "Subd. 7.", further delete "*act*" insert "*section*".

Page 5, line 27, delete "*1979*" insert "*1980*".

The motion prevailed and the amendment was adopted.

H. F. No. 41, A bill for an act relating to public safety; requiring fire detection devices in certain residential housing; directing the commissioner of administration to amend the state building code; amending Minnesota Statutes 1976, Section 16.85, Subdivision 1; and Chapter 299F, by adding a section.

The bill was read for the third time, as amended, and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 121 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Abeln	Cummiskey	Kaley	Nelsen, B.	Sieben, M.
Adams	Dahl	Kelly, R.	Nelsen, M.	Simoneau
Albrecht	Dean	Kelly, W.	Nelson	Skoglund
Anderson, B.	Den Ouden	Kempe, A.	Niehaus	Smogard
Anderson, D.	Eckstein	Kempe, R.	Norton	Spanish
Anderson, G.	Eken	King	Novak	Stanton
Anderson, I.	Enebo	Knickerbocker	Osthoff	Stoa
Battaglia	Erickson	Kostohryz	Patton	Suss
Beauchamp	Esau	Kroening	Pehler	Swanson
Begich	Ewald	Kvam	Peterson	Tomlinson
Berglin	Faricy	Laidig	Petrafeso	Vanasek
Berkelman	Forsythe	Langseth	Pleasant	Voss
Biersdorf	Friedrich	Lehto	Prahl	Waldorf
Birnstihl	Fudro	Lemke	Reding	Welch
Brandl	Fugina	Mangan	Rice	Wenstrom
Braun	George	Mann	Rose	Wenzel
Byrne	Hanson	McCarron	St. Onge	White
Carlson, A.	Heinitz	McCollar	Samuelson	Wieser
Carlson, D.	Hokanson	McDonald	Sarna	Williamson
Carlson, L.	Jacobs	McEachern	Scheid	Wynia
Casserly	Jaros	Metzen	Schulz	Speaker Sabo
Clark	Jensen	Moe	Searle	
Clawson	Johnson	Munger	Searles	
Cohen	Jude	Murphy	Sherwood	
Corbid	Kahn	Neisen	Sieben, H.	

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

H. F. No. 240, A bill for an act relating to intoxicating liquors; removing prohibition against sale of liquor on election days; amending Minnesota Statutes 1976, Sections 340.034, Subdivision 1; and 340.14, Subdivision 1.

The bill was read for the third time and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 50 yeas and 70 nays as follows:

Those who voted in the affirmative were:

Abeln	Begich	Berglin	Brandl	Clark
Anderson, D.	Berg	Berkelman	Brinkman	Cohen

Cummiskey	Heinitz	Lemke	Nelsen, M.	Rose
Eckstein	Jacobs	McCarron	Nelson	Sarna
Enebo	Jaros	McDonald	Norton	Searles
Faricy	Jensen	Metzen	Novak	Sieben, M.
Fudro	Kempe, A.	Moe	Osthoff	Simoneau
Fugina	Knickerbocker	Munger	Petrafeso	Suss
George	Kostohryz	Murphy	Pleasant	Tomlinson
Hanson	Kvam	Neisen	Rice	Speaker Sabo

Those who voted in the negative were:

Adams	Carlson, L.	Hokanson	McEachern	Spanish
Albrecht	Clawson	Jude	Nelsen, B.	Stanton
Anderson, B.	Corbid	Kahn	Niehaus	Stoa
Anderson, G.	Dean	Kaley	Pehler	Swanson
Anderson, I.	Den Ouden	Kelly, R.	Prahl	Vanasek
Anderson, R.	Eken	Kelly, W.	Reding	Voss
Arlandson	Ellingson	Kempe, R.	St. Onge	Waldorf
Battaglia	Erickson	King	Samuelson	Welch
Beauchamp	Esau	Laidig	Scheid	Wenstrom
Biersdorf	Ewald	Langseth	Schulz	Wenzel
Birnstihl	Fjoslien	Lehto	Searle	White
Braun	Forsythe	Mangan	Sherwood	Wieser
Carlson, A.	Friedrich	Mann	Skoglund	Williamson
Carlson, D.	Gunter	McCollar	Smogard	Wynia

The bill was not passed.

H. F. No. 829, A bill for an act relating to landlord and tenant; establishing period for which interest is payable on security deposit; providing a measure of damages for the improper withholding of security deposits; amending Minnesota Statutes 1976, Section 504.20, Subdivisions 2, 3, 4, 7 and 7a.

The bill was read for the third time and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 122 yeas and 3 nays as follows:

Those who voted in the affirmative were:

Abeln	Byrne	Forsythe	Kempe, R.	Nelsen, B.
Adams	Carlson, A.	Friedrich	King	Nelsen, M.
Anderson, B.	Carlson, L.	Fudro	Knickerbocker	Nelson
Anderson, D.	Casserly	Fugina	Kostohryz	Niehaus
Anderson, G.	Clark	George	Kroening	Norton
Anderson, I.	Clawson	Gunter	Laidig	Novak
Anderson, R.	Cohen	Hanson	Langseth	Osthoff
Arlandson	Corbid	Heinitz	Lehto	Patton
Battaglia	Cummiskey	Hokanson	Lemke	Pehler
Beauchamp	Dahl	Jacobs	Mangan	Peterson
Begich	Dean	Jaros	Mann	Petrafeso
Berg	Eckstein	Jensen	McCollar	Prahl
Berglin	Eken	Johnson	McDonald	Rice
Berkelman	Ellingson	Jude	McEachern	Rose
Biersdorf	Enebo	Kahn	Metzen	St. Onge
Birnstihl	Erickson	Kaley	Moe	Samuelson
Brandl	Ewald	Kelly, R.	Munger	Sarna
Braun	Faricy	Kelly, W.	Murphy	Savelkoul
Brinkman	Fjoslien	Kempe, A.	Neisen	Scheid

Schulz	Simoneau	Suss	Welch	Wynia
Searle	Skoglund	Swanson	Wenstrom	Zubay
Searles	Smogard	Tomlinson	Wenzel	Speaker Sabo
Sherwood	Spanish	Vanasek	White	
Sieben, H.	Stanton	Voss	Wieser	
Sieben, M.	Stoa	Waldorf	Wigley	

Those who voted in the negative were:

Albrecht Den Ouden Williamson

The bill was passed and its title agreed to.

H. F. No. 338 was reported to the House.

Sieben, M., moved to amend H. F. No. 338 as follows:

Page 6, after line 11, insert a new section to read:

“Sec. 12. Each insurer shall file an annual report with the commissioner, on or before March first, containing the following information:

(a) The total amount of premiums received during the preceding two years from insured persons, resident or located in Minnesota, which are attributable to products liability insurance, both for coverage within the state and outside the state;

(b) The total number of persons, resident or located in Minnesota, for which the insurer provided products liability insurance coverage during the preceding year; and

(c) The total number of insured persons, resident or located in Minnesota, whose insurance coverage the insurer cancelled or refused to renew and the reasons therefor.”.

Renumber the remaining sections.

Page 6, line 20, delete “section” and insert “act”.

The motion prevailed and the amendment was adopted.

Norton moved to amend H. F. No. 338, as amended, as follows:

Add a new section to read:

“Sec. 15. Sections 1 to 10 are effective August 1, 1979. Sections 11 to 14 are effective the day following final enactment.”.

A roll call was requested and properly seconded.

The question was taken on the adoption of the amendment and the roll was called. There were 14 yeas and 109 nays as follows:

Those who voted in the affirmative were:

Begich	Carlson, A.	Kempe, A.	Norton	Swanson
Berg	Corbid	Kempe, R.	Petrafeso	Wynia
Brandl	Kahn	Moe	Rice	

Those who voted in the negative were:

Abeln	Dean	Johnson	Neisen	Sieben, M.
Adams	Den Ouden	Jude	Nelsen, B.	Simoneau
Albrecht	Eckstein	Kaley	Nelsen, M.	Skoglund
Anderson, B.	Ellingson	Kelly, R.	Niehaus	Smogard
Anderson, D.	Enebo	Kelly, W.	Novak	Spanish
Anderson, G.	Erickson	King	Osthoff	Stanton
Anderson, I.	Esau	Knickerbocker	Patton	Stoa
Anderson, R.	Ewald	Kostohryz	Pehler	Suss
Battaglia	Faricy	Kroening	Peterson	Tomlinson
Beauchamp	Fjoslien	Kvam	Pleasant	Vanasek
Berkelman	Forsythe	Laidig	Prahl	Voss
Biersdorf	Friedrich	Langseth	Reding	Waldorf
Birnstihl	Fudro	Lehto	Rose	Welch
Braun	Fugina	Lemke	St. Onge	Wenstrom
Byrne	George	Mangan	Samuelson	Wenzel
Carlson, D.	Gunter	Mann	Sarna	White
Carlson, L.	Hanson	McCarron	Savelkoul	Wieser
Clark	Heinitz	McCollar	Scheid	Wigley
Clawson	Hokanson	McDonald	Schulz	Williamson
Cohen	Jacobs	McEachern	Searle	Zubay
Cummiskey	Jaros	Metzen	Searles	Speaker Sabo
Dahl	Jensen	Murphy	Sherwood	

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

Wynia moved to amend H. F. No. 338, as follows:

Page 3, after line 9, insert:

“Subd. 4. (a) It shall be the duty of all manufacturers to conspicuously place on such products sold in Minnesota the following warning: “WARNING: The Manufacturer is not Responsible for any Mechanical or Design Defect causing Injury after (the 15th year after manufacture). USE AT YOUR OWN RISK.” All warnings shall be produced and placed in a manner assuring their legibility for the life of the product.

(b) Failure of the manufacturer to comply with this subdivision will make the time limits set forth in subdivision 2 of this section inapplicable.”.

A roll call was requested and properly seconded.

The question was taken on the adoption of the amendment and the roll was called. There were 16 yeas and 97 nays as follows:

Those who voted in the affirmative were:

Arlandson	Corbid	Kempe, A.	Rice	Swanson
Berglin	Faricy	King	Samuelson	Wynia
Brandl	Hanson	Lehto		
Byrne	Kahn	Norton		

Those who voted in the negative were:

Abeln	Cohen	Jensen	Murphy	Simoneau
Adams	Cummiskey	Johnson	Neisen	Skoglund
Albrecht	Dean	Jude	Nelsen, B.	Smogard
Anderson, B.	Den Ouden	Kaley	Nelsen, M.	Spanish
Anderson, D.	Eckstein	Kelly, R.	Niehaus	Stoa
Anderson, G.	Eken	Kelly, W.	Patton	Suss
Anderson, I.	Ellingson	Kempe, R.	Peterson	Vanasek
Anderson, R.	Enebo	Knickerbocker	Petrafaso	Waldorf
Battaglia	Erickson	Kostohryz	Pleasant	Welch
Beauchamp	Esau	Kroening	Prahl	Wenstrom
Begich	Ewald	Kvam	Reding	Wenzel
Berg	Fjoslien	Laidig	Rose	White
Berkelman	Forsythe	Langseth	St. Onge	Wieser
Biersdorf	Friedrich	Lemke	Sarna	Wigley
Birnstihl	Fudro	Mangan	Savelkoul	Williamson
Braun	Fugina	Mann	Scheid	Zubay
Carlson, A.	Gunter	McDonald	Schulz	Speaker Sabo
Carlson, D.	Heinitz	McEachern	Searle	
Carlson, L.	Hokanson	Metzen	Searles	
Clark	Jaros	Munger	Sieben, M.	

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

Abeln moved to amend H. F. No. 338, as amended, as follows:

Page 6, after line 20, add a new section to read:

“Sec. 15. Sections 11, 12, 13 and 14 shall be effective the day following final enactment.”

The motion prevailed and the amendment was adopted.

H. F. No. 338, A bill for an act relating to commerce; providing an exclusive remedy for products liability actions; providing a statute of limitations; providing certain defenses; providing for the reporting of claims to the commissioner of insurance.

The bill was read for the third time, as amended, and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 112 yeas and 15 nays as follows:

Those who voted in the affirmative were:

Abeln	Dahl	Kaley	Nelsen, B.	Skoglund
Adams	Dean	Kelly, R.	Nelsen, M.	Smogard
Albrecht	Den Ouden	Kelly, W.	Niehaus	Spanish
Anderson, B.	Eckstein	Kempe, R.	Novak	Stanton
Anderson, D.	Eken	King	Osthoff	Stoa
Anderson, G.	Ellingson	Knickerbocker	Patton	Suss
Anderson, I.	Enebo	Kostohryz	Pehler	Swanson
Anderson, R.	Erickson	Kroening	Peterson	Tomlinson
Battaglia	Esau	Kvam	Pleasant	Vanasek
Beauchamp	Ewald	Laidig	Prahl	Voss
Berglin	Fjoslien	Langseth	Reding	Waldorf
Berkelman	Forsythe	Lehto	Rose	Welch
Biersdorf	Friedrich	Lemke	St. Onge	Wenstrom
Birnstihl	Fudro	Mangan	Samuelson	Wenzel
Braun	George	Mann	Sarna	White
Brinkman	Gunter	McCarron	Savelkoul	Wieser
Byrne	Heinitz	McCollar	Scheid	Wigley
Carlson, A.	Hokanson	McDonald	Schulz	Williamson
Carlson, D.	Jacobs	McEachern	Searle	Zubay
Carlson, L.	Jaros	Metzen	Searles	Speaker Sabo
Clark	Jensen	Munger	Sherwood	
Cohen	Johnson	Murphy	Sieben, M.	
Cummiskey	Jude	Neisen	Simoneau	

Those who voted in the negative were:

Arlandson	Brandl	Fugina	Moe	Rice
Begich	Corbid	Kahn	Norton	Sieben, H.
Berg	Faricy	Kempe, A.	Petrafseso	Wynia

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

H. F. No. 635 was reported to the House.

Norton moved that H. F. No. 635 be returned to the bottom of General Orders.

A roll call was requested and properly seconded.

The question was taken on the motion by Norton and the roll was called. There were 37 yeas and 67 nays as follows:

Those who voted in the affirmative were:

Albrecht	Carlson, D.	Forsythe	Moe	Savelkoul
Anderson, D.	Corbid	Friedrich	Neisen	Searle
Arlandson	Dean	Jensen	Niehaus	Wenstrom
Beauchamp	Den Ouden	Kaley	Norton	Wigley
Begich	Eckstein	King	Novak	Zubay
Biersdorf	Erickson	Laidig	Peterson	
Birnstihl	Esau	Lemke	Rice	
Carlson, A.	Fjoslien	McDonald	Rose	

Those who voted in the negative were:

Abeln	Anderson, I.	Braun	Cohen	Fugina
Adams	Battaglia	Byrne	Cummiskey	Gunter
Anderson, B.	Berkelman	Carlson, L.	Ellingson	Heinitz
Anderson, G.	Brandl	Clark	Fudro	Hokanson

Jacobs	Mangan	Osthoff	Sieben, H.	Waldorf
Johnson	Mann	Pehler	Sieben, M.	Welch
Jude	McCarron	Prahl	Simoneau	Wenzel
Kahn	McCollar	Reding	Skoglund	White
Kelly, R.	McEachern	St. Onge	Smogard	Wieser
Kelly, W.	Metzen	Samuelson	Stanton	Williamson
Kempe, A.	Murphy	Sarna	Stoa	Wynia
Kempe, R.	Nelsen, B.	Scheid	Suss	
Langseth	Nelsen, M.	Schulz	Swanson	
Lehto	Nelson	Sherwood	Voss	

The motion did not prevail.

Searles moved to amend H. F. No. 635, as follows:

Page 2, line 11, after "*engaged*" strike "*or is about to engage*".

The motion prevailed and the amendment was adopted.

H. F. No. 635, A bill for an act relating to insurance; increasing solicitors license fees; authorizing issuance of cease and desist orders and injunctions; prescribing and clarifying penalties; amending Minnesota Statutes 1976, Sections 60A.17, Subdivision 4, and by adding subdivisions; and 72A.07.

The bill was read for the third time, as amended, and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 86 yeas and 32 nays as follows:

Those who voted in the affirmative were:

Abeln	Cummiskey	Kelly, W.	Osthoff	Spanish
Adams	Dahl	Kempe, A.	Petrafeso	Stanton
Anderson, B.	Eken	Kempe, R.	Prahl	Suss
Anderson, G.	Ellingson	King	Reding	Swanson
Anderson, I.	Enebo	Knickerbocker	Rice	Vanasek
Arlandson	Ewald	Kroening	Rose	Voss
Battaglia	Faricy	Laidig	St. Onge	Waldorf
Begich	Fudro	Langseth	Sarna	Wenstrom
Berkelman	Fugina	Lehto	Savelkoul	Wenzel
Brandl	George	Mangan	Scheid	White
Braun	Gunter	McCollar	Schulz	Wieser
Byrne	Hanson	McEachern	Searles	Williamson
Carlson, A.	Heinitz	Munger	Sherwood	Wynia
Carlson, L.	Hokanson	Murphy	Sieben, H.	Speaker Sabo
Casserly	Jacobs	Neisen	Sieben, M.	
Clark	Johnson	Nelsen, B.	Simoneau	
Clawson	Kahn	Nelsen, M.	Skoglund	
Cohen	Kelly, R.	Nelson	Smogard	

Those who voted in the negative were:

Albrecht	Birnstihl	Den Ouden	Forsythe	Kaley
Anderson, D.	Brinkman	Erickson	Friedrich	Kvam
Beauchamp	Carlson, D.	Esau	Jensen	Mann
Biersdorf	Dean	Fjoslien	Jude	McCarron

McDonald
Metzen
Moe

Niehaus
Norton
Novak

Peterson
Samuelson
Searle

Welch
Wigley

Zubay

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

H. F. No. 972 was reported to the House.

Abeln moved to amend H. F. No. 972, as follows:

Page 1, line 10, strike "contract" and insert "contractual relationship".

Page 1, line 12, strike "an" and insert "the".

Page 1, line 13, strike "contract" and insert "contractual relationship".

Page 1, line 16, after "shall" insert "at the request of the agent".

Page 1, line 16, strike "all contracts" and insert "any insurance contract written by the agent for the company".

Page 1, line 17, strike the second "for".

Page 1, line 18, strike "the agent".

Page 1, line 18, strike "from" and insert "after".

Page 2, line 22, strike everything after "agents" and insert "who write insurance business exclusively for one company or agents in the direct employ of the company".

Page 2, strike lines 23 and 24.

Page 2, line 25, after "All" insert "future and presently".

Page 2, line 25, strike everything after "existing" and insert "agency contractual relationships".

Page 3, line 1, after "for" insert "actual".

Amend the title as follows:

Page 1, line 3, after the first semicolon insert "regulating".

The motion prevailed and the amendment was adopted.

H. F. No. 972, A bill for an act relating to fire and casualty loss insurance companies; termination of agency contracts; re-

quiring certain notice before termination; prescribing civil penalties.

The bill was read for the third time, as amended, and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 128 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Abeln	Corbid	Johnson	Murphy	Sieben, H.
Adams	Cummiskey	Jude	Neisen	Sieben, M.
Albrecht	Dahl	Kahn	Nelsen, B.	Simoneau
Anderson, B.	Dean	Kaley	Nelsen, M.	Skoglund
Anderson, D.	Den Ouden	Kelly, R.	Nelson	Smogard
Anderson, G.	Eckstein	Kelly, W.	Niehaus	Spanish
Anderson, I.	Eken	Kempe, A.	Norton	Stanton
Arlandson	Ellingson	Kempe, R.	Novak	Stoa
Battaglia	Enebo	King	Osthoff	Suss
Beauchamp	Erickson	Knickerbocker	Patton	Swanson
Begich	Esau	Kostohryz	Pehler	Tomlinson
Berg	Ewald	Kroening	Peterson	Vanasek
Berglin	Faricy	Kvam	Petrafeso	Voss
Biersdorf	Fjoslien	Laidig	Prahl	Waldorf
Birnsthil	Forsythe	Langseth	Reding	Welch
Brandl	Friedrich	Lehto	Rice	Wenstrom
Braun	Fudro	Lemke	Rose	Wenzel
Brinkman	Fugina	Mangan	St. Onge	White
Byrne	George	Mann	Samuelson	Wieser
Carlson, A.	Gunter	McCarron	Sarna	Wigley
Carlson, D.	Hanson	McCollar	Savelkoul	Williamson
Carlson, L.	Heinitz	McDonald	Scheid	Wynia
Casserly	Hokanson	McEachern	Schulz	Zubay
Clark	Jacobs	Metzen	Searles	Speaker Sabo
Clawson	Jaros	Moe	Searles	
Cohen	Jensen	Munger	Sherwood	

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

H. F. No. 1094, A bill for an act relating to insurance; providing for competitive bids on group contracts for certain public bodies; amending Minnesota Statutes 1976, Section 471.616, Subdivision 1.

The bill was read for the third time and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 123 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Abeln	Anderson, D.	Beauchamp	Birnsthil	Carlson, A.
Adams	Anderson, G.	Begich	Brandl	Carlson, D.
Albrecht	Arlandson	Berg	Brinkman	Carlson, L.
Anderson, B.	Battaglia	Biersdorf	Byrne	Casserly

Clark	Gunter	Lehto	Peterson	Spanish
Clawson	Hanson	Lemke	Petrafeso	Stanton
Cohen	Heinitz	Mangan	Pleasant	Stoa
Corbid	Hokanson	Mann	Prahl	Suss
Cummiskey	Jacobs	McCarron	Reding	Swanson
Dahl	Jaros	McCollar	Rice	Tomlinson
Dean	Jensen	McDonald	Rose	Vanasek
Den Ouden	Johnson	McEachern	St. Onge	Voss
Eckstein	Jude	Metzen	Samuelson	Waldorf
Eken	Kahn	Moe	Sarna	Welch
Ellingson	Kaley	Murphy	Savelkoul	Wenstrom
Enebo	Kelly, R.	Neisen	Scheid	Wenzel
Erickson	Kelly, W.	Nelsen, B.	Schulz	White
Esau	Kempe, R.	Nelsen, M.	Searle	Wieser
Ewald	King	Nelson	Searles	Wigley
Faricy	Knickerbocker	Niehaus	Sherwood	Williamson
Fjoslien	Kostohryz	Norton	Sieben, H.	Wynia
Forsythe	Kroening	Novak	Sieben, M.	Zubay
Friedrich	Kvam	Osthoff	Simoneau	Speaker Sabo
Fudro	Laidig	Patton	Skoglund	
Fugina	Langseth	Pehler	Smogard	

The bill was passed and its title agreed to.

H. F. No. 462, A bill for an act relating to public health; requiring the provision of health record information to certain persons; requiring the transfer of health records under certain conditions; amending Minnesota Statutes 1976, Chapter 144, by adding a section.

The bill was read for the third time and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 126 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Abeln	Clark	Hanson	Mann	Rice
Adams	Clawson	Heinitz	McCarron	Rose
Albrecht	Cohen	Hokanson	McCollar	St. Onge
Anderson, D.	Corbid	Jacobs	McDonald	Samuelson
Anderson, G.	Cummiskey	Jaros	McEachern	Sarna
Anderson, I.	Dahl	Jensen	Metzen	Savelkoul
Arlandson	Dean	Johnson	Moe	Scheid
Battaglia	Den Ouden	Jude	Murphy	Schulz
Beauchamp	Eckstein	Kahn	Neisen	Searle
Begich	Eken	Kaley	Nelsen, B.	Sherwood
Berg	Ellingson	Kelly, R.	Nelsen, M.	Sieben, H.
Berglin	Enebo	Kelly, W.	Nelson	Sieben, M.
Berkelman	Erickson	Kempe, A.	Niehaus	Simoneau
Biersdorf	Esau	Kempe, R.	Norton	Skoglund
Birnstihl	Ewald	Knickerbocker	Novak	Smogard
Brandl	Faricy	Kostohryz	Osthoff	Spanish
Braun	Fjoslien	Kroening	Patton	Stanton
Brinkman	Forsythe	Kvam	Pehler	Stoa
Byrne	Friedrich	Laidig	Peterson	Suss
Carlson, A.	Fudro	Langseth	Petrafeso	Swanson
Carlson, D.	Fugina	Lehto	Pleasant	Tomlinson
Carlson, L.	George	Lemke	Prahl	Vanasek
Casserly	Gunter	Mangan	Reding	Voss

Waldorf	Wenzel	Wigley	Zubay	Speaker Sabo
Welch	White	Williamson		
Wenstrom	Wieser	Wynia		

The bill was passed and its title agreed to.

H. F. No. 1275, A bill for an act relating to agriculture; grain inspection and weighing; fees; providing a basis for establishing and adjusting fees; amending Minnesota Statutes 1976, Section 17B.15, Subdivision 2.

The bill was read for the third time and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 115 yeas and 12 nays as follows:

Those who voted in the affirmative were:

Abeln	Clawson	Jude	Neisen	Sherwood
Adams	Cohen	Kahn	Nelsen, B.	Sieben, H.
Anderson, B.	Corbid	Kaley	Nelsen, M.	Sieben, M.
Anderson, D.	Cummiskey	Kelly, R.	Nelson	Simoneau
Anderson, G.	Dahl	Kelly, W.	Norton	Skoglund
Anderson, I.	Dean	Kempe, A.	Novak	Smogard
Anderson, R.	Eken	Kempe, R.	Osthoff	Spanish
Arlandson	Ellingson	King	Pehler	Stanton
Battaglia	Enebo	Knickerbocker	Peterson	Stoa
Beauchamp	Ewald	Kostohryz	Petrafeso	Suss
Begich	Faricy	Kroening	Pleasant	Swanson
Berg	Forsythe	Laidig	Prahl	Tomlinson
Berglin	Friedrich	Langseth	Reding	Vanasek
Berkelman	Fudro	Lemke	Rice	Voss
Birnsthil	Fugina	Mangan	Rose	Waldorf
Brandl	George	Mann	St. Onge	Welch
Braun	Hanson	McCarron	Samuelson	Wenstrom
Brinkman	Heinitz	McCollar	Sarna	Wenzel
Byrne	Hokanson	McDonald	Savelkoul	White
Carlson, A.	Jacobs	McEachern	Scheid	Wieser
Carlson, L.	Jaros	Metzen	Schulz	Williamson
Casserly	Jensen	Moe	Searle	Zubay
Clark	Johnson	Murphy	Searles	Speaker Sabo

Those who voted in the negative were:

Albrecht	Den Ouden	Esau	Kvam	Wigley
Biersdorf	Eckstein	Fjoslien	Niehaus	
Carlson, D.	Erickson	Gunter		

The bill was passed and its title agreed to.

H. F. No. 1421, A bill for an act relating to natural resources; designating wild rice as the official state grain; amending Minnesota Statutes 1976, Chapter 1, by adding a section.

The bill was read for the third time and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 120 yeas and 6 nays as follows:

Those who voted in the affirmative were:

Abeln	Clawson	Jacobs	Metzen	Searles
Adams	Cohen	Jaros	Moe	Sherwood
Anderson, B.	Corbid	Jensen	Munger	Sieben, H.
Anderson, D.	Cummiskey	Johnson	Murphy	Sieben, M.
Anderson, G.	Dahl	Jude	Neisen	Simoneau
Anderson, I.	Dean	Kahn	Nelsen, B.	Skoglund
Anderson, R.	Eckstein	Kaley	Nelsen, M.	Smogard
Arlandson	Eken	Kelly, R.	Nelson	Spanish
Battaglia	Ellingson	Kelly, W.	Niehaus	Stanton
Beauchamp	Enebo	Kempe, A.	Norton	Stoa
Begich	Erickson	Kempe, R.	Novak	Suss
Berg	Esau	King	Osthoff	Swanson
Berglin	Ewald	Knickerbocker	Patton	Tomlinson
Berkelman	Fariy	Kostohryz	Pehler	Voss
Birnstihl	Fjoslien	Kroening	Petrafeso	Waldorf
Brandl	Forsythe	Laidig	Reding	Weich
Braun	Friedrich	Langseth	Rice	Wenstrom
Brinkman	Fudro	Lehto	Rose	Wenzel
Byrne	Fugina	Lemke	St. Onge	White
Carlson, A.	George	Mangan	Samuelson	Wieser
Carlson, D.	Gunter	Mann	Sarna	Wigley
Carlson, L.	Hanson	McCarron	Savelkoul	Wynia
Casserly	Heinitz	McDonald	Scheid	Zubay
Clark	Hokanson	McEachern	Schulz	Speaker Sabo

Those who voted in the negative were:

Albrecht	Peterson	Searle	Vanasek	Williamson
Den Ouden				

The bill was passed and its title agreed to.

H. F. No. 461, A bill for an act relating to welfare; providing penalties for welfare offenses; amending Minnesota Statutes 1976, Sections 256.98; and 393.07, Subdivision 10.

The bill was read for the third time and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 112 yeas and 7 nays as follows:

Those who voted in the affirmative were:

Abeln	Begich	Carlson, L.	Enebo	Gunter
Adams	Berg	Clark	Erickson	Heinitz
Albrecht	Biersdorf	Clawson	Esau	Hokanson
Anderson, B.	Birnstihl	Cohen	Ewald	Jacobs
Anderson, G.	Brandl	Corbid	Fariy	Jensen
Anderson, I.	Braun	Dahl	Fjoslien	Johnson
Anderson, R.	Brinkman	Dean	Forsythe	Jude
Arlandson	Byrne	Den Ouden	Friedrich	Kaley
Battaglia	Carlson, A.	Eckstein	Fudro	Kelly, R.
Beauchamp	Carlson, D.	Eken	Fugina	Kelly, W.

Kempe, A.	McDonald	Petrafeso	Sherwood	Welch
Kempe, R.	McEachern	Pleasant	Sieben, H.	Wenstrom
King	Metzen	Prahl	Sieben, M.	Wenzel
Knickerbocker	Munger	Reding	Skoglund	White
Kostohryz	Murphy	Rose	Smogard	Wieser
Kroening	Neisen	St. Onge	Stanton	Wigley
Kvam	Nelsen, B.	Samuelson	Stoa	Williamson
Laidig	Niehaus	Sarna	Suss	Wynia
Langseth	Novak	Savelkoul	Swanson	Zubay
Lehto	Osthoff	Scheid	Tomlinson	Speaker Sabo
Lemke	Patton	Schulz	Vanasek	
Mangan	Pehler	Searle	Voss	
Mann	Peterson	Searles	Waldorf	

Those who voted in the negative were:

Berglin	Ellingson	Moe	Norton	Rice
Casserly	Kahn			

The bill was passed and its title agreed to.

H. F. No. 916, A bill for an act relating to welfare; child support; authorizing additional procedures in collection of support payments; updating uniform reciprocal enforcement of support act; amending Minnesota Statutes 1976, Sections 256.87, Subdivision 1; 256.872; 256.873; 257.253; 257.254; 257.257; 257.259; 257.261, Subdivision 1; 257.29; 393.07, Subdivision 9; 393.11; 487.19, Subdivision 1; 518.41; 518.42, Subdivisions 2, 5, 7, 8, 9, and by adding subdivisions; 518.45, Subdivisions 2, 4 and 5; 518.46, Subdivisions 2, 3 and 4; 518.48; 518.49; 518.551; and Chapter 518, by adding a section.

The bill was read for the third time and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 123 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Abeln	Carlson, A.	Fjoslien	Knickerbocker	Norton
Adams	Carlson, D.	Friedrich	Kostohryz	Novak
Albrecht	Carlson, L.	Fudro	Kroening	Osthoff
Anderson, B.	Casserly	Fugina	Kvam	Patton
Anderson, D.	Clark	George	Laidig	Pehler
Anderson, G.	Clawson	Gunter	Langseth	Peterson
Anderson, I.	Cohen	Heinitz	Lehto	Petrafeso
Arlandson	Corbid	Hokanson	Lemke	Pleasant
Battaglia	Cummiskey	Jacobs	Mangan	Prahl
Beauchamp	Dahl	Jaros	McDonald	Reding
Begich	Dean	Jensen	McEachern	Rose
Berg	Den Ouden	Johnson	Metzen	St. Onge
Berglin	Eckstein	Jude	Moe	Samuelson
Berkelman	Eken	Kahn	Munger	Sarna
Biersdorf	Ellingson	Kaley	Murphy	Savelkoul
Birnstihl	Enebo	Kelly, R.	Neisen	Scheid
Brand	Erickson	Kelly, W.	Nelsen, B.	Schulz
Braun	Esau	Kempe, A.	Nelsen, M.	Searle
Brinkman	Ewald	Kempe, R.	Nelson	Searles
Byrne	Faricy	King	Niehaus	Sherwood

Sieben, H.	Spanish	Tomlinson	Wenzel	Wynia
Sieben, M.	Stanton	Vanasek	White	Zubay
Simoneau	Stoa	Voss	Wieser	Speaker Sabo
Skoglund	Suss	Waldorf	Wigley	
Smogard	Swanson	Wenstrom	Williamson	

The bill was passed and its title agreed to.

H. F. No. 981, A bill for an act relating to health; health maintenance organizations; requiring health maintenance organizations to permit optometrists to provide services to enrollees; amending Minnesota Statutes 1976, Section 62D.12, by adding a subdivision.

The bill was read for the third time and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 126 yeas and 1 nay as follows:

Those who voted in the affirmative were:

Abeln	Corbid	Jude	Nelsen, B.	Simoneau
Adams	Cummiskey	Kahn	Nelsen, M.	Skoglund
Albrecht	Dahl	Kaley	Nelson	Smogard
Anderson, B.	Dean	Kelly, R.	Niehaus	Spanish
Anderson, D.	Den Ouden	Kelly, W.	Norton	Stanton
Anderson, G.	Eckstein	Kempe, A.	Novak	Stoa
Anderson, I.	Eken	Kempe, R.	Osthoff	Suss
Anderson, R.	Ellingson	King	Patton	Swanson
Arlandson	Enebo	Knickerbocker	Pehler	Tomlinson
Battaglia	Erickson	Kostohryz	Peterson	Vanasek
Beauchamp	Esau	Kroening	Petrafaso	Voss
Begich	Ewald	Kvam	Pleasant	Waldorf
Berg	Faricy	Laidig	Prahl	Welch
Berglin	Fjoslien	Langseth	Reding	Wenstrom
Berkelman	Friedrich	Lehto	Rice	Wenzel
Birnstihl	Fudro	Lemke	Rose	White
Brandl	Fugina	Mangan	St. Onge	Wieser
Braun	George	Mann	Samuelson	Wigley
Brinkman	Gunter	McCollar	Sarna	Williamson
Byrne	Hanson	McDonald	Savelkoul	Wynia
Carlson, A.	Heinitz	McEachern	Scheid	Zubay
Carlson, D.	Hokanson	Metzen	Schulz	Speaker Sabo
Carlson, L.	Jacobs	Moe	Searle	
Casserly	Jaros	Munger	Searles	
Clark	Jensen	Murphy	Sieben, H.	
Cohen	Johnson	Neisen	Sieben, M.	

Those who voted in the negative were:

Forsythe

The bill was passed and its title agreed to.

Ewald was excused for the remainder of today's session.

H. F. No. 1114, A bill for an act relating to public welfare; creating a rebuttable presumption that certain transfers of prop-

erty are intended to make persons eligible for medical or maintenance assistance; amending Minnesota Statutes 1976, Chapter 256, by adding a section; repealing Minnesota Statutes 1976, Section 256B.17.

The bill was read for the third time and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 69 yeas and 56 nays as follows:

Those who voted in the affirmative were:

Abein	Dean	Kelly, R.	Neisen	Smogard
Adams	Den Ouden	Kelly, W.	Nelsen, B.	Spanish
Albrecht	Erickson	Kempe, R.	Nelsen, M.	Suss
Anderson, B.	Esau	Kvam	Niehaus	Swanson
Anderson, I.	Fjoslien	Laidig	Osthoff	Voss
Anderson, R.	Forsythe	Langseth	Peterson	Waldorf
Beauchamp	Friedrich	Lemke	Reding	Welch
Berkelman	Fudro	Mangan	Rose	Wenstrom
Biersdorf	Gunter	Mann	Samuelson	Wenzel
Braun	Heinitz	McCollar	Sarna	White
Carlson, D.	Jacobs	McDonald	Savelkoul	Wieser
Carlson, L.	Jensen	McEachern	Schulz	Wigley
Clawson	Jude	Metzen	Sherwood	Zubay
Corbid	Kaley	Munger	Simoneau	

Those who voted in the negative were:

Anderson, D.	Clark	Johnson	Patton	Skoglund
Anderson, G.	Cohen	Kahn	Pehler	Stanton
Arlandson	Cummiskey	King	Petrafeso	Stoa
Battaglia	Dahl	Knickerbocker	Pleasant	Tomlinson
Begich	Eckstein	Kostohryz	Prahl	Vanasek
Berg	Ellingson	Kroening	Rice	Williamson
Berglin	Enebo	Lehto	St. Onge	Wynia
Birnstihl	Faricy	Moe	Scheid	Speaker Sabo
Brandl	Fugina	Murphy	Searle	
Byrne	Hanson	Nelson	Searles	
Carlson, A.	Hokanson	Norton	Sieben, H.	
Casserly	Jaros	Novak	Sieben, M.	

The bill was passed and its title agreed to.

H. F. No. 1322 was reported to the House.

There being no objection, H. F. No. 1322 was continued on Special Orders for one day.

H. F. No. 921 was reported to the House.

Carlson, A., moved to amend H. F. No. 921, as follows:

Page 1, line 19, after "that" insert "*in bargaining units of under 75 members,*".

Page 1, line 21, after "dispute" insert "*or in arbitration involving larger bargaining units, by mutual agreement the parties may select a single arbitrator to hear the dispute.*"

The question was taken on the adoption of the amendment and the roll was called. There were 60 yeas and 64 nays as follows:

Those who voted in the affirmative were:

Adams	Casserly	Friedrich	Mann	Savelkoul
Albrecht	Clark	Heinitz	McDonald	Searle
Anderson, D.	Cohen	Jude	Neisen	Searles
Anderson, R.	Dean	Kaley	Nelsen, B.	Skoglund
Arlandson	Den Ouden	Kelly, R.	Nelsen, M.	Stoa
Beauchamp	Eckstein	Kempe, A.	Nelson	Suss
Berg	Eken	King	Niehaus	Voss
Berkelman	Erickson	Knickerbocker	Peterson	Waldorf
Biersdorf	Esau	Kvam	Petrafeso	Wieser
Brandl	Faricy	Laidig	Pleasant	Wigley
Carlson, A.	Fjoslien	Langseth	Reading	Wynia
Carlson, D.	Forsythe	Lemke	Rose	Zubay

Those who voted in the negative were:

Abeln	Cummiskey	Kelly, W.	Novak	Simoneau
Anderson, B.	Dahl	Kempe, R.	Osthoff	Smogard
Anderson, G.	Ellingson	Kostohryz	Patton	Spanish
Anderson, I.	Enebo	Kroening	Pehler	Stanton
Battaglia	Fudro	Lehto	Prahl	Swanson
Begich	Fugina	Mangan	Rice	Tomlinson
Berglin	George	McCarron	St. Onge	Vanasek
Birnstihl	Gunter	McCollar	Samuelson	Welch
Braun	Hanson	McEachern	Sarna	Wenstrom
Byrne	Jacobs	Metzen	Scheid	Wenzel
Carlson, L.	Jaros	Moe	Schulz	White
Clawson	Jensen	Murphy	Sieben, H.	Williamson
Corbid	Kahn	Norton	Sieben, M.	

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

H. F. No. 921, A bill for an act relating to public employees; designating the number of arbitrators to resolve labor dispute; amending Minnesota Statutes 1976, Section 179.72, Subdivision 6.

The bill was read for the third time and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 74 yeas and 49 nays as follows:

Those who voted in the affirmative were:

Abeln	Arlandson	Berkelman	Carlson, L.	Cummiskey
Adams	Battaglia	Birnstihl	Clawson	Dahl
Anderson, B.	Begich	Byrne	Cohen	Ellingson
Anderson, I.	Berglin	Carlson, D.	Corbid	Enebo

Fudro	Kempe, A.	Murphy	St. Onge	Stanton
Fugina	Kempe, R.	Nelson	Samuelson	Stoa
George	King	Norton	Sarna	Swanson
Gunter	Kostohryz	Novak	Scheid	Vanasek
Hanson	Kroening	Osthoff	Schulz	Voss
Hokanson	Lehto	Patton	Sieben, H.	Welch
Jacobs	Lemke	Pehler	Sieben, M.	Wenstrom
Jaros	Mangan	Petrafeso	Simoneau	Wenzel
Jensen	McEachern	Prahl	Skoglund	White
Jude	Metzen	Reding	Smogard	Williamson
Kahn	Moe	Rice	Spanish	

Those who voted in the negative were:

Albrecht	Dean	Heinitz	McDonald	Searles
Anderson, D.	Den Ouden	Johnson	Neisen	Sherwood
Anderson, G.	Eckstein	Kaley	Nelsen, B.	Suss
Anderson, R.	Eken	Kelly, R.	Nelsen, M.	Tomlinson
Beauchamp	Erickson	Kelly, W.	Niehaus	Waldorf
Berg	Esau	Knickerbocker	Peterson	Wieser
Biersdorf	Faricy	Kvam	Pleasant	Wynia
Brandl	Fjoslien	Laidig	Rose	Zubay
Carlson, A.	Forsythe	Langseth	Savelkoul	Speaker Sabo
Casserly	Friedrich	Mann	Searle	

The bill was passed and its title agreed to.

H. F. No. 938 was reported to the House.

There being no objection, H. F. No. 938 was continued on Special Orders for one day.

H. F. No. 1386 was reported to the House.

There being no objection, H. F. No. 1386 was continued on Special Orders for one day.

H. F. No. 1015 was reported to the House.

There being no objection, H. F. No. 1015 was continued on Special Orders for one day.

H. F. No. 343 was reported to the House.

There being no objection, H. F. No. 343 was continued on Special Orders for one day.

H. F. No. 801 was reported to the House.

There being no objection, H. F. No. 801 was continued on Special Orders for one day.

Anderson, I., moved that the remaining bills on Special Orders for today be continued on Special Orders until Tuesday, May 3, 1977, immediately following the Calendar. The motion prevailed.

GENERAL ORDERS

There being no objection, the bills on General Orders for today were continued on General Orders for one day.

MOTIONS AND RESOLUTIONS

Petrafeso moved that the names of Knickerbocker, Wynia, and Corbid be added as authors on H. F. No. 1373. The motion prevailed.

Byrne moved that H. F. No. 757 be recalled from the Committee on Appropriations and be re-referred to the Committee on Education. The motion prevailed.

ADJOURNMENT

Anderson, I., moved that the House adjourn. The motion prevailed, and the Speaker declared the House stands adjourned until 2:00 p.m., Tuesday, May 3, 1977.

EDWARD A. BURDICK, Chief Clerk, House of Representatives

STATE OF MINNESOTA

SEVENTIETH SESSION - 1977

FORTY-SIXTH DAY

SAINT PAUL, MINNESOTA, TUESDAY, MAY 3, 1977

The House of Representatives convened at 2:00 p.m. and was called to order by the Speaker.

Prayer was offered by the Chaplain.

The roll was called and the following members were present:

Abeln	Cohen	Jensen	Murphy	Sieben, H.
Adams	Corbid	Johnson	Neisen	Sieben, M.
Albrecht	Cummiskey	Jude	Nelsen, B.	Simoneau
Anderson, B.	Dahl	Kahn	Nelsen, M.	Skoglund
Anderson, D.	Dean	Kaley	Nelson	Smogard
Anderson, G.	Den Ouden	Kalis	Niehaus	Spanish
Anderson, I.	Eckstein	Kelly, R.	Norton	Stanton
Anderson, R.	Eken	Kelly, W.	Novak	Stoa
Arlandson	Ellingson	Kempe, A.	Osthoff	Suss
Battaglia	Enebo	Kempe, R.	Patton	Swanson
Beauchamp	Erickson	King	Pehler	Tomlinson
Begich	Esau	Knickerbocker	Peterson	Vanasek
Berg	Ewald	Kostohryz	Petrafeso	Voss
Berglin	Faricy	Kroening	Pleasant	Waldorf
Berkelman	Fjoslien	Kvam	Prahl	Welch
Biersdorf	Forsythe	Laidig	Reding	Wenstrom
Birnstihl	Friedrich	Langseth	Rice	Wenzel
Brandl	Fudro	Lehto	Rose	White
Braun	Fugina	Lemke	St. Onge	Wieser
Brinkman	George	Mangan	Samuelson	Wigley
Byrne	Gunter	McCarron	Sarna	Williamson
Carlson, A.	Hanson	McCollar	Savelkoul	Wynia
Carlson, D.	Haugerud	McDonald	Scheid	Zubay
Carlson, L.	Heinitz	McEachern	Schulz	Speaker Sabo
Casserly	Hokanson	Metzen	Searle	
Clark	Jacobs	Moe	Searles	
Clawson	Jaros	Munger	Sherwood	

A quorum was present.

Evans was excused. Mann was excused until 3:30 p.m.

The Chief Clerk proceeded to read the Journal of the preceding day. McCollar moved that further reading of the Journal be dispensed with and that the Journal be approved as corrected by the Chief Clerk. The motion prevailed.

REPORTS OF CHIEF CLERK

Pursuant to Rules of the House, printed copies of H. F. Nos. 1594, 1595, 313, 600, 635, 808, 972, 41 and 338 and S. F. Nos. 603, 713, 787, 798, 830, 977, 1120, 1258, 1166, 1208, 1234, 1302, 1390, 1165, 109, 143, 324, 579, 767, 928, 1116, 695, 914, 1023, 1093 and 1140 have been placed in the members' files.

S. F. No. 1208 and H. F. No. 1096, which had been referred to the Chief Clerk for comparison, were examined and found to be identical with certain exceptions.

SUSPENSION OF RULES

Neisen moved that the rules be so far suspended that S. F. No. 1208 be substituted for H. F. No. 1096 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 1166 and H. F. No. 978, which had been referred to the Chief Clerk for comparison, were examined and found to be identical with certain exceptions.

SUSPENSION OF RULES

Wenstrom moved that the rules be so far suspended that S. F. No. 1166 be substituted for H. F. No. 978 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 1234 and H. F. No. 1428, which had been referred to the Chief Clerk for comparison, were examined and found to be identical with certain exceptions.

SUSPENSION OF RULES

Nelsen, M., moved that the rules be so far suspended that S. F. No. 1234 be substituted for H. F. No. 1428 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 1140 and H. F. No. 1443, which had been referred to the Chief Clerk for comparison, were examined and found to be identical with certain exceptions.

SUSPENSION OF RULES

Suss moved that the rules be so far suspended that S. F. No. 1140 be substituted for H. F. No. 1443 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 109 and H. F. No. 612, which had been referred to the Chief Clerk for comparison, were examined and found to be identical with certain exceptions.

SUSPENSION OF RULES

Petrafeso moved that the rules be so far suspended that S. F. No. 109 be substituted for H. F. No. 612 and that the House File be indefinitely postponed. The motion prevailed.

REPORTS OF STANDING COMMITTEES

Moe from the Committee on Criminal Justice to which was referred:

H. F. No. 1347, A bill for an act relating to grand juries; providing for grand juries drawn from more than one county; amending Minnesota Statutes 1976, Section 628.41.

Reported the same back with the following amendments:

Page 2, after line 7, insert new subdivisions to read:

"Subd. 3. All indictments, reports or other returns returned by a grand jury drawn from more than one county shall be returned without any designation of venue. Thereupon, the judge ordering the impanelling of the grand jury shall designate the county of venue for purposes of trial.

Subd. 4. If a grand jury drawn from more than one county was impanelled pursuant to the request of a county attorney, that county attorney shall prosecute indictments returned thereby, except that the county attorney of the county in which venue was designated pursuant to subdivision 3 may file a written request to prosecute with the judge impanelling the grand jury within 15 days, in which case the judge shall designate the prosecuting authority. In all other cases, the prosecuting authority shall be designated by the judge impanelling the grand jury.

Subd. 5. The costs of a grand jury drawn from more than one county shall be apportioned between the counties from which the grand jury was drawn as may be ordered by the judge impanelling the grand jury.

Subd. 6. Members of grand juries drawn from more than one county shall be compensated as provided in section 357.26. In addition, grand jurors residing more than 50 miles from the place where such grand jury sits shall be reimbursed for expenses actually incurred for meals and lodging, not to exceed \$35 per day."

With the recommendation that when so amended the bill pass.

The report was adopted.

Moe from the Committee on Criminal Justice to which was referred:

H. F. No. 1586, A bill for an act relating to juveniles; prescribing venue for neglect cases; amending Minnesota Statutes 1976, Section 260.121, Subdivision 1.

Reported the same back with the following amendments:

Page 1, line 14, after "*found*" insert "*, in the county of his residence,*".

Page 1, after line 18, insert the following:

"Sec. 2. Minnesota Statutes 1976, Section 260.015, Subdivision 17, is amended to read:

subd. 17. "Shelter care facility" means a physically unrestricted (DETENTION) facility, such as a group home or a licensed facility for foster care, excluding a detention home.

Sec. 3. Minnesota Statutes 1976, Section 260.171, Subdivision 1, is amended to read:

260.171 [RELEASE OR DETENTION.] Subdivision 1. If a child is taken into custody as provided in section 260.165, the parent, guardian, or custodian of the child shall be notified as soon as possible. Unless there is reason to believe that the child would (PHYSICALLY) endanger himself or others, not return for a court hearing, not remain in the care or control of the person to whose lawful custody he is released, or that the child's health or welfare would be immediately endangered, the child shall be *released to the* custody of his parent, guardian, custodian, or other suitable person. That person shall promise to bring the child to the court, if necessary, at the time the court may direct. If the person taking the child into custody believes it desirable he may request the parent, guardian, custodian, or other person designated by the court to sign a written promise to bring the child to court as provided above. The intentional violation of such a promise, whether given orally or in writing, shall be punishable as contempt of court.

The court may require the parent, guardian, custodian or other person to whom the child is released, to post any reasonable bail or bond required by the court which shall be forfeited to the court if the child does not appear as directed. The court may also release the child on his own promise to appear in juvenile court.

Sec. 4. Minnesota Statutes 1976, Section 260.171, Subdivision 2, is amended to read:

Subd. 2. If the child is not released as provided in subdivision 1, the person taking the child into custody shall notify the court as soon as possible of the detention of the child and the reasons for the detention. No child may be detained in a detention facility longer than 24 hours, excluding *Saturdays*, Sundays and holidays, after the taking into custody unless an order for detention, specifying the reason for detention, is signed by the judge or referee. No child may be held longer than (36) 48 hours, excluding *Saturdays*, Sundays or holidays, after the taking into custody unless a petition has been filed and the judge or referee determines pursuant to section 260.172 that the child shall remain in detention. If a child described in section 260.173, subdivision 4, is to be detained in a jail up to 48 hours, the judge or referee, in accordance with rules and procedures established by the commissioner of corrections, shall notify the commissioner of the place of the detention and the reasons therefor. The commissioner shall thereupon assist the court in the relocation of the child in an appropriate detention facility within the county or elsewhere in the state, or in determining suitable alternatives. If approved regional juvenile detention facilities exist, the commissioner may direct that the child be detained in the nearest approved regional juvenile detention facility. If the court refers the matter to the prosecuting authority pursuant to section 260.125, notice to the commissioner shall not be required.

Sec. 5. Minnesota Statutes 1976, Section 260.171, Subdivision 4, is amended to read:

Subd. 4. If the person who has taken the child into custody determines that the child should be placed in a detention facility, he shall advise the child and as soon as is possible, the child's parent, guardian, or custodian:

(a) of the reasons why the child has been taken into custody and why he is being placed in a detention facility; and

(b) of the location of the detention facility; and

(c) that the child's parent, guardian, or custodian and attorney may make an initial visit to the detention facility at any time. Subsequent visits by a parent, guardian, or custodian may be made on a reasonable basis during visiting hours and by the child's attorney at reasonable hours; and

(d) that the child may telephone his parents and an attorney from the detention facility immediately after being admitted to the detention facility and thereafter on a reasonable basis to be determined by the director of the facility; and

(e) that the child may not be held at the detention facility longer than (36) 48 hours, excluding *Saturdays*, Sundays and holidays, unless a petition has been filed within that time and the court orders the child's continued detention.

Sec. 6. Minnesota Statutes 1976, Section 260.172, Subdivision 1, is amended to read:

260.172 [DETENTION HEARING.] Subdivision 1. Within (36) 48 hours of a child's being taken into custody, excluding *Saturdays*, Sundays and holidays, a hearing shall be held to determine whether the child should continue in detention. Unless there is reason to believe that the child would (BE DANGEROUS TO) *endanger* himself or others, not return for a court hearing, not remain in the care or control of the person to whose lawful custody he is released, or that the child's health or welfare would be immediately endangered, the child shall be released to the custody of his parent, guardian, custodian or other suitable person.

Sec. 7. Minnesota Statutes 1976, Section 260.172, Subdivision 2, is amended to read:

Subd. 2. If the court determines that the child should continue in detention, it may order detention continued for eight days, excluding *Saturdays*, Sundays and holidays, from and including the date of the order. The court shall include in its order the reasons for continued detention and the findings of fact which support these reasons.

Sec. 8. Minnesota Statutes 1976, Section 260.172, Subdivision 3, is amended to read:

Subd. 3. Copies of the court's order shall be served upon the parties, including the supervisor of the detention facility, who shall release the child or continue to hold him as the court orders.

When the court's order is served upon these parties, notice shall also be given to the parties of the subsequent reviews provided by subdivision 4 and that at these reviews, a party may submit to the court any new evidence regarding whether the juvenile should be continued in detention.

Sec. 9. Minnesota Statutes 1976, Section 260.172, Subdivision 4, is amended to read:

Subd. 4. If a child held in detention under a court order issued under subdivision 2 has not been released prior to expiration of the order, (AN ADDITIONAL HEARING) *the court or referee shall review the juvenile's case to determine under the standards provided by subdivision 1, (SHALL BE HELD TO DETERMINE) whether detention should be continued. If detention is continued thereafter, (HEARINGS) reviews such as these shall be held within every eight days, excluding Saturdays, Sundays and holidays, of the child's detention.*

A hearing, rather than a review of the child's case, shall be held at the request of any one of the parties notified pursuant to subdivision 3, if that party notifies the court that he wishes to present to the court new evidence concerning whether the child should be continued in detention."

Further amend the title:

Page 1, line 4, delete "Section" and insert "Sections 260.015, Subdivision 17;" and after "1" insert "; 260.171, Subdivisions 1, 2, and 4; and 260.172".

With the recommendation that when so amended the bill pass.

The report was adopted.

Moe from the Committee on Criminal Justice to which was referred:

H. F. No. 1588, A bill for an act relating to venue for cases involving maltreatment of minors; amending Minnesota Statutes 1976, Chapter 627, by adding a section.

Reported the same back with the recommendation that the bill pass.

The report was adopted.

Moe from the Committee on Criminal Justice to which was referred:

S. F. No. 188, A bill for an act relating to crimes; correcting references in the laws relating to criminal sexual conduct; amending Minnesota Statutes 1976, Sections 246.43, Subdivision 1; 609.11, Subdivision 1; 609.195; 609.293, Subdivision 5; 609.32, Subdivisions 1, 3, and 4; 609.341, Subdivision 10; and Section 626.556, Subdivision 2; repealing Minnesota Statutes 1976, Section 609.293, Subdivisions 2, 3, and 4.

Reported the same back with the recommendation that the bill pass.

The report was adopted.

Moe from the Committee on Criminal Justice to which was referred:

S. F. No. 466, A bill for an act relating to post conviction remedy; authorizing the court to determine whether a petitioner must be present at a post conviction hearing; amending Minnesota Statutes 1976, Section 590.04, Subdivision 3.

Reported the same back with the recommendation that the bill pass.

The report was adopted.

Moe from the Committee on Criminal Justice to which was referred:

S. F. No. 617, A bill for an act relating to the university of Minnesota; conferring university of Minnesota peace officers with limited powers of arrest; governing the operation and parking of vehicles upon property owned, leased or occupied by the regents of the university of Minnesota; amending Minnesota Statutes 1976, Section 137.12; 169.123, Subdivision 1; 169.965, Subdivision 1; 626.05, Subdivision 2; 626A.01, Subdivision 7; and Chapter 626, by adding a section.

Reported the same back with the recommendation that the bill pass and be placed on the Consent Calendar.

The report was adopted.

Moe from the Committee on Criminal Justice to which was referred:

S. F. No. 766, A bill for an act relating to crimes; public safety and health; dangerous weapons; short-barreled shotguns; providing penalties; amending Minnesota Statutes 1976, Chapter 609, by adding a section.

Reported the same back with the following amendments:

Strike everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 1976, Section 609.67, is amended to read:

609.67 [MACHINE GUNS AND SHORT-BARRELED SHOTGUNS.] Subdivision 1. [DEFINITION.] (a) "Machine gun" means any firearm designed to discharge, or capable of discharging automatically more than once by a single function of the trigger.

(b) "Shotgun" means a weapon designed, redesigned, made or remade which is intended to be fired from the shoulder and uses the energy of the explosive in a fixed shotgun shell to fire through a smooth bore either a number of ball shot or a single projectile for each single pull of the trigger.

(c) "Short-barreled shotgun" means a shotgun having one or more barrels less than eighteen inches in length and any

weapon made from a shotgun if such weapon as modified has an overall length less than 26 inches.

Subd. 2. [ACTS PROHIBITED.] Except as otherwise provided herein, whoever owns, possesses, or operates a machine gun or a short-barreled shotgun may be sentenced to imprisonment for not more than five years or to payment of a fine of not more than \$5,000, or both.

Subd. 3. [USES PERMITTED.] The following persons may own or possess a machine gun or short-barreled shotgun provided the provisions of subdivision 4 are complied with:

(1) Law enforcement officers for use in the course of their duties;

(2) Wardens of penal institutions and other personnel thereof authorized by them and persons in charge of other institutions for the retention of persons convicted or accused of crime, for use in the course of their duties; and

(3) Persons possessing machine guns or short-barreled shotguns as war relics, museum pieces, or as objects of curiosity, ornament, or keepsake, and not usable as a weapon.

Subd. 4. [REPORT REQUIRED.] A person owning or possessing a machine gun or short-barreled shotgun as authorized by subdivision 3 shall, within ten days after acquiring such ownership or possession, file a written report with the bureau of criminal apprehension, showing his name and address; his official title and position, if any; a description of the machine gun or short-barreled shotgun sufficient to enable identification thereof; the purpose for which it is owned or possessed; and the manner in which rendered unusable, if the right to possess the machine gun or short-barreled shotgun is claimed under clause (3) of subdivision 3 of this section; and such further information as the bureau may reasonably require.

Subd. 5. [EXCEPTIONS.] This section does not apply to members of the armed services of either the United States or the state of Minnesota for use in the course of their duties.

Sec. 2. *This act shall be effective the day following enactment.*

Further amend the title:

Page 1, line 5, delete "Chapter 609, by adding a section" and insert "Section 609.67".

With the recommendation that when so amended the bill pass.

The report was adopted.

Moe from the Committee on Criminal Justice to which was referred:

S. F. No. 922, A bill for an act relating to parking privileges for the physically handicapped; prohibiting nonhandicapped persons from parking in spaces designated for the handicapped; providing penalties.

Reported the same back with the following amendments:

Page 1, line 21, after "3" insert ", or Section 168.021".

Page 2, after line 25, insert a new section to read:

"Sec. 2. Minnesota Statutes 1976, Section 168.021, Subdivision 1, is amended to read:

168.021 [LICENSE PLATES FOR PHYSICALLY HANDICAPPED PERSONS.] Subdivision 1. [SPECIAL PLATES; APPLICATION FOR ISSUANCE.] Where a motor vehicle (REGISTERED PURSUANT TO MINNESOTA STATUTES 1974, SECTION 168.017) *with a gross weight of 9,000 pounds or less* is owned or primarily operated by a physically handicapped person, the owner may apply for and secure from the registrar of motor vehicles two license number plates with attached emblems, one plate to be attached to the front, and one to the rear of the vehicle. Application for issuance of these plates shall be made upon renewal for registration year 1977 and subsequent years, or where the person acquires the vehicle on or after March 1, 1976, when he first applies for its registration."

Underscore all new language.

Further amend the title:

Page 1, line 5, after "penalties" insert "; amending Minnesota Statutes 1976, Section 168.021, Subdivision 1".

With the recommendation that when so amended the bill pass.

The report was adopted.

Johnson from the Committee on Education to which was referred:

S. F. No. 1415, A bill for an act relating to Independent School District 625; providing for the severance pay of employees.

Reported the same back with the recommendation that the bill pass and be placed on the Consent Calendar.

The report was adopted.

SECOND READING OF HOUSE BILLS

H. F. Nos. 1347, 1586 and 1588 were read for the second time.

SECOND READING OF SENATE BILLS

S. F. Nos. 1208, 1166, 1234, 1140, 109, 188, 466, 617, 766, 922 and 1415 were read for the second time.

INTRODUCTION AND FIRST READING OF HOUSE BILLS

The following House Files were introduced:

Searles, Jude, McDonald, Knickerbocker and George introduced:

H. F. No. 1606, A bill for an act relating to bodies of water; providing funds for the responsibilities of lake conservation districts; amending Minnesota Statutes 1976, Chapter 378, by adding a section.

The bill was read for the first time and referred to the Committee on Environment and Natural Resources.

Murphy introduced:

H. F. No. 1607, A bill for an act relating to workers' compensation; requiring an employer to furnish certain remodeling for a handicapped employee's residence; amending Minnesota Statutes 1976, Chapter 176, by adding a section.

The bill was read for the first time and referred to the Committee on Governmental Operations.

Scheid introduced:

H. F. No. 1608, A bill for an act relating to licensing boards; providing for reissuance of licenses from the board of architecture, engineering, land surveying and landscape architecture; amending Minnesota Statutes 1976, Section 326.11, Subdivision 5.

The bill was read for the first time and referred to the Committee on Governmental Operations.

Heinitz introduced:

H. F. No. 1609, A bill for an act relating to health; requiring safety caps on vitamins with iron supplements; prohibiting the sale of certain vitamins for children without a prescription; providing penalties.

The bill was read for the first time and referred to the Committee on Health and Welfare.

Norton, for the Committee on Appropriations, introduced:

H. F. No. 1610, A bill for an act relating to the organization and operation of state government; appropriating money for the department of transportation and for other purposes; amending Minnesota Statutes 1976, Sections 161.125, Subdivision 1; 219.40; and 299D.03, Subdivision 5; repealing Minnesota Statutes 1976, Sections 161.125, Subdivision 2; 161.50; 219.401; and 299D.03, Subdivision 4.

The bill was read for the first time and laid over one day.

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Mr. Speaker:

I hereby announce that the Senate accedes to the request of the House for the appointment of a Conference Committee, consisting of 5 members of the Senate, on the amendments adopted by the Senate to the following House File:

H. F. No. 1510, A bill for an act relating to the organization and operation of state government; appropriating money for education and related purposes with certain conditions, including the department of education, aids to libraries, higher education coordinating board, state universities, community colleges, and the university of Minnesota and its hospitals; amending Minnesota Statutes 1976, Sections 120.17, Subdivision 7a; 128A.02, Subdivision 3; 128A.06, Subdivision 1; 128A.07; 136A.121, Subdivision 3; 141.24; 141.36; 179.69, Subdivisions 4 and 5; and 197.78; repealing Minnesota Statutes 1976, Section 128A.08.

The Senate has appointed as such committee Messrs. Moe, Tennessen, Stumpf, Ogdahl and Keefe, J.

Said House File is herewith returned to the House.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

I hereby announce the passage by the Senate of the following House File, herewith returned, as amended by the Senate, in which amendment the concurrence of the House is respectfully requested:

H. F. No. 550, A bill for an act relating to the operation of government; providing for aids to education, tax levies, and the distribution of tax revenues; providing additional aids and levies for school districts with declining enrollment; eliminating foundation aid for summer programs for non-handicapped children; changing the method of distributing the agricultural tax credit; eliminating state aid for community education; establishing formulas for current funding of adult and secondary vocational education; creating a legislative school finance study commission; providing special retirement privileges for experienced teachers who teach part time or take an extended leave of absence; appropriating money; amending Minnesota Statutes 1976, Sections 120.10, Subdivision 1; 120.17, Subdivisions 1a and 5a; 121.11, Subdivision 5; 121.902; 121.914, Subdivisions 1, 2, 3 and 4; 121.917, Subdivisions 1 and 2; 123.335, Subdivision 2; 123.39, Subdivision 5; 123.351, Subdivision 5; 123.581, Subdivisions 1, 2, 3 and 6; 123.71, Subdivisions 1 and 2; 123.742, Subdivision 1; 124.11; 124.14, Subdivision 1; 124.17, Subdivisions 1, 2, and by adding a subdivision; 124.19, Subdivision 1; 124.20; 124.212, Subdivisions 1, 3a, 6b, 7b and 8a, and by adding a subdivision; 124.213; 124.222, Subdivisions 1a, 1b, 2a, 3, 6, and by adding a subdivision; 124.223; 124.26, Subdivisions 1 and 4; 124.271, Subdivisions 2 and 5; 124.30, Subdivision 5; 124.32; 124.38, Subdivision 7; 124.562, Subdivision 1; 124.565, Subdivisions 1 and 3; 124.57; 124.572; 124.573; 128A.02, Subdivisions 2 and 3; 128A.06; 273.132; 273.138, Subdivision 3; 275.125, Subdivisions 2a, 8, 9, 9a, and 13; and 475.61, Subdivision 4; amending Minnesota Statutes 1976, Chapter 136A, by adding a section; Chapter 354, by adding sections and Chapter 354A, by adding sections; amending Laws 1967, Chapter 822, Section 7, as amended; Laws 1969, Chapter 775, Section 4, Subdivision 2, as amended; Laws 1969, Chapter 1060, Section 7, as amended; and Laws 1976, Chapter 271, Section 94; repealing Minnesota Statutes 1976, Sections 124.215, Subdivision 2a; 124.222, Subdivisions 4 and 5; 124.25; 124.271, Subdivisions 1, 2, 3, 4 and 5; 124.30; 124.562, Subdivision 6; 124.563, Subdivision 4; 124.565, Subdivision 2; 124.57, Subdivisions 1 and 3, as added; 473.633; and 473.635.

PATRICK E. FLAHAVEN, Secretary of the Senate

Eken moved that the House refuse to concur in the Senate amendments to H. F. No. 550, that the Speaker appoint a Conference Committee of 5 members of the House, and that the House requests that a like committee be appointed by the Senate to confer on the disagreeing votes of the two Houses. The motion prevailed.

Mr. Speaker:

I hereby announce that the Senate refuses to concur in the House amendment to:

S. F. No. 32, A bill for an act relating to shade tree disease control; authorizing grants for municipal shade tree removal and reforestation programs; authorizing a shade tree disease control research program; appropriating money; amending Minnesota Statutes 1976, Sections 18.023, Subdivisions 1, 1a, 2, 3a, 4, 7, 8 and 11, and adding a subdivision; 116.07, Subdivision 4; and 275.50, by adding a subdivision; repealing Minnesota Statutes 1976, Section 18.023, Subdivision 6.

And the Senate respectfully requests that a Conference Committee of 5 members be appointed thereon. Messrs. Humphrey; Willet; Keefe, S.; Mrs. Staples and Mr. Dunn have been appointed as such committee on the part of the Senate.

Said Senate File is herewith transmitted to the House with the request that the House appoint a like committee.

PATRICK E. FLAHAVEN, Secretary of the Senate

Berg moved that the House accede to the request of the Senate and that the Speaker appoint a Conference Committee of 5 members of the House to meet with a like committee appointed by the Senate on the disagreeing votes of the two Houses on S. F. No. 32. The motion prevailed.

Mr. Speaker:

I hereby announce that the Senate refuses to concur in the House amendment to:

S. F. No. 1034, A bill for an act relating to transportation; appropriating money for the operation of Amtrak rail service between the Twin Cities and Duluth.

And the Senate respectfully requests that a Conference Committee of 3 members be appointed thereon. Messrs. Solon, Setzepfandt and Dunn have been appointed as such committee on the part of the Senate.

Said Senate File is herewith transmitted to the House with the request that the House appoint a like committee.

PATRICK E. FLAHAVEN, Secretary of the Senate

Munger moved that the House accede to the request of the Senate and that the Speaker appoint a Conference Committee of 3

members of the House to meet with a like committee appointed by the Senate on the disagreeing votes of the two Houses on S. F. No. 1034. The motion prevailed.

Mr. Speaker:

I hereby announce that the Senate refuses to concur in the House amendment to:

S. F. No. 1416, A bill for an act relating to the organization and operation of state government; appropriating money for welfare, corrections, health, and other purposes, including appropriations for the departments of public welfare, vocational rehabilitation, corrections, corrections ombudsman, health, health related boards, and public assistance programs; and repealing Minnesota Statutes 1976, Section 261.233.

And the Senate respectfully requests that a Conference Committee of 5 members be appointed thereon. Messrs. Lewis, Perpich, Milton, Moe and Kirchner have been appointed as such committee on the part of the Senate.

Said Senate File is herewith transmitted to the House with the request that the House appoint a like committee.

PATRICK E. FLAHAVEN, Secretary of the Senate

Samuelson moved that the House accede to the request of the Senate and that the Speaker appoint a Conference Committee of 5 members of the House to meet with a like committee appointed by the Senate on the disagreeing votes of the two Houses on S. F. No. 1416. The motion prevailed.

Mr. Speaker:

I hereby announce the passage by the Senate of the following Senate Files, herewith transmitted:

S. F. Nos. 1350 and 1467.

PATRICK E. FLAHAVEN, Secretary of the Senate

FIRST READING OF SENATE BILLS

S. F. No. 1350, A bill for an act relating to nursing assistant training; providing for a report to the legislature by the state board of health; delaying implementation of certain training requirements; amending Minnesota Statutes 1976, Section 144A.61, Subdivision 6.

The bill was read for the first time and referred to the Committee on Health and Welfare.

S. F. No. 1467, A bill for an act relating to the organization and operation of state government; appropriating money for the general administrative and judicial expenses of state government and limiting the use thereof; providing for the transfer of certain moneys in the state treasury; authorizing land acquisition in certain cases; fixing and limiting the amount of fees to be collected in certain cases; amending Minnesota Statutes 1976, Sections 10.30; 16A.095, Subdivision 2; 16A.10, Subdivisions 1 and 2; 16A.11, Subdivisions 2 and 3; 43.09, Subdivision 2; 43.31; 98.46, by adding a subdivision; 168.33, Subdivisions 2 and 7; 176.602; 183.545, Subdivisions 1, 3 and 4; 183.57, Subdivision 2; 186.04; 260.311, Subdivision 2; 268.06, Subdivision 25; 296.06, Subdivision 2; 296.12, Subdivision 1; 326.241, Subdivision 3; 362.125; 363.14, by adding a subdivision; 462.389, Subdivision 4; Chapter 16A, by adding a section; Laws 1971, Chapter 121, Section 2, as amended; and Laws 1976, Chapter 260, Section 3; repealing Minnesota Statutes 1976, Sections 15.61, Subdivision 3; 16.173; 16A.095, Subdivision 1; 16A.12 and 176.603.

The bill was read for the first time.

Norton moved that S. F. No. 1467 and H. F. No. 1595, now on Technical General Orders, be referred to the Chief Clerk for comparison. The motion prevailed.

REPORT FROM THE COMMITTEE ON RULES AND LEGISLATIVE ADMINISTRATION

Anderson, I., from the Committee on Rules and Legislative Administration, pursuant to rule 1.9, designated the following bills as a Special Order to be acted upon immediately following H. F. No. 801 on Special Orders for today, May 3, 1977: H. F. Nos. 405, 1500, 1287, 1102, 1223, 217, 577, 1119, 1130, 515, 774, 1283, 1387, 1086 and 257.

PROGRESS REPORTS ON CONFERENCE COMMITTEES

Pursuant to Joint Rule 2.06, progress on H. F. No. 231 was reported to the House.

CONSENT CALENDAR

S. F. No. 836, A bill for an act relating to safe deposit companies; including credit unions among those businesses that may rent out safe deposit boxes without license or bond therefor; amending Minnesota Statutes 1976, Sections 52.04; and 55.06, Subdivision 1.

The bill was read for the third time and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 125 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Abeln	Clark	Jacobs	Munger	Sherwood
Adams	Clawson	Jaros	Murphy	Sieben, H.
Albrecht	Corbid	Jensen	Neisen	Sieben, M.
Anderson, B.	Cummiskey	Johnson	Nelsen, B.	Simoneau
Anderson, D.	Dahl	Jude	Nelsen, M.	Skoglund
Anderson, G.	Dean	Kahn	Nelson	Smogard
Anderson, I.	Den Ouden	Kaley	Niehaus	Spanish
Anderson, R.	Eckstein	Kalis	Norton	Stanton
Arlandson	Ellingson	Kelly, R.	Novak	Stoa
Battaglia	Enebo	Kelly, W.	Pattson	Suss
Beauchamp	Erickson	Kempe, A.	Pehler	Swanson
Begich	Esau	Kempe, R.	Peterson	Tomlinson
Berg	Ewald	King	Petrafeso	Vanasek
Berglin	Faricy	Knickerbocker	Pleasant	Voss
Berkelman	Fjoslien	Kostohryz	Prahl	Waldorf
Biersdorf	Forsythe	Kroening	Reding	Weich
Birnstihl	Friedrich	Laidig	Rice	Wenstrom
Brandl	Fudro	Langseth	Rose	Wenzel
Braun	Fugina	Lehto	St. Onge	White
Brinkman	George	Lemke	Samuelson	Wieser
Byrne	Gunter	Mangan	Sarna	Wigley
Carlson, A.	Hanson	McCollar	Savelkoul	Williamson
Carlson, D.	Haugerud	McDonald	Schulz	Wynia
Carlson, L.	Heinitz	McEachern	Searle	Zubay
Casserly	Hokanson	Metzen	Searles	Speaker Sabo

The bill was passed and its title agreed to.

SPECIAL ORDERS

H. F. No. 1322 was reported to the House.

There being no objection, H. F. No. 1322 was continued on Special Orders for one day.

H. F. No. 938 was reported to the House.

Lemke moved that H. F. No. 938 be re-referred to the Committee on Transportation.

A roll call was requested and properly seconded.

The question was taken on the motion by Lemke and the roll was called. There were 40 yeas and 82 nays as follows:

Those who voted in the affirmative were:

Albrecht	Brinkman	Erickson	Heinitz	Kvam
Anderson, D.	Clawson	Esau	Jensen	Langseth
Anderson, G.	Den Ouden	Fjoslien	Johnson	Lemke
Anderson, R.	Eckstein	Friedrich	Kaley	Mangan
Braun	Eken	Haugerud	Kalis	McDonald

Nelsen, B.	Peterson	Searles	Stoa	Wenzel
Niehaus	Prahl	Sherwood	Suss	Wieser
Patton	Schulz	Smogard	Welch	Zubay

Those who voted in the negative were:

Abeln	Casserly	Jacobs	Neisen	Sieben, M.
Anderson, B.	Clark	Jaros	Nelsen, M.	Simoneau
Anderson, I.	Cohen	Jude	Nelson	Skoglund
Arlandson	Corbid	Kahn	Norton	Stanton
Battaglia	Cummiskey	Kelly, R.	Novak	Swanson
Beauchamp	Dahl	Kelly, W.	Osthoff	Tomlinson
Begich	Dean	Kempe, A.	Pehler	Voss
Berg	Ellingson	Kempe, R.	Petrafeso	Waldorf
Berglin	Enebo	King	Pleasant	Wenstrom
Berkelman	Ewald	Knickerbocker	Reding	White
Biersdorf	Faricy	Kostohryz	Rice	Wigley
Birnstihl	Forsythe	Kroening	Rose	Williamson
Brandl	Fugina	Laidig	Samuelson	Wynia
Byrne	George	Lehto	Savelkoul	Speaker Sabo
Carlson, A.	Gunter	McCarron	Scheid	
Carlson, D.	Hanson	McCollar	Searle	
Carlson, L.	Hokanson	Munger	Sieben, H.	

The motion did not prevail.

H. F. No. 938, A bill for an act relating to Ramsey county; providing for construction of necessary highway improvements; apportioning costs; prescribing certain limitations; amending Laws 1974, Chapter 435, Section 1.0209, as amended.

The bill was read for the third time and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 102 yeas and 22 nays as follows:

Those who voted in the affirmative were:

Abeln	Corbid	Jude	Nelson	Simoneau
Adams	Cummiskey	Kahn	Norton	Skoglund
Anderson, B.	Dahl	Kaley	Novak	Smogard
Anderson, D.	Dean	Kelly, R.	Osthoff	Stanton
Anderson, I.	Eken	Kempe, A.	Pehler	Stoa
Arlandson	Ellingson	Kempe, R.	Petrafeso	Suss
Battaglia	Enebo	King	Pleasant	Swanson
Beauchamp	Erickson	Knickerbocker	Prahl	Tomlinson
Begich	Ewald	Kostohryz	Reding	Vanasek
Berg	Faricy	Kroening	Rice	Waldorf
Berglin	Fjoslien	Laidig	Rose	Welch
Biersdorf	Forsythe	Langseth	St. Onge	Wenstrom
Brandl	Fudro	Lehto	Samuelson	Wenzel
Braun	Fugina	Mangan	Sarna	White
Brinkman	George	McCarron	Savelkoul	Williamson
Byrne	Gunter	McCollar	Scheid	Wynia
Carlson, A.	Hanson	McEachern	Searle	Zubay
Carlson, L.	Hokanson	Metzen	Searles	Speaker Sabo
Casserly	Jacobs	Munger	Sherwood	
Clark	Jaros	Neisen	Sieben, H.	
Cohen	Jensen	Nelsen, M.	Sieben, M.	

Those who voted in the negative were:

Albrecht	Den Ouden	Johnson	McDonald	Schulz
Anderson, G.	Eckstein	Kalis	Nelsen, B.	Wieser
Birnstihl	Esau	Kelly, W.	Niehaus	
Carlson, D.	Haugerud	Kvam	Patton	
Clawson	Heinitz	Lemke	Peterson	

The bill was passed and its title agreed to.

H. F. No. 1386 was reported to the House.

Wenzel moved to amend H. F. No. 1386, as follows:

Page 3, lines 20 to 23, delete the new language.

Page 3, after line 26, add *"If the bond is executed on a form furnished by the commissioner, the bond shall be limited to the protection of claimants whose residence or principal place of live-stock business is in the state of Minnesota at the time of the transaction. If the bond is filed on a form in accordance with the Packers and Stockyards Act, the bond shall cover claimants regardless of place of residence."*

The motion prevailed and the amendment was adopted.

H. F. No. 1386, A bill for an act relating to agriculture; clarifying certain terms; eliminating six months license provision; permitting license suspension; permitting waiver of the right to a hearing; clarifying weighing locations and weighing fees; amending Minnesota Statutes 1976, Sections 17A.03, Subdivisions 6 and 7; 17A.04, Subdivision 1, and by adding a subdivision; 17A.05, Subdivision 2; 17A.06, Subdivisions 2 and 3; 17A.10; and 17A.11.

The bill was read for the third time, as amended, and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 125 yeas and 2 nays as follows:

Those who voted in the affirmative were:

Abeln	Berglin	Clark	Erickson	Hokanson
Adams	Berkelman	Clawson	Esau	Jacobs
Albrecht	Biersdorf	Cohen	Ewald	Jaros
Anderson, B.	Birnstihl	Corbid	Faricy	Jensen
Anderson, D.	Brandl	Cummiskey	Fjoslien	Johnson
Anderson, G.	Braun	Dahl	Forsythe	Jude
Anderson, I.	Brinkman	Dean	Friedrich	Kahn
Arlandson	Byrne	Den Ouden	Fugina	Kaley
Battaglia	Carlson, A.	Eckstein	Gunter	Kalis
Beauchamp	Carlson, D.	Eken	Hanson	Kelly, R.
Begich	Carlson, L.	Ellingson	Haugerud	Kelly, W.
Berg	Cassery	Enebo	Heinitz	Kempe, A.

Kempe, R.	McDonald	Patton	Searles	Vanasek
King	McEachern	Pehler	Sherwood	Voss
Knickerbocker	Metzen	Peterson	Sieben, H.	Waldorf
Kostohryz	Moe	Pleasant	Sieben, M.	Welch
Kroening	Munger	Prahl	Simoneau	Wenstrom
Kvam	Murphy	Reding	Skoglund	Wenzel
Laidig	Neisen	Rice	Smogard	White
Langseth	Nelsen, B.	Rose	Spanish	Wieser
Lehto	Nelsen, M.	St. Onge	Stanton	Wigley
Lemke	Niehaus	Samuelson	Stoa	Williamson
Mangan	Norton	Savelkoul	Suss	Wynia
McCarron	Novak	Schulz	Swanson	Zubay
McCollar	Osthoff	Searle	Tomlinson	Speaker Sabo

Those who voted n the negative were:

Fudro Sarna

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

Berkelman was excused from 2:55 p.m. to 3:30 p.m.

H. F. No. 1015 was reported to the House.

Voss moved to amend H. F. No. 1015, as follows:

Page 6, lines 1 through 11, delete section 5 from the bill.

Renumber the following section.

Further, amend the title as follows:

Page 1, lines 8 and 9, delete “; and 363.14, by adding a sub-division”.

A roll call was requested and properly seconded.

The question was taken on the adoption of the amendment and the roll was called. There were 66 yeas and 52 nays as follows:

Those who voted in the affirmative were:

Adams	Cummiskey	Johnson	Metzen	Smogard
Anderson, B.	Den Ouden	Jude	Munger	Stoa
Anderson, D.	Eckstein	Kaley	Neisen	Suss
Anderson, R.	Eken	King	Nelsen, B.	Vanasek
Battaglia	Erickson	Knickerbocker	Niehaus	Voss
Beauchamp	Esau	Kostohryz	Novak	Welch
Begich	Fjoslien	Kvam	Osthoff	White
Biersdorf	Friedrich	Langseth	Pehler	Wieser
Birnstihl	Fudro	Lemke	Peterson	Williamson
Braun	Fugina	Mangan	Rice	Zubay
Brinkman	Gunter	McCarron	Rose	
Carlson, D.	Heinitz	McCollar	Sarna	
Clawson	Jacobs	McDonald	Schulz	
Corbid	Jensen	McEachern	Searle	

Those who voted in the negative were:

Abeln	Carlson, L.	Jaros	Patton	Skoglund
Albrecht	Casserly	Kahn	Petrafeso	Stanton
Anderson, G.	Clark	Kelly, R.	Prahl	Swanson
Anderson, I.	Cohen	Kelly, W.	Reding	Tomlinson
Arlandson	Dahl	Kempe, R.	St. Onge	Waldorf
Berg	Ellingson	Kroening	Scheid	Wenzel
Berglin	Enebo	Laidig	Searles	Wynia
Berkelman	Ewald	Lehto	Sherwood	Speaker Sabo
Brandl	Faricy	Murphy	Sieben, H.	
Byrne	Forsythe	Nelson	Sieben, M.	
Carlson, A.	Hokanson	Norton	Simoneau	

The motion prevailed and the amendment was adopted.

H. F. No. 1015, A bill for an act relating to human rights; clarifying the scope of sex discrimination; providing for an appeal by the commissioner; providing for a civil action without filing with the department; amending Minnesota Statutes 1976, Sections 363.01, by adding a subdivision; 363.02, Subdivision 1; 363.05, Subdivision 1; 363.072, Subdivision 1.

The bill was read for the third time, as amended, and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 118 yeas and 7 nays as follows:

Those who voted in the affirmative were:

Abeln	Corbid	Jensen	Munger	Sherwood
Adams	Cummiskey	Johnson	Murphy	Sieben, H.
Anderson, B.	Dahl	Jude	Neisen	Sieben, M.
Anderson, D.	Dean	Kahn	Nelsen, B.	Simoneau
Anderson, G.	Den Ouden	Kaley	Nelson	Skoglund
Anderson, I.	Eken	Kalis	Niehaus	Smogard
Anderson, R.	Ellingson	Kelly, R.	Norton	Spanish
Arlandson	Enebo	Kelly, W.	Novak	Stanton
Battaglia	Erickson	Kempe, A.	Pehler	Suss
Beauchamp	Esau	Kempe, R.	Peterson	Swanson
Begich	Ewald	King	Petrafeso	Tomlinson
Berg	Faricy	Knickerbocker	Pleasant	Vanasek
Berglin	Fjoslien	Kostohryz	Prahl	Voss
Berkelman	Forsythe	Kroening	Reding	Waldorf
Biersdorf	Friedrich	Laidig	Rice	Welch
Brandl	Fudro	Langseth	Rose	Wenstrom
Brinkman	Fugina	Lehto	St. Onge	Wenzel
Byrne	George	Mangan	Samuelson	White
Carlson, A.	Gunter	McCarron	Sarna	Williamson
Carlson, L.	Hanson	McCollar	Savelkoul	Wynia
Casserly	Heinitz	McDonald	Scheid	Zubay
Clark	Hokanson	McEachern	Schulz	Speaker Sabo
Clawson	Jacobs	Metzen	Searle	
Cohen	Jaros	Moe	Searles	

Those who voted in the negative were:

Albrecht Braun	Carlson, D. Eckstein	Stoa	Wieser	Wigley
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The bill was passed, as amended, and its title agreed to.

H. F. No. 343 was reported to the House.

Nelson moved to amend H. F. No. 343, as follows:

Page 3, line 7, delete "*knowingly*".

Page 3, delete all of line 8.

Page 3, line 9, delete "*as defined herein*" and insert the following: "*owns, operates, manages, or has a commercial interest in a business which disseminates an obscene work, knowing the character and content of the work disseminated,*".

Page 3, after line 9, add a subdivision as follows:

"Subd. 3. This act becomes effective on the day following its final enactment."

The motion prevailed and the amendment was adopted.

McDonald offered an amendment to H. F. No. 343.

POINT OF ORDER

Arlandson raised a point of order pursuant to rule 3.9 that the McDonald amendment was out of order. The Speaker ruled the point of order well taken and the amendment out of order.

Kempe, R., moved to amend H. F. No. 343, as amended, as follows:

Page 3, after line 9, add a new subdivision to read as follows:

"Subd. 3. A local governing body may revoke any licenses held by the employer relating to the establishment employing a person convicted of the offense described in subdivision 2."

The motion prevailed and the amendment was adopted.

H. F. No. 343, A bill for an act relating to obscenity; prohibiting the dissemination of obscene photographs or other similar visual representations which depict minors involved in scenes of

patently offensive sexual conduct; prescribing penalties; amending Minnesota Statutes 1976, Chapter 617, by adding a section.

The bill was read for the third time, as amended, and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 127 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Abeln	Cohen	Jensen	Murphy	Sieben, H.
Adams	Corbid	Jude	Neisen	Sieben, M.
Albrecht	Cummiskey	Kahn	Nelsen, B.	Simoneau
Anderson, B.	Dahl	Kaley	Nelsen, M.	Skoglund
Anderson, G.	Dean	Kalis	Nelson	Smogard
Anderson, I.	Eckstein	Kelly, R.	Niehaus	Spanish
Anderson, R.	Eken	Kelly, W.	Norton	Stanton
Arlandson	Ellingson	Kempe, A.	Novak	Stoa
Battaglia	Enebo	Kempe, R.	Osthoff	Suss
Beauchamp	Erickson	King	Patton	Swanson
Begich	Esau	Knickerbocker	Pehler	Tomlinson
Berg	Ewald	Kostohryz	Peterson	Vanasek
Berglin	Faricy	Kroening	Petraleso	Waldorf
Berkelman	Fjoslien	Laidig	Prahl	Welch
Biersdorf	Forsythe	Langseth	Reding	Wenstrom
Birnstihl	Friedrich	Lehto	Rice	Wenzel
Brandl	Fudro	Lemke	Rose	White
Braun	Fugina	Mangan	St. Onge	Wieser
Brinkman	George	Mann	Samuelson	Wigley
Byrne	Gunter	McCarron	Sarna	Williamson
Carlson, A.	Hanson	McCollar	Savelkoul	Wynia
Carlson, D.	Haugerud	McDonald	Scheid	Zubay
Carlson, L.	Heinitz	McEachern	Schulz	Speaker Sabo
Cassery	Hokanson	Metzen	Searle	
Clark	Jacobs	Moe	Searles	
Clawson	Jaros	Munger	Sherwood	

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

Stoa was excused for the remainder of today's session.

H. F. No. 801 was reported to the House.

Cohen, Williamson and Dean moved to amend H. F. No. 801, as follows:

Page 5, line 11, delete "or to a".

Page 5, line 12, delete "television set".

Page 5, after line 12, insert "*Nothing herein shall be construed to prohibit the electronic video re-recording of program material transmitted on the cable communications system by a subscriber for fair use as defined by Public Law 94-553, Section 107.*".

The motion prevailed and the amendment was adopted.

Cohen moved to amend H. F. No. 801, as amended, as follows:

In the Cohen amendment, inserted at page 5, after line 12, after "Section 107" insert ", or to prohibit a subscriber from attaching or connecting to the cable additional receivers located on the subscriber's premises".

Further, page 5, line 18, after "unauthorized connection" insert "as defined in Minnesota Statutes, Section 609.52, Subdivision 2, clause (12)".

The motion prevailed and the amendment was adopted.

H. F. No. 801, A bill for an act relating to crimes; specifying certain acts which constitute theft in relation to cable television services and systems; providing penalties; amending Minnesota Statutes 1976, Section 609.52, Subdivision 2; and Chapter 609, by adding a section.

The bill was read for the third time, as amended, and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 112 yeas and 9 nays as follows:

Those who voted in the affirmative were:

Abeln	Dean	Kaley	Neisen	Sieben, M.
Adams	Eckstein	Kalis	Nelsen, B.	Simoneau
Albrecht	Eken	Kelly, R.	Nelson	Skoglund
Anderson, B.	Ellingson	Kelly, W.	Niehaus	Smogard
Anderson, R.	Erickson	Kempe, A.	Norton	Stanton
Arlandson	Esau	Kempe, R.	Novak	Suss
Battaglia	Ewald	King	Patton	Swanson
Beauchamp	Faricy	Knickerbocker	Peterson	Tomlinson
Begich	Fjoslien	Kostohryz	Petrafeso	Vanasek
Berg	Forsythe	Kroening	Pleasant	Voss
Biersdorf	Friedrich	Kvam	Prahl	Waldorf
Birnstihl	Fudro	Laidig	Reding	Welch
Brandl	Fugina	Langseth	Rose	Wenstrom
Brinkman	George	Lehto	St. Onge	Wenzel
Byrne	Gunter	Lemke	Samuelson	Wieser
Carlson, A.	Hanson	Mann	Sarna	Wigley
Carlson, D.	Heinitz	McCollar	Savelkoul	Williamson
Carlson, L.	Hokanson	McDonald	Scheid	Wynia
Casserly	Jacobs	McEachern	Schulz	Zubay
Clark	Jensen	Metzen	Searle	Speaker Sabo
Cohen	Johnson	Moe	Searles	
Cummiskey	Jude	Munger	Sherwood	
Dahl	Kahn	Murphy	Sieben, H.	

Those who voted in the negative were:

Anderson, D.	Anderson, I.	Clawson	Jaros	White
Anderson, G.	Braun	Corbid	Mangan	

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

H. F. No. 405 was reported to the House.

Reding moved to amend H. F. No. 405 as follows:

Strike all of section 4 and insert:

“Sec. 4. Minnesota Statutes 1976, Section 609.75, is amended to read:

609.75 [GAMBLING; DEFINITIONS.] Subdivision 1. [LOTTERY.] A lottery is a plan (DESIGNED FOR OR RESULTING IN ANY PRIVATE PECUNIARY GAIN TO THE SPONSORS OR THEIR AGENTS, AND) which provides for the distribution of money, property or other reward or benefit to persons selected by chance from among participants some or all of whom have given a consideration for the chance of being selected. Acts in this state in furtherance of a lottery conducted outside of this state are included notwithstanding its validity where conducted.

Subd. 2. [BET.] A bet is a bargain whereby the parties mutually agree to a gain or loss by one to the other of specified money, property or benefit dependent upon chance although the chance is accompanied by some element of skill.

Subd. 3. [WHAT ARE NOT BETS.] The following are not bets:

(1) A contract to insure, indemnify, guarantee or otherwise compensate another for a harm or loss sustained, even though the loss depends upon chance.

(2) A contract for the purchase or sale at a future date of securities or other commodities.

(3) Offers of purses, prizes or premiums to the actual contestants in any bona fide contest for the determination of skill, speed, strength, endurance, or quality or to the bona fide owners of animals or other property entered in such a contest.

(4) The game of bingo when conducted in compliance with sections 349.11 to 349.23.

(5) A private social bet not part of or incidental to organized, commercialized, or systematic gambling.

(6) *The operation of a gambling device or the conduct of a raffle as defined in section 349.26, subdivision 1, by an organization licensed for such operation by a local unit of government.*

Subd. 4. [GAMBLING DEVICE.] A gambling device is a contrivance which for a consideration affords the player an opportunity to obtain something of value, other than free plays, automatically from the machine or otherwise, the award of which is determined principally by chance.

Subd. 5. [GAMBLING PLACE.] A gambling place is a location or structure, stationary or movable, or any part thereof, wherein, as one of its uses, betting is permitted or promoted, a lottery is conducted or assisted or a gambling device is operated.

Subd. 6. [BUCKET SHOP.] A bucket shop is a place wherein the operator is engaged in making bets in the form of purchases or sales on public exchanges of securities, commodities or other personal property for future delivery to be settled at prices dependent on the chance of those prevailing at the public exchanges without a bona fide purchase or sale being in fact made on a board of trade or exchange.”.

Page 8, after line 6, insert a section to read:

“Sec. 6. Minnesota Statutes 1976, Chapter 609, is amended by adding a section to read:

[609.761] [OPERATION PERMITTED.] *Notwithstanding sections 609.755 and 609.76, a fraternal, religious, veterans or other nonprofit organization may set up or operate a gambling device or conduct a raffle as defined in section 349.26, subdivision 1, if licensed by the local unit of government pursuant to section 349.26, and a person may manufacture, sell or offer for sale a gambling device to the organization.”.*

Further amend the title as follows:

Page 1, line 6, delete the comma.

Page 1, line 7, delete “Subdivision 3”.

Page 1, line 7, delete “Chapter” and insert “Chapters”.

Page 1, line 8, after “section” insert “; and 609, by adding a section”.

The motion prevailed and the amendment was adopted.

H. F. No. 405, A bill for an act relating to gambling; authorizing the operation of certain gambling devices by licensed organizations; providing a penalty; amending Minnesota Statutes 1976, Sections 325.54, Subdivision 1; 340.14, Subdivision 2; 609.75; 609.76; and Chapters 349, by adding a section; and 609, by adding a section.

The bill was read for the third time, as amended, and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 83 yeas and 37 nays as follows:

Those who voted in the affirmative were:

Abeln	Cummiskey	Kahn	Murphy	Sieben, M.
Adams	Eckstein	Kaley	Nelson	Simoneau
Anderson, I.	Ellingson	Kalis	Norton	Smogard
Arlandson	Friedrich	Kelly, R.	Novak	Spanish
Battaglia	Fudro	Kempe, A.	Osthoff	Stanton
Begich	Fugina	Knickerbocker	Patton	Suss
Berg	George	Kostohryz	Pehler	Tomlinson
Berglin	Gunter	Kroening	Petrafeso	Vanasek
Biersdorf	Hanson	Laidig	Prahl	Waldorf
Birnstihl	Haugerud	Lehto	Reding	White
Brandl	Heinitz	Lemke	Rose	Wieser
Braun	Hokanson	Mangan	St. Onge	Williamson
Brinkman	Jacobs	McCollar	Samuelson	Wynia
Byrne	Jaros	McDonald	Sarna	Zubay
Carlson, L.	Jensen	Metzen	Scheid	Speaker Sabo
Casserly	Johnson	Moe	Searles	
Clawson	Jude	Munger	Sieben, H.	

Those who voted in the negative were:

Albrecht	Dean	Kelly, W.	Nelsen, M.	Voss
Anderson, G.	Den Ouden	Kempe, R.	Niehaus	Welch
Anderson, R.	Eken	King	Peterson	Wenstrom
Beauchamp	Erickson	Kvam	Rice	Wenzel
Carlson, D.	Esau	Langseth	Savelkoul	Wigley
Clark	Faricy	Mann	Schulz	
Cohen	Fjoslien	McEachern	Sherwood	
Corbid	Forsythe	Nelsen, B.	Skoglund	

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

H. F. No. 1500 was reported to the House.

Skoglund moved to amend H. F. No. 1500, as follows:

Page 1, line 19, strike "shall" and insert "may".

A roll call was requested and properly seconded.

The question was taken on the adoption of the amendment and the roll was called. There were 73 yeas and 53 nays as follows:

Those who voted in the affirmative were:

Abeln	Carlson, A.	Corbid	Erickson	Friedrich
Anderson, D.	Carlson, D.	Dean	Esau	Gunter
Anderson, G.	Carlson, L.	Den Ouden	Ewald	Hanson
Berglin	Casserly	Eckstein	Faricy	Heinitz
Biersdorf	Clark	Ellingson	Fjoslien	Hokanson
Brandl	Cohen	Enebo	Forsythe	Jaros

Jude	Laidig	Peterson	Sherwood	Wenzel
Kahn	Langseth	Pleasant	Skoglund	White
Kaley	McDonald	Prahl	Smogard	Wieser
Kalis	Murphy	Reding	Spanish	Wigley
Kelly, R.	Neisen	Rose	Swanson	Williamson
Kempe, A.	Nelsen, B.	Savelkoul	Tomlinson	Wynia
Kempe, R.	Nelson	Scheid	Vanasek	Zubay
Knickerbocker	Niehaus	Searle	Welch	
Kvam	Norton	Searles	Wenstrom	

Those who voted in the negative were:

Adams	Brinkman	Johnson	Metzen	Sarna
Albrecht	Byrne	King	Moe	Schulz
Anderson, B.	Clawson	Kostohryz	Munger	Sieben, H.
Anderson, I.	Cummiskey	Kroening	Nelsen, M.	Sieben, M.
Arlandson	Dahl	Lehto	Novak	Simoneau
Battaglia	Eken	Lemke	Osthoff	Suss
Beauchamp	Fudro	Mangan	Patton	Voss
Begich	Fugina	Mann	Petrafeso	Waldorf
Berg	George	McCarron	Rice	Speaker Sabo
Birnstihl	Jacobs	McCollar	St. Onge	
Braun	Jensen	McEachern	Samuelson	

The motion prevailed and the amendment was adopted.

Skoglund moved to amend H. F. No. 1500, as amended, as follows:

Page 2, line 31, strike "in a year" and insert "*within 180 days*".

A roll call was requested and properly seconded.

The question was taken on the adoption of the amendment and the roll was called. There were 37 yeas and 81 nays as follows:

Those who voted in the affirmative were:

Abeln	Clark	Heinitz	Nelson	Tomlinson
Adams	Dean	Jaros	Pleasant	Wenzel
Anderson, B.	Den Ouden	Kaley	Prahl	Wigley
Berglin	Enebo	Kempe, R.	Rose	Wynia
Brandl	Erickson	Knickerbocker	Savelkoul	Zubay
Carlson, A.	Esau	Kvam	Sherwood	
Carlson, D.	Forsythe	Laidig	Skoglund	
Carlson, L.	Friedrich	McDonald	Spanish	

Those who voted in the negative were:

Albrecht	Biersdorf	Eken	Johnson	Lemke
Anderson, D.	Birnstihl	Ellingson	Jude	Mangan
Anderson, G.	Braun	Ewald	Kalis	Mann
Anderson, I.	Brinkman	Fjoslien	Kelly, R.	McCarron
Anderson, R.	Byrne	Fudro	Kelly, W.	McEachern
Arlandson	Clawson	Fugina	King	Metzen
Battaglia	Cohen	Gunter	Kostohryz	Moe
Beauchamp	Corbid	Hokanson	Kroening	Munger
Begich	Cummiskey	Jacobs	Langseth	Murphy
Berg	Dahl	Jensen	Lehto	Neisen

Nelsen, B.	Petrafeso	Schulz	Suss	White
Nelsen, M.	Reding	Searle	Swanson	Williamson
Niehaus	Rice	Searles	Vanasek	Speaker Sabo
Norton	St. Onge	Sieben, H.	Voss	
Novak	Samuelson	Sieben, M.	Waldorf	
Osthoff	Sarna	Simoneau	Welch	
Patton	Scheid	Smogard	Wenstrom	

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

H. F. No. 1500, A bill for an act relating to elections; vacancy in office of senator in congress; providing for special election to fill a vacancy; amending Minnesota Statutes 1976, Section 202A.72.

The bill was read for the third time, as amended, and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 129 yeas and 1 nay as follows:

Those who voted in the affirmative were:

Abeln	Clawson	Jaros	Moe	Searles
Adams	Cohen	Jensen	Munger	Sherwood
Albrecht	Corbid	Johnson	Murphy	Sieben, H.
Anderson, B.	Cummiskey	Jude	Neisen	Sieben, M.
Anderson, D.	Dahl	Kahn	Nelsen, B.	Simoneau
Anderson, G.	Dean	Kaley	Nelsen, M.	Skoglund
Anderson, I.	Den Ouden	Kalis	Nelson	Smogard
Anderson, R.	Eckstein	Kelly, R.	Niehaus	Spanish
Arlandson	Eken	Kelly, W.	Norton	Stanton
Battaglia	Ellingson	Kempe, R.	Novak	Suss
Beauchamp	Enebo	King	Osthoff	Swanson
Begich	Erickson	Knickerbocker	Patton	Tomlinson
Berg	Esau	Kostohryz	Pehler	Vanasek
Berglin	Ewald	Kroening	Peterson	Voss
Berkelman	Faricy	Kvam	Petrafeso	Waldorf
Biersdorf	Fjoslien	Laidig	Pleasant	Welch
Birnstihl	Forsythe	Langseth	Reding	Wenstrom
Brandl	Friedrich	Lehto	Rice	Wenzel
Braun	Fudro	Lemke	Rose	White
Brinkman	Fugina	Mangan	St. Onge	Wieser
Byrne	George	Mann	Samuelson	Wigley
Carlson, A.	Gunter	McCarron	Sarna	Williamson
Carlson, D.	Hanson	McCollar	Savelkoul	Wynia
Carlson, L.	Heinitz	McDonald	Scheid	Zubay
Casserly	Hokanson	McEachern	Schulz	Speaker Sabo
Clark	Jacobs	Metzen	Searle	

Those who voted in the negative were:

Prahl

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

Searle was excused for the remainder of today's session.

H. F. No. 1287 was reported to the House.

Tomlinson moved to amend H. F. No. 1287, as follows:

Page 2, line 21, strike "August" and insert "*January*".

Page 13, line 9, delete "*122.34*;".

Amend the title as follows:

Page 1, line 17, delete "*122.34*;".

The motion prevailed and the amendment was adopted.

H. F. No. 1287, A bill for an act relating to education; revising provisions prescribing duties of school districts and the state department of education; correcting outdated definitions and references; changing certain levy authority; altering the foundation aid computation in certain cases; and providing school lunch aid; amending Minnesota Statutes 1976, Sections 6.62, Subdivision 1; 121.02, Subdivision 1; 123.34, Subdivisions 4 and 8; 123.-68; 124.212, by adding a subdivision; 124.66; 127.25, Subdivisions 1 and 2, and by adding a subdivision; 134.03; 275.09, Subdivision 4; 275.125, Subdivisions 4, 15 and 16; Chapters 123, by adding a section; and 124, by adding a section; repealing Minnesota Statutes 1976, Sections 120.02, Subdivisions 11 and 18; 121.-11, Subdivision 3; 123.14; 123.17; 123.18; 123.20; 124.215, Subdivisions 3, 4, 5, 6, 7 and 8; 124.23; 126.021; 126.022; 126.024; 128.01; 128.02; 128.03; 128.04; 128.05; 128.06; 128.069; 129.06; 129.07; 129.08; and 129.09.

The bill was read for the third time, as amended, and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 124 yeas and 1 nay as follows:

Those who voted in the affirmative were:

Abeln	Brandl	Eckstein	Heinitz	Kvam
Adams	Braun	Eken	Hokanson	Laidig
Albrecht	Brinkman	Ellingson	Jacobs	Langseth
Anderson, B.	Byrne	Enebo	Jaros	Lehto
Anderson, D.	Carlson, A.	Erickson	Jensen	Lemke
Anderson, I.	Carlson, D.	Esau	Johnson	Mangan
Anderson, R.	Carlson, L.	Ewald	Jude	Mann
Arlandson	Cassery	Farcy	Kahn	McCarron
Battaglia	Clark	Fjoslien	Kaley	McCollar
Beauchamp	Clawson	Forsythe	Kalis	McDonald
Begich	Cohen	Friedrich	Kelly, W.	McEachern
Berg	Corbid	Fudro	Kempe, A.	Metzen
Berglin	Cummiskey	Fugina	Kempe, R.	Moe
Berkelman	Dahl	Gunter	King	Munger
Biersdorf	Dean	Hanson	Knickerbocker	Murphy
Birnstihl	Den Ouden	Haugerud	Kroening	Neisen

Nelsen, B.	Pleasant	Schulz	Stanton	Wenzel
Nelson	Prahl	Searles	Suss	White
Niehaus	Reding	Sherwood	Swanson	Wieser
Norton	Rice	Sieben, H.	Tomlinson	Wigley
Novak	Rose	Sieben, M.	Vanasek	Williamson
Osthoff	Samuelson	Simoneau	Voss	Wynia
Pehler	Sarna	Skoglund	Waldorf	Zubay
Peterson	Savelkoul	Smogard	Welch	Speaker Sabo
Petrafeso	Scheid	Spanish	Wenstrom	

Those who voted in the negative were:

Anderson, G.

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

H. F. No. 1102 was reported to the House.

Kaley moved to amend H. F. No. 1102, as follows:

Page 2, line 12, after "*centers*," add a new sentence to read: "*Service centers shall be established only after determination by the commissioner that total costs to the state shall not increase.*"

Page 2, after line 19, add a new subdivision to read:

"Subd. 4. Nothing contained in this section shall be considered as granting authority to the commissioner of administration to purchase property or construct buildings for regional service centers."

The motion prevailed and the amendment was adopted.

Savelkoul offered an amendment to H. F. No. 1102.

POINT OF ORDER

Sieben, H., raised a point of order pursuant to rule 3.9 that the Savelkoul amendment was not in order. Norton, as Speaker Pro Tempore, ruled the point of order well taken and the amendment out of order.

Savelkoul offered a second amendment to H. F. No. 1102.

POINT OF ORDER

Sieben, H., raised a point of order pursuant to rule 3.9 that the Savelkoul amendment was not in order. Norton, as Speaker Pro Tempore, ruled the point of order well taken and the amendment out of order.

Savelkoul appealed from the decision of the Speaker Pro Tempore.

A roll call was requested and properly seconded.

Patton moved the previous question. The motion was not properly seconded so the previous question was not called.

The question was taken on the appeal from the decision of the Speaker Pro Tempore and the roll was called. There were 92 yeas and 30 nays as follows:

Those who voted in the affirmative were:

Abeln	Clawson	Kahn	Neisen	Smogard
Adams	Cohen	Kalis	Nelsen, M.	Spanish
Anderson, B.	Corbid	Kelly, R.	Nelson	Stanton
Anderson, G.	Cummiskey	Kelly, W.	Norton	Suss
Anderson, I.	Dahl	Kempe, R.	Novak	Swanson
Arlandson	Eckstein	King	Osthoff	Tomlinson
Battaglia	Eken	Kostohryz	Patton	Vanasek
Beauchamp	Enebo	Kroening	Pehler	Voss
Begich	Fudro	Langseth	Petrafeso	Welch
Berg	Fugina	Lehto	Reding	Wenstrom
Berglin	George	Lemke	Rice	Wenzel
Birnstihl	Gunter	Mangan	St. Onge	White
Brandl	Hanson	McCarron	Samuelson	Wieser
Braun	Haugerud	McCollar	Sarna	Williamson
Brinkman	Hokanson	McEachern	Sherwood	Wynia
Byrne	Jacobs	Metzen	Sieben, H.	Speaker Sabo
Carlson, L.	Jaros	Moe	Sieben, M.	
Cassery	Jensen	Munger	Simoneau	
Clark	Jude	Murphy	Skoglund	

Those who voted in the negative were:

Albrecht	Dean	Forsythe	Laidig	Prahl
Anderson, D.	Den Ouden	Friedrich	McDonald	Rose
Anderson, R.	Erickson	Heinitz	Nelsen, B.	Savelkoul
Biersdorf	Esau	Kaley	Niehaus	Searles
Carlson, A.	Ewald	Knickerbocker	Peterson	Wigley
Carlson, D.	Fjoslien	Kvam	Pleasant	Zubay

It was the judgment of the House that the decision of the Speaker Pro Tempore shall stand.

Savelkoul moved to amend H. F. No. 1102, as follows:

Page 6, line 8, reinstate the stricken language.

Page 6, lines 9, 10 and 11, delete the new language.

A roll call was requested and properly seconded.

The question was taken on the adoption of the amendment and the roll was called. There were 33 yeas and 86 nays as follows:

Those who voted in the affirmative were:

Albrecht	Den Ouden	Friedrich	Laidig	Savelkoul
Anderson, D.	Erickson	Hanson	McDonald	Searles
Anderson, R.	Esau	Heinitz	Nelsen, B.	Stanton
Biersdorf	Ewald	Kaley	Niehaus	Wigley
Carlson, D.	Faricy	Kelly, R.	Peterson	Zubay
Clawson	Fjoslien	Knickerbocker	Pleasant	
Dean	Forsythe	Kvam	Rose	

Those who voted in the negative were:

Abeln	Corbid	Kalis	Norton	Skoglund
Adams	Cummiskey	Kelly, W.	Novak	Smogard
Anderson, B.	Dahl	Kempe, R.	Osthoff	Spanish
Anderson, G.	Eckstein	King	Patton	Suss
Anderson, I.	Eken	Kostohryz	Pehler	Swanson
Arlandson	Ellingson	Kroening	Petrafeso	Tomlinson
Battaglia	Enebo	Langseth	Prahl	Vanasek
Beauchamp	Fudro	Lehto	Reding	Waldorf
Begich	Fugina	Lemke	Rice	Wenzel
Berg	George	Mangan	St. Onge	White
Berglin	Gunter	McCarron	Samuelson	Wieser
Birnstihl	Haugerud	McEachern	Sarna	Williamson
Braun	Hokanson	Metzen	Scheid	Wynia
Brinkman	Jacobs	Moe	Schulz	Speaker Sabo
Carlson, L.	Jaros	Munger	Sherwood	
Casserly	Jensen	Murphy	Sieben, H.	
Clark	Jude	Neisen	Sieben, M.	
Cohen	Kahn	Nelson	Simoneau	

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

H. F. No. 1102, A bill for an act relating to state agencies; purchasing and furnishing goods and services; amending Minnesota Statutes 1976, Chapter 16, by adding a section; Sections 15.047, Subdivision 1; 16.02, Subdivisions 2, 13, 16, 19, and by adding a subdivision; 16.07, Subdivision 8, and by adding a subdivision; 16.72, Subdivision 2; 16.75, Subdivision 7; 16.80, Subdivision 1; 238.04, Subdivision 2; and 327.51, Subdivisions 1 and 3, and by adding a subdivision.

The bill was read for the third time, as amended, and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 111 yeas and 14 nays as follows:

Those who voted in the affirmative were:

Abeln	Arlandson	Biersdorf	Carlson, D.	Cummiskey
Adams	Battaglia	Birnstihl	Carlson, L.	Dahl
Anderson, B.	Beauchamp	Brandl	Casserly	Dean
Anderson, D.	Begich	Braun	Clark	Eken
Anderson, G.	Berg	Brinkman	Clawson	Ellingson
Anderson, I.	Berglin	Byrne	Cohen	Enebo
Anderson, R.	Berkelman	Carlson, A.	Corbid	Erickson

Ewald	Kaley	McCollar	Rice	Swanson
Faricy	Kalis	McEachern	St. Onge	Tomlinson
Forsythe	Kelly, R.	Metzen	Samuelson	Vanasek
Fudro	Kelly, W.	Moe	Sarna	Waldorf
Fugina	Kempe, R.	Munger	Scheid	Wenzel
George	King	Murphy	Schulz	White
Gunter	Knickerbocker	Neisen	Searles	Wieser
Hanson	Kostohryz	Nelson	Sherwood	Wigley
Haugerud	Kroening	Norton	Sieben, H.	Williamson
Hokanson	Laidig	Novak	Sieben, M.	Wynia
Jacobs	Langseth	Osthoff	Simoneau	Zubay
Jaros	Lehto	Patton	Skoglund	Speaker Sabo
Jensen	Lemke	Pehler	Smogard	
Johnson	Mangan	Petrafeso	Spanish	
Jude	Mann	Prahl	Stanton	
Kahn	McCarron	Reding	Suss	

Those who voted in the negative were:

Albrecht	Esau	Kvam	Niehaus	Savelkoul
Den Ouden	Fjoslien	McDonald	Peterson	Wenstrom
Eckstein	Heinitz	Nelsen, B.	Rose	

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

H. F. No. 1223, A bill for an act relating to administrative procedures; providing for notice and hearing in various administrative decisions; amending Minnesota Statutes 1976, Sections 10A.20, Subdivision 10; 17A.06, Subdivisions 2 and 3; 27.06; 53.03, Subdivisions 1, 2 and 3; 144.802; 155.11, Subdivisions 1 and 2; 216A.05, Subdivision 5; 218.041, Subdivision 3; and 219.741; repealing Minnesota Statutes 1976, Section 53.03, Subdivision 3.

The bill was read for the third time and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 130 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Abeln	Brandl	Eken	Jacobs	Laidig
Adams	Braun	Ellingson	Jaros	Langseth
Albrecht	Brinkman	Enebo	Jensen	Lehto
Anderson, B.	Byrne	Erickson	Johnson	Lemke
Anderson, D.	Carlson, A.	Esau	Jude	Mangan
Anderson, G.	Carlson, D.	Ewald	Kahn	Mann
Anderson, I.	Carlson, L.	Faricy	Kaley	McCarron
Anderson, R.	Casserly	Fjoslien	Kalis	McCollar
Arlandson	Clark	Forsythe	Kelly, R.	McDonald
Battaglia	Clawson	Friedrich	Kelly, W.	McEachern
Beauchamp	Cohen	Fudro	Kempe, A.	Metzen
Begich	Corbid	Fugina	Kempe, R.	Moe
Berg	Cummiskey	George	King	Munger
Berglin	Dahl	Gunter	Knickerbocker	Murphy
Berkelman	Dean	Hanson	Kostohryz	Neisen
Biersdorf	Den Ouden	Heinitz	Kroening	Nelsen, B.
Birnstihl	Eckstein	Hokanson	Kvam	Nelsen, M.

Nelson	Pleasant	Scheid	Spanish	Wenstrom
Niehaus	Prahl	Schulz	Stanton	Wenzel
Norton	Reding	Searles	Suss	White
Novak	Rice	Sherwood	Swanson	Wieser
Osthoff	Rose	Sieben, H.	Tomlinson	Wigley
Patton	St. Onge	Sieben, M.	Vanasek	Williamson
Pehler	Samuelson	Simoneau	Voss	Wynia
Peterson	Sarna	Skoglund	Waldorf	Zubay
Petrafeso	Savelkoul	Smogard	Welch	Speaker Sabo

The bill was passed and its title agreed to.

H. F. No. 217, A bill for an act relating to St. Cloud; St. Cloud metropolitan transit commission; authorizing the inclusion of parts of municipalities in the transit area; amending Laws 1969, Chapter 1134, Section 2, Subdivision 1.

The bill was read for the third time and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 128 yeas and 1 nay as follows:

Those who voted in the affirmative were:

Abeln	Clawson	Jacobs	Metzen	Searles
Adams	Cohen	Jaros	Moe	Sherwood
Albrecht	Corbid	Jensen	Munger	Sieben, H.
Anderson, B.	Cummiskey	Johnson	Murphy	Sieben, M.
Anderson, D.	Dahl	Jude	Neisen	Simoneau
Anderson, G.	Dean	Kahn	Nelsen, B.	Skoglund
Anderson, I.	Den Ouden	Kaley	Nelsen, M.	Smogard
Anderson, R.	Eckstein	Kalis	Nelson	Spanish
Arlandson	Eken	Kelly, R.	Niehaus	Stanton
Battaglia	Ellingson	Kelly, W.	Norton	Suss
Beauchamp	Enebo	Kempe, A.	Novak	Swanson
Begich	Erickson	Kempe, R.	Osthoff	Tomlinson
Berg	Esau	King	Patton	Vanasek
Berglin	Ewald	Knickerbocker	Peterson	Voss
Berkelman	Faricy	Kostohryz	Petrafeso	Waldorf
Biersdorf	Fjoslien	Kroening	Pleasant	Welch
Birnstihl	Forsythe	Kvam	Prahl	Wenstrom
Brandl	Friedrich	Laidig	Reding	Wenzel
Braun	Fudro	Langseth	Rice	White
Brinkman	Fugina	Lehto	Rose	Wieser
Byrne	George	Lemke	St. Onge	Williamson
Carlson, A.	Gunter	Mangan	Samuelson	Wynia
Carlson, D.	Hanson	Mann	Sarna	Zubay
Carlson, L.	Haugerud	McCollar	Savelkoul	Speaker Sabo
Casserly	Heinitz	McDonald	Scheid	
Clark	Hokanson	McEachern	Schulz	

Those who voted in the negative were:

Pehler

The bill was passed and its title agreed to.

H. F. No. 577 was reported to the House.

There being no objection, H. F. No. 577 was continued on Special Orders for one day.

H. F. No. 1119, A bill for an act relating to Ramsey county; providing for additional membership on its civil service commission; further prescribing and clarifying the duties of the commission; eliminating per diem payments for library board members; amending Laws 1974, Chapter 435, Section 3.02; repealing Laws 1974, Chapter 435, Section 1.0208.

The bill was read for the third time and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 125 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Abeln	Clawson	Jacobs	Moe	Searles
Adams	Cohen	Jaros	Munger	Sherwood
Albrecht	Corbid	Jensen	Murphy	Sieben, H.
Anderson, B.	Cummiskey	Johnson	Neisen	Sieben, M.
Anderson, D.	Dahl	Jude	Nelsen, B.	Simoneau
Anderson, G.	Dean	Kahn	Nelsen, M.	Skoglund
Anderson, I.	Den Ouden	Kaley	Nelson	Smogard
Anderson, R.	Eckstein	Kalis	Niehaus	Spanish
Arlandson	Eken	Kelly, R.	Norton	Stanton
Battaglia	Ellingson	Kelly, W.	Novak	Suss
Beauchamp	Enebo	Kempe, A.	Patton	Swanson
Begich	Erickson	Kempe, R.	Pehler	Tomlinson
Berg	Ewald	King	Peterson	Vanasek
Berglin	Faricy	Knickerbocker	Petrafaso	Voss
Biersdorf	Fjoslien	Kostohryz	Pleasant	Waldorf
Birnstihl	Forsythe	Kroening	Prahl	Welch
Brandl	Friedrich	Kvam	Reding	Wenstrom
Braun	Fudro	Laidig	Rice	Wenzel
Brinkman	Fugina	Lehto	Rose	White
Byrne	George	Lemke	St. Onge	Wieser
Carlson, A.	Gunter	Mangan	Samuelson	Wigley
Carlson, D.	Hanson	Mann	Sarna	Williamson
Carlson, L.	Haugerud	McDonald	Savelkoul	Wynia
Casserly	Heinitz	McEachern	Scheid	Zubay
Clark	Hokanson	Metzen	Schulz	Speaker Sabo

The bill was passed and its title agreed to.

H. F. No. 1130, A bill for an act relating to motor vehicle carriers; requiring insurance or bond before the issuance of a certificate or permit to a motor carrier; providing for suspension and revocation of certificate or permit for failure to maintain insurance or other security; registration fee exemptions; amending Minnesota Statutes 1976, Sections 221.141, Subdivision 1; and 221.64.

The bill was read for the third time and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 129 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Abeln	Clawson	Jaros	Moe	Searles
Adams	Cohen	Jensen	Munger	Sherwood
Albrecht	Corbid	Johnson	Murphy	Sieben, H.
Anderson, B.	Cummiskey	Jude	Neisen	Sieben, M.
Anderson, D.	Dahl	Kahn	Nelsen, B.	Simoneau
Anderson, G.	Dean	Kaley	Nelsen, M.	Skoglund
Anderson, I.	Den Ouden	Kalis	Nelson	Smogard
Anderson, R.	Eckstein	Kelly, R.	Niehaus	Spanish
Arlandson	Eken	Kelly, W.	Norton	Stanton
Battaglia	Ellingson	Kempe, A.	Novak	Suss
Beauchamp	Enebo	Kempe, R.	Osthoff	Swanson
Begich	Erickson	King	Patton	Tomlinson
Berg	Ewald	Knickerbocker	Pehler	Vanasek
Berglin	Faricy	Kostohryz	Peterson	Voss
Berkelman	Fjoslien	Kroening	Petrafaso	Waldorf
Biersdorf	Forsythe	Kvam	Pleasant	Welch
Birnstihl	Friedrich	Laidig	Prahl	Wenstrom
Brandl	Fudro	Langseth	Reding	Wenzel
Braun	Fugina	Lehto	Rice	White
Brinkman	George	Lenke	Rose	Wieser
Byrne	Gunter	Mangan	St. Onge	Wigley
Carlson, A.	Hanson	Mann	Samuelson	Williamson
Carlson, D.	Haugerud	McCollar	Sarna	Wynia
Carlson, L.	Heimitz	McDonald	Savelkoul	Zubay
Casserly	Hokanson	McEachern	Scheid	Speaker Sabo
Clark	Jacobs	Metzen	Schulz	

The bill was passed and its title agreed to.

H. F. No. 515 was reported to the House.

There being no objection, H. F. No. 515 was continued on Special Orders for one day.

H. F. No. 774 was reported to the House.

Anderson, R., moved to amend H. F. No. 774, as follows:

Page 2, after line 21 insert:

“(b) Except in cases of emergency, when the tenant intends to hire outside contractors to remedy the breach, he must obtain three bona fide cost estimates of the work to be performed before such work can be commenced under the provisions of this section. The tenant must select the lowest bidder whose estimate meets the specifications of the work that is required to be done and who is qualified to perform such work in a sound and craftsmanlike manner.”

Renumber the following clauses.

The motion prevailed and the amendment was adopted.

Swanson moved to amend H. F. No. 774, as amended, as follows:

Page 2, line 31 strike "whether or not the tenant attempts" and insert "provided the tenant makes a reasonable attempt".

Page 2, line 32 after "landlord" insert ", his agent, his caretaker, or the person to whom rent is paid".

Page 3, line 4 after "not" insert "reasonably".

The motion prevailed and the amendment was adopted.

Carlson, A., moved to amend H. F. No. 774, as amended, as follows:

Page 1, line 19, delete "Section 504.18" and insert "Section 504.18, Subdivision 1, clause (c)".

The motion prevailed and the amendment was adopted.

H. F. No. 774, A bill for an act relating to landlords and tenants; providing remedies for tenants whose landlords have breached provisions of agreements; defining terms; providing for adjustment of rent.

The bill was read for the third time, as amended, and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 123 yeas and 1 nay as follows:

Those who voted in the affirmative were:

Abeln	Corbid	Jaros	Moe	Sherwood
Adams	Cummiskey	Jensen	Munger	Sieben, H.
Anderson, B.	Dahl	Johnson	Murphy	Sieben, M.
Anderson, D.	Dean	Jude	Neisen	Simoneau
Anderson, G.	Den Ouden	Kahn	Nelsen, B.	Skoglund
Anderson, I.	Eckstein	Kaley	Nelsen, M.	Smogard
Anderson, R.	Eken	Kalis	Niehaus	Spanish
Arlandson	Ellingson	Kelly, R.	Norton	Stanton
Battaglia	Enebo	Kelly, W.	Novak	Suss
Beauchamp	Erickson	Kempe, A.	Osthoff	Swanson
Begich	Esau	Kempe, R.	Patton	Tomlinson
Berg	Ewald	King	Pehler	Vanasek
Berglin	Faricy	Knickerbocker	Peterson	Voss
Berkelman	Fjoslien	Kostohryz	Petrafaso	Welch
Birnstihl	Forsythe	Kroening	Prahl	Wenstrom
Brandl	Friedrich	Laidig	Reding	Wenzel
Braun	Fudro	Langseth	Rice	White
Brinkman	Fugina	Lehto	Rose	Wieser
Byrne	George	Lemke	St. Onge	Wigley
Carlson, A.	Gunter	Mangan	Samuelson	Williamson
Carlson, D.	Hanson	Mann	Sarna	Wynia
Carlson, L.	Haugerud	McCollar	Savelkoul	Zubay
Casserly	Heinitz	McDonald	Scheid	Speaker Sabo
Clark	Hokanson	McEachern	Schulz	
Clawson	Jacobs	Metzen	Searles	

Those who voted in the negative were:

Albrecht

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

H. F. No. 1283, A bill for an act relating to economic development; industrial development bonds; removing requirement of approval by commissioner of economic development; amending Minnesota Statutes 1976, Section 474.01, Subdivision 7, and by adding a subdivision.

The bill was read for the third time and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 124 yeas and 5 nays as follows:

Those who voted in the affirmative were:

Abeln	Corbid	Johnson	Munger	Sherwood
Adams	Cummiskey	Jude	Murphy	Sieben, H.
Anderson, D.	Dahl	Kahn	Neisen	Sieben, M.
Anderson, G.	Dean	Kaley	Nelsen, B.	Simoneau
Anderson, I.	Den Ouden	Kalis	Nelsen, M.	Skoglund
Anderson, R.	Eckstein	Kelly, R.	Nelson	Smogard
Battaglia	Eken	Kelly, W.	Niehaus	Spanish
Beauchamp	Ellingson	Kempe, A.	Norton	Stanton
Begich	Enebo	Kempe, R.	Novak	Suss
Berg	Esau	King	Patton	Swanson
Berglin	Ewald	Knickerbocker	Pehler	Tomlinson
Berkelman	Fjoslien	Kostohryz	Peterson	Vanasek
Biersdorf	Forsythe	Kroening	Petrafaso	Voss
Birnstihl	Friedrich	Laidig	Pleasant	Waldorf
Brandl	Fudro	Langseth	Prahl	Welch
Braun	Fugina	Lehto	Reding	Wenstrom
Brinkman	George	Lemke	Rice	Wenzel
Byrne	Gunter	Mangan	Rose	White
Carlson, A.	Hanson	Mann	St. Onge	Wieser
Carlson, D.	Haugerud	McCarron	Samuelson	Wigley
Carlson, L.	Heinitz	McCollar	Sarna	Williamson
Casserly	Hokanson	McDonald	Savelkoul	Wynia
Clark	Jacobs	McEachern	Scheid	Zubay
Clawson	Jaros	Metzen	Schulz	Speaker Sabo
Cohen	Jensen	Moe	Searles	

Those who voted in the negative were:

Albrecht Arlandson Erickson Faricy Kvam

The bill was passed and its title agreed to.

H. F. No. 1387, A bill for an act relating to housing; providing an exception to interest limitations for borrowing by housing and development authorities; amending Minnesota Statutes 1976, Section 462.555.

The bill was read for the third time and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 129 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Abeln	Clawson	Jensen	Moe	Scarles
Adams	Cohen	Johnson	Munger	Sherwood
Albrecht	Corbid	Jude	Murphy	Sieben, H.
Anderson, B.	Cummiskey	Kahn	Neisen	Sieben, M.
Anderson, D.	Dahl	Kaley	Nelsen, B.	Simoneau
Anderson, G.	Dean	Kalis	Nelsen, M.	Skoglund
Anderson, I.	Den Ouden	Kelly, R.	Nelson	Smogard
Anderson, R.	Eckstein	Kelly, W.	Niehau	Spanish
Arlandson	Eken	Kempe, A.	Norton	Stanton
Battaglia	Ellingson	Kempe, R.	Novak	Suss
Beauchamp	Enebo	King	Osthoff	Swanson
Begich	Erickson	Knickerbocker	Patton	Tomlinson
Berg	Esau	Kostohryz	Pehler	Vanasek
Berglin	Ewald	Kroening	Peterson	Voss
Berkelman	Fjoslien	Kvam	Petraleso	Waldorf
Biersdorf	Forsythe	Laidig	Pleasant	Welch
Birnstihl	Friedrich	Langseth	Prahl	Wenstrom
Brandl	Fudro	Lehto	Reding	Wenzel
Braun	Fugina	Lemke	Rice	White
Brinkman	George	Mangan	Rose	Wieser
Byrne	Gunter	Mann	St. Onge	Wigley
Carlson, A.	Hanson	McCarron	Samuelson	Williamson
Carlson, D.	Haugerud	McCollar	Sarna	Wynia
Carlson, L.	Heinritz	McDonald	Savelkoul	Zubay
Casserly	Hokanson	McEachern	Scheid	Speaker Sabo
Clark	Jacobs	Metzen	Schulz	

The bill was passed and its title agreed to.

H. F. No. 1086, A bill for an act relating to crimes; requiring the commissioner of corrections to conduct research to assess the extent and nature of juvenile prostitution and to develop a program for the prevention and treatment of prostitution; reports to legislature; pilot projects.

The bill was read for the third time and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 130 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Abeln	Arlandson	Birnstihl	Casserly	Den Ouden
Adams	Battaglia	Brandl	Clark	Eckstein
Albrecht	Beauchamp	Braun	Clawson	Eken
Anderson, B.	Begich	Brinkman	Cohen	Ellingson
Anderson, D.	Berg	Byrne	Corbid	Enebo
Anderson, G.	Berglin	Carlson, A.	Cummiskey	Erickson
Anderson, I.	Berkelman	Carlson, D.	Dahl	Esau
Anderson, R.	Biersdorf	Carlson, L.	Dean	Ewald

Faricy	Kaley	McCollar	Petraleso	Spanish
Fjoslien	Kalis	McDonald	Pleasant	Stanton
Forsythe	Kelly, R.	McEachern	Prahl	Suss
Friedrich	Kelly, W.	Metzen	Reding	Swanson
Fudro	Kempe, A.	Moe	Rice	Tomlinson
Fugina	Kempe, R.	Munger	Rose	Vanasek
George	King	Murphy	St. Onge	Voss
Gunter	Knickerbocker	Neisen	Samuelson	Waldorf
Hanson	Kostohryz	Nelsen, B.	Sarna	Welch
Haugerud	Kroening	Nelsen, M.	Savelkoul	Wenstrom
Heinitz	Kvam	Nelson	Schulz	Wenzel
Hokanson	Laidig	Niehaus	Searles	White
Jacobs	Langseth	Norton	Sherwood	Wieser
Jaros	Lehto	Novak	Sieben, H.	Wigley
Jensen	Lemke	Osthoff	Sieben, M.	Williamson
Johnson	Mangan	Patton	Simoneau	Wynia
Jude	Mann	Pehler	Skoglund	Zubay
Kahn	McCarron	Peterson	Smogard	Speaker Sabo

The bill was passed and its title agreed to.

H. F. No. 257, A bill for an act relating to banks, trust companies and savings banks; rule making authority; fees for special investigations; accounts maintained by banking division employees; fees; banks minimum organizational capital, surplus and undivided profits; providing for certified deposit of capital funds in a custodial bank; providing for banks annual audit systems, approval and reports; state banks minimum capital requirements, establishing investigatory fee for application to acquire trust authority; trust company minimum capital requirements; relating to boards of directors of financial institutions; clarification of certain language; amending Minnesota Statutes 1976, Sections 46.01; 46.04; 46.05; 46.09; 46.131, Subdivision 2, and by adding a subdivision; 48.02; 48.10; 48.36; 48.37; 48.44; 48.67; 48.69; 300.025 and 300.20.

The bill was read for the third time and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 127 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Abeln	Biersdorf	Dahl	Fugina	Kelly, W.
Adams	Birnstihl	Deans	George	Kempe, A.
Albrecht	Brandl	Den Ouden	Gunter	Kempe, R.
Anderson, B.	Braun	Eckstein	Hanson	King
Anderson, D.	Brinkman	Eken	Haugerud	Knickerbocker
Anderson, G.	Byrne	Ellingson	Heinitz	Kostohryz
Anderson, I.	Carlson, A.	Enebo	Jacobs	Kvam
Anderson, R.	Carlson, D.	Erickson	Jaros	Laidig
Arlandson	Carlson, L.	Esau	Jensen	Langseth
Battaglia	Casserly	Ewald	Johnson	Lehto
Beauchamp	Clark	Faricy	Jude	Lemke
Begich	Clawson	Fjoslien	Kahn	Mangan
Berg	Cohen	Forsythe	Kaley	Mann
Berglin	Corbid	Friedrich	Kalis	McCarron
Berkelman	Cummiskey	Fudro	Kelly, R.	McCollar

McDonald	Norton	Rose	Smogard	Wenzel
McEachern	Novak	St. Onge	Spanish	White
Metzen	Osthoff	Samuelson	Stanton	Wieser
Moe	Patton	Sarna	Suss	Wigley
Munger	Pehler	Savelkoul	Swanson	Williamson
Murphy	Peterson	Searles	Tomlinson	Wynia
Neisen	Petraieso	Sherwood	Vanasek	Zubay
Nelsen, B.	Pleasant	Sieben, H.	Voss	Speaker Sabo
Nelsen, M.	Prahl	Sieben, M.	Waldorf	
Nelson	Reding	Simoneau	Welch	
Niehaus	Rice	Skoglund	Wenstrom	

The bill was passed and its title agreed to.

Anderson, I., moved that the remaining bills on Special Orders for today be continued on Special Orders until Wednesday, May 4, 1977, immediately following the Calendar. The motion prevailed.

GENERAL ORDERS

There being no objection, the bills on General Orders for today were continued on General Orders for one day.

ANNOUNCEMENTS BY THE SPEAKER

The Speaker announced the appointment of the following members of the House to the Conference Committee on H. F. No. 550:

Eken, Johnson, Berg, Tomlinson, and Esau.

The Speaker announced the appointment of the following members of the House to the Conference Committee on S. F. No. 32:

Berg, Wynia, Welch, Kalis, and Friedrich.

The Speaker announced the appointment of the following members of the House to the Conference Committee on S. F. No. 1034:

Munger, Haugerud, and Carlson, D.

The Speaker announced the appointment of the following members of the House to the Conference Committee on S. F. No. 1416:

Samuelson, Rice, Hanson, Forsythe, and Corbid.

MOTIONS AND RESOLUTIONS

Wieser moved that the name of Sieben, H., be added as an author on H. F. No. 119. The motion prevailed.

SUSPENSION OF RULES

Simoneau moved that the rules be so far suspended that S. F. No. 713 be recalled from the Committee on Governmental Operations and be given its second reading. The motion prevailed.

S. F. No. 713 was read for the second time.

Pursuant to Article IV, Section 19, of the Constitution of the state of Minnesota, Simoneau moved that the rule therein be suspended and an urgency be declared so that S. F. No. 713 be given its third reading and be placed upon its final passage. The motion prevailed.

Simoneau moved that the rules of the House be so far suspended that S. F. No. 713 be given its third reading and be placed upon its final passage. The motion prevailed.

S. F. No. 713, A bill for an act relating to the city of Fridley; membership of new police officers in the public employees retirement association; benefits and contributions for remaining members of the Fridley police pension association.

The bill was read for the third time and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 122 yeas and 1 nay as follows:

Those who voted in the affirmative were:

Abeln	Clark	Hokanson	McDonald	Sieben, H.
Adams	Clawson	Jacobs	McEachern	Sieben, M.
Albrecht	Cohen	Jaros	Metzen	Simoneau
Anderson, B.	Corbid	Jensen	Munger	Skoglund
Anderson, D.	Cummiskey	Johnson	Neisen	Smogard
Anderson, G.	Dahl	Jude	Nelsen, B.	Spanish
Anderson, I.	Dean	Kahn	Nelsen, M.	Stanton
Anderson, R.	Den Ouden	Kaley	Nelson	Suss
Arlandson	Eckstein	Kalis	Niehaus	Swanson
Battaglia	Eken	Kelly, R.	Novak	Tomlinson
Beauchamp	Ellingson	Kelly, W.	Osthoff	Vanasek
Begich	Enebo	Kempe, A.	Patton	Voss
Berg	Erickson	Kempe, R.	Pehler	Waldorf
Berglin	Esau	King	Peterson	Wenstrom
Berkelman	Ewald	Knickerbocker	Pleasant	Wenzel
Biersdorf	Faricy	Kostohryz	Prahl	White
Birnstihl	Fjoslien	Kroening	Reding	Wieser
Brandl	Forsythe	Kvam	Rice	Wigley
Braun	Friedrich	Langseth	Rose	Williamson
Brinkman	Fudro	Lehto	St. Onge	Wynia
Byrne	George	Lemke	Samuelson	Zubay
Carlson, A.	Gunter	Mangan	Sarna	Speaker Sabo
Carlson, D.	Hanson	Mann	Savelkoul	
Carlson, L.	Haugerud	McCarron	Searles	
Casserly	Heinitz	McCollar	Sherwood	

Those who voted in the negative were:

Schulz

The bill was passed and its title agreed to.

Lenke moved that S. F. No. 919 be recalled from the Senate for further consideration by the House. The motion prevailed.

ADJOURNMENT

Anderson, I., moved that the House adjourn. The motion prevailed, and the Speaker declared the House stands adjourned until 2:00 p.m., Wednesday, May 4, 1977.

EDWARD A. BURDICK, Chief Clerk, House of Representatives

STATE OF MINNESOTA

SEVENTIETH SESSION - 1977

 FORTY-SEVENTH DAY

SAINT PAUL, MINNESOTA, WEDNESDAY, MAY 4, 1977

The House of Representatives convened at 2:00 p.m. and was called to order by the Speaker.

Prayer was offered by the Chaplain.

The roll was called and the following members were present:

Abel	Corbid	Johnson	Murphy	Sieben, H.
Adams	Cummiskey	Jude	Neisen	Sieben, M.
Albrecht	Dahl	Kahn	Nelsen, B.	Simoneau
Anderson, B.	Dean	Kaley	Nelsen, M.	Skoglund
Anderson, D.	Den Ouden	Kalis	Nelson	Smogard
Anderson, G.	Eckstein	Kelly, R.	Niehaus	Spanish
Anderson, I.	Eken	Kelly, W.	Norton	Stanton
Anderson, R.	Ellingson	Kempe, A.	Novak	Stoa
Arlandson	Enebo	Kempe, R.	Osthoff	Suss
Battaglia	Erickson	King	Patton	Swanson
Beauchamp	Esau	Knickerbocker	Pehler	Tomlinson
Begich	Ewald	Kostohryz	Peterson	Vanasek
Berg	Faricy	Kroening	Petrafaso	Voss
Berglin	Fjoslien	Kvam	Pleasant	Waldorf
Berkelman	Forsythe	Laidig	Prahl	Welch
Biersdorf	Friedrich	Langseth	Reading	Wenstrom
Birnstihl	Fudro	Lehto	Rice	Wenzel
Brandl	Fugina	Lenke	Rose	White
Braun	George	Mangan	St. Onge	Wieser
Brinkman	Gunter	Mann	Samuelson	Wigley
Byrne	Hanson	McCarron	Sarna	Williamson
Carlson, A.	Haugerud	McCollar	Savelkoul	Wynia
Carlson, L.	Heinitz	McDonald	Scheid	Zubay
Casserly	Hokanson	McEachern	Schulz	Speaker Sabo
Clark	Jacobs	Metzen	Searle	
Clawson	Jaros	Moe	Searles	
Cohen	Jensen	Munger	Sherwood	

A quorum was present.

Evans was excused. Carlson, D., was excused until 7:15 p.m.

The Chief Clerk proceeded to read the Journal of the preceding day. Esau moved that further reading of the Journal be dispensed with and that the Journal be approved as corrected by the Chief Clerk. The motion prevailed.

REPORTS OF CHIEF CLERK

Pursuant to Rules of the House, printed copies of H. F. Nos. 1588, 1015, 1347, 1386, 1586, 343, 405, 801, 774, 1102, 1287 and 1500 and S. F. Nos. 1350, 1467, 766 and 922 have been placed in the members' files.

S. F. No. 1467 and H. F. No. 1595, which had been referred to the Chief Clerk for comparison, were examined and found to be identical with certain exceptions.

SUSPENSION OF RULES

Norton moved that the rules be so far suspended that S. F. No. 1467 be substituted for H. F. No. 1595 and that the House File be indefinitely postponed. The motion prevailed.

REPORTS OF STANDING COMMITTEES

Norton from the Committee on Appropriations to which was referred:

H. F. No. 167, A bill for an act relating to public welfare; providing liability insurance to all foster boarding homes licensed by the department of public welfare; appropriating money; amending Minnesota Statutes 1976, Chapter 245, by adding a section.

Reported the same back with the following amendments:

Page 1, line 12, delete "*may*" and insert "*shall within the appropriation provided*".

With the recommendation that when so amended the bill pass.

The report was adopted.

Norton from the Committee on Appropriations to which was referred:

H. F. No. 875, A bill for an act relating to the state housing finance agency; setting the amount of bonds and notes that may be outstanding; clarifying eligibility; providing for fund administration and repayment requirements; appropriating money; amending Minnesota Statutes 1976, Sections 462A.03, Subdivisions 7 and 13; 462A.05, Subdivisions 5 and 15; 462A.07, Subdivision 12, and by adding subdivisions; 462A.21, Subdivisions 4a and 4b, and by adding a subdivision; and 462A.22, Subdivision 1.

Reported the same back with the following amendments:

Page 1, line 25, delete "*either*".

Page 2, lines 2 to 6, reinstate the stricken language and delete the new language.

Page 4, line 12, delete "*such*" and insert "*an*".

Page 4, line 12, delete "*as is*" and insert "*, up to \$2,500,*".

Page 4, line 14, delete "*, not to exceed, however, the amount of*".

Page 4, line 15, delete "\$2,500".

With the recommendation that when so amended the bill pass.

The report was adopted.

Hanson from the Committee on Commerce and Economic Development to which was referred:

H. F. No. 1132, A bill for an act relating to franchises; concerning franchise fees; amending Minnesota Statutes 1976, Sections 80C.01, Subdivisions 4 and 9; 80C.08, Subdivision 1; and 80C.09, Subdivision 1.

Reported the same back with the following amendments:

Page 2, line 9, after "*beverages*" insert "*at wholesale, if the supplier's sales in this state exceed 100,000 barrels per year*".

With the recommendation that when so amended the bill pass.

The report was adopted.

Hanson from the Committee on Commerce and Economic Development to which was referred:

H. F. No. 1176, A bill for an act relating to human rights; prohibiting certain discrimination; amending Minnesota Statutes 1976, Sections 363.01, by adding a subdivision; and 363.03, Subdivisions 1, 2, 5 and 8.

Reported the same back with the following amendments:

Page 1, after line 7, insert:

"Section 1. Minnesota Statutes 1976, Section 125.12, Subdivision 6, is amended to read:

Subd. 6. [GROUNDS FOR TERMINATION.] A continuing contract may be terminated, effective at the close of the school year, upon any of the following grounds:

- (a) Inefficiency;
- (b) Neglect of duty, or persistent violation of school laws, rules, regulations, or directives;
- (c) Conduct unbecoming a teacher which materially impairs his educational effectiveness;
- (d) Other good and sufficient grounds rendering the teacher unfit to perform his duties;
- (e) *Advocacy or promotion in a learning environment of a preference for engaging in sexual relations with persons of a particular gender.*

A contract shall not be terminated upon one of the grounds specified in clauses (a), (b), (c), (OR) (d), or (e), unless the teacher shall have failed to correct the deficiency after being given written notice of the specific items of complaint and reasonable time within which to remedy them.

All evaluations and files generated within a school district relating to each individual teacher shall be available to each individual teacher upon his written request. Effective January 1, 1976, all evaluations and files, wherever generated, relating to each individual teacher shall be available to each individual teacher upon his written request. The teacher shall have the right to reproduce any of the contents of the files at the teacher's expense and to submit for inclusion in the file written information in response to any material contained therein; provided, however, a school district may destroy such files as provided by law.

Sec. 2. Minnesota Statutes 1976, Section 125.12, Subdivision 8, is amended to read:

Subd. 8. [IMMEDIATE DISCHARGE.] A school board may discharge a continuing-contract teacher, effective immediately, upon any of the following grounds:

- (a) Immoral conduct, insubordination, or conviction of a felony;
- (b) Conduct unbecoming a teacher which requires the immediate removal of the teacher from his classroom or other duties;

(c) Failure without justifiable cause to teach without first securing the written release of the school board;

(d) Gross inefficiency which the teacher has failed to correct after reasonable written notice;

(e) Willful neglect of duty; (OR)

(f) Continuing physical or mental disability subsequent to a twelve months leave of absence and inability to qualify for reinstatement in accordance with subdivision 7; or

(g) *Advocacy or promotion in a learning environment of a preference for engaging in sexual relations with persons of a particular gender.*

Prior to discharging a teacher the board shall notify the teacher in writing and state its ground for the proposed discharge in reasonable detail. Within ten days after receipt of this notification the teacher may make a written request for a hearing before the board and it shall be granted before final action is taken. The board may, however, suspend a teacher with pay pending the conclusion of such hearing and determination of the issues raised therein after charges have been filed which constitute ground for discharge.

Sec. 3. Minnesota Statutes 1976, Section 125.17, Subdivision 4, is amended to read:

Subd. 4. [GROUNDS FOR DISCHARGE OR DEMOTION.] Causes for the discharge or demotion of a teacher either during or after the probationary period shall be:

(1) Immoral character, conduct unbecoming a teacher, or insubordination;

(2) Failure without justifiable cause to teach without first securing the written release of the school board having the care, management, or control of the school in which the teacher is employed;

(3) Inefficiency in teaching or in the management of a school;

(4) Affliction with active tuberculosis or other communicable disease shall be considered as cause for removal or suspension while the teacher is suffering from such disability; (OR)

(5) Discontinuance of position or lack of pupils; or

(6) *Advocacy or promotion in a learning environment of a preference for engaging in sexual relations with persons of a particular gender.*"

Page 1, line 11, delete "*or sexual*".

Page 1, line 12, after "*manifesting*" insert "*a preference for*".

Page 1, line 12, delete "*another*".

Page 1, line 13, delete "*person or*" and insert "*consenting*".

Page 1, line 13, delete "*, or having or manifesting a preference for*".

Page 1, line 14, delete "*that attachment*" and insert "*of a particular gender*".

Page 1, after line 14, insert:

"Sec. 5. Minnesota Statutes 1976, Section 363.02, Subdivision 2, is amended to read:

Subd. 2. [HOUSING.] The provisions of section 363.03, subdivision 2, shall not apply to (a) rooms in a temporary or permanent residence home run by a nonprofit organization, if the discrimination is by sex or (b) the rental by an owner or occupier of a one-family accommodation in which he resides of a room or rooms in such accommodation to another person or persons if the discrimination is by sex, marital status, status with regard to public assistance, *affectional preference* or disability. Nothing in this chapter shall be construed to require any person or group of persons selling, renting or leasing property to modify the property in any way, or exercise a higher degree of care for a person having a disability than for a person who does not have a disability; nor shall this chapter be construed to relieve any person or persons of any obligations generally imposed on all persons regardless of any disability in a written lease, rental agreement, or contract of purchase or sale, or to forbid distinctions based on the inability to fulfill the terms and conditions, including financial obligations of such lease, agreement or contract."

Page 1, line 22, delete "*or sexual*".

Page 2, line 14, delete "*or sexual*".

Page 2, line 25, delete "*or sexual*".

Page 3, line 8, delete "*or sexual*".

Page 3, line 17, delete "*or sexual*".

Page 3, line 25, delete "*or sexual*".

Page 4, line 7, delete "*or sexual*".

Page 4, line 12, delete "*or sexual*".

Page 4, line 26, delete "*or sexual*".

Page 5, line 5, delete "*or sexual*".

Page 5, line 12, delete "*or sexual*".

Page 5, line 17, delete "*or sexual*".

Page 5, line 29, delete "*or*".

Page 5, line 30, delete "*sexual*".

Page 6, line 9, delete "*or sexual*".

Page 6, line 22, delete "*or sexual*".

Page 7, line 8, delete "*or*".

Page 7, line 9, delete "*sexual*".

Page 7, line 27, delete "*or sexual*".

Page 7, line 32, delete "*or sexual*".

Page 8, line 7, delete "*or sexual*".

Page 8, line 14, delete "*or sexual*".

Re-number the sections in sequence.

Amend the title as follows:

Page 1, line 3, after the semicolon insert "specifying additional grounds for the termination of teacher contracts;"

Page 1, line 4, after "Sections" insert "125.12, Subdivisions 6 and 8; 125.17, Subdivision 4;"

Page 1, line 4, before "and" insert "363.02, Subdivision 2;"

With the recommendation that when so amended the bill pass.

The report was adopted.

Hanson from the Committee on Commerce and Economic Development to which was referred:

S. F. No. 774, A bill for an act relating to intoxicating liquor; permitting entertainment and coin-operated amusement devices in privately-owned and municipal liquor stores; amending Minnesota Statutes 1976, Sections 340.07, Subdivision 13; and 340.353, Subdivision 1.

Reported the same back with the recommendation that the bill pass.

The report was adopted.

Hanson from the Committee on Commerce and Economic Development to which was referred:

S. F. No. 1298, A bill for an act relating to employments licensed by state; exempting registered professional engineers from water well contractor licensing provisions; amending Minnesota Statutes 1976, Section 156A.03, by adding a subdivision.

Reported the same back with the recommendation that the bill pass.

The report was adopted.

Munger from the Committee on Environment and Natural Resources to which was referred:

H. F. No. 119, A bill for an act relating to natural resources; restricting acquisition of agricultural land for inclusion in the Richard J. Dorer Memorial Hardwood Forest.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. [RICHARD J. DORER MEMORIAL HARDWOOD FOREST; SALE OF TILLABLE LAND.] *Subdivision 1. Acquisition of land for the Richard J. Dorer Memorial Hardwood Forest has resulted in state purchase of abnormally large amounts of tillable land because of the state's unique goal of acquiring forest land in steep hillsides and the frequent desire of landowners to sell their entire farm. This requires a special procedure to mandate and facilitate disposal of this agricultural land by the state.*

Subd. 2. If a land purchase in the Richard J. Dorer Memorial Hardwood Forest, created pursuant to Minnesota Statutes, Sec-

tion 89.021, Subdivision 33, contains more than five contiguous acres of tillable land adjacent to other privately owned tillable land or to a public road, the commissioner shall offer the tillable land in that parcel for sale or exchange for three years thereafter pursuant to this section. Tillable acres are those included in classes 1, 2, 3, or 4 as defined by the United States soil conservation service. In making the determination of classification, the commissioner shall consult with and obtain the opinion of the soil conservation service and any appropriate soil and water conservation district. "Commissioner" for the purposes of this section means the commissioner of the department of natural resources.

Subd. 3. Notwithstanding other laws to the contrary, disposition of lands pursuant to this section shall be in accordance with the procedures specified in this section. All parcels required to be offered for sale pursuant to this section shall be first offered for sale not less than six months after acquisition by the state and at least once thereafter in each of the next two succeeding years. Lands shall be offered for sale and sold by the commissioner of administration for the commissioner pursuant to the procedures specified in Minnesota Statutes, Sections 94.10 to 94.14, except that no offer to any public body shall be required prior to sale to the public and only 50 percent of the cost of any survey or appraisal shall be included in the appraised value. Not more than 300 acres in any county shall be sold under the procedures established by this section. If the commissioner determines that any additional lands should be sold or otherwise disposed of, their disposal shall be governed by the procedures and conditions otherwise established by law.

Subd. 4. Land exchanges shall be pursuant to the procedures specified in Minnesota Statutes, Sections 94.341 to 94.348.

Subd. 5. Any money which is derived from the sale of the parcels of state forest land pursuant to this section and which is required by any other law to be deposited in the general fund of the state treasury shall be credited to the Richard J. Dorer Memorial Hardwood Forest land acquisition account, which is hereby created in the state treasury. All of the money in the state treasury credited to this account is annually appropriated to the commissioner for the purpose of acquiring additional land within the Richard J. Dorer Memorial Hardwood Forest.

Subd. 6. Notwithstanding any law to the contrary neither the state nor any of its political subdivisions shall be required to construct or maintain any street, highway or other road to provide access to any parcel of land sold pursuant to this section.

Sec. 2. Minnesota Statutes 1976, Section 89.036, is amended to read:

89.036 [FUNDS APPORTIONED TO COUNTY.] The state of Minnesota shall hereafter annually on July 1 or as soon

thereafter as may be practical, pay from the state forest fund to each county, in which there now are, or hereafter shall be situated, any state forests, a sum equal to (50) 75 percent of the gross receipts of such state forests located within such county, which have been received during the preceding fiscal year and credited to the state forest fund, which payment shall be received and distributed by the county treasurer, as if such payment had been received as taxes on such lands payable in the current year.

After making such payment to the county, the balance of said funds in the state forest fund on July 1 shall be transferred and credited to the general fund of the state.

The commissioner of finance shall annually draw his warrants upon the state treasurer for the proper amounts in favor of the respective counties entitled thereto and the state treasurer shall pay such warrants from the state forest fund.

The commissioner of finance and the state treasurer shall, and are hereby authorized and empowered to devise, adopt, and use such accounting methods as they may deem proper, and to do any and all other things reasonably necessary in carrying out the provisions of this section.

There is hereby appropriated to the counties entitled to such payment, from the state forest fund in the state treasury, an amount sufficient to make the payments specified herein.

Sec. 3. [EFFECTIVE DATE; EXPIRATION OF TEMPORARY PROVISIONS.] *This act is effective July 1, 1977. Section 1 expires June 30, 1979.*"

Further amend the title by deleting it in its entirety and inserting:

"A bill for an act relating to state forests; increasing state payments in lieu of taxes to counties; establishing procedures for disposal of excess agricultural land in the Richard J. Dorer Memorial Hardwood Forest; amending Minnesota Statutes 1976, Section 89.036."

With the recommendation that when so amended the bill pass and be re-referred to the Committee on Appropriations.

The report was adopted.

Munger from the Committee on Environment and Natural Resources to which was referred:

H. F. No. 1215, A bill for an act relating to environmental protection; prohibiting the storage of certain radioactive wastes in Minnesota; providing a penalty.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. [116C.71] [DEFINITIONS.] Subdivision 1. For the purposes of sections 1 to 3, the terms defined in this section have the meaning given them.

Subd. 2. "Byproduct nuclear material" means any radioactive material, except special nuclear material, which is yielded in or made radioactive by exposure to the radiation incident to the process of producing or utilizing special nuclear material.

Subd. 3. "Radioactive waste storage" means the discarding, treatment, recycling or decontamination of radioactive wastes, or their collection, maintenance or storage at a waste storage site.

Subd. 4. "Radioactive waste storage or disposal facility" means a geographical site including buildings, structures and equipment, in or upon which radioactive wastes are retained for the sole purpose of storage or disposal.

Subd. 5. "Person" means any individual, corporation, partnership or other unincorporated association or governmental agency.

Subd. 6. "Radioactive waste" means:

(a) Any capturable radioactive material, including but not limited to spent fuel, naturally occurring or accelerator-produced isotopes, and byproduct nuclear material, source nuclear material or special nuclear material; or

(b) Discarded, useless or unwanted containers, receptacles, tools, instruments, clothing, and other matter which has been contaminated with radioactivity incidental to the use or transportation of radioactive material.

Subd. 7. "Source nuclear material" means:

(a) Uranium or thorium or any combination thereof, in any physical or chemical form; or

(b) Ores which contain by weight one-twentieth of one percent or more of uranium, thorium, or any combination thereof. Source material does not include special nuclear material.

Subd. 8. "Special nuclear material" means:

(a) Plutonium, uranium 233, uranium enriched in the isotope 233 or in the isotope 235, and any other material which the

Nuclear Regulatory Commission, pursuant to the Atomic Energy Act of 1954 as amended, determines to be special nuclear material; or

(b) Any material artificially enriched by any of the materials described in clause (a). Special nuclear material does not include source nuclear material.

Sec. 2. [116C.72] [NONMINNESOTA RADIOACTIVE WASTES.] Notwithstanding any provision of Minnesota Statutes, Chapter 116H, to the contrary, no person shall transport radioactive wastes into the state of Minnesota for the sole purpose of disposing or storing the wastes within the state except that such wastes may be transported into the state and stored in accordance with applicable federal and state rules for up to 12 months pending transportation out of the state for ultimate disposal.

Sec. 3. [116C.73] [PENALTIES.] Any person causing radioactive wastes to be shipped in violation of section 2 shall be guilty of a gross misdemeanor and subject to a fine of not more than \$10,000 or a sentence of imprisonment of not more than one year, or both.

Sec. 4. [EFFECTIVE DATE.] This act is effective the day following its final enactment.”.

Further amend the title as follows:

Page 1, delete lines 3 and 4 and insert “transportation of radioactive wastes into Minnesota for purposes of storage or disposal; providing exceptions; prescribing penalties.”.

With the recommendation that when so amended the bill pass.

The report was adopted.

Munger from the Committee on Environment and Natural Resources to which was referred:

S. F. No. 288, A bill for an act relating to state parks; providing for cooperative agricultural leases of property acquired by the state within state parks; amending Minnesota Statutes 1976, Chapter 85, by adding a section.

Reported the same back with the recommendation that the bill pass and be re-referred to the Committee on Appropriations.

The report was adopted.

Munger from the Committee on Environment and Natural Resources to which was referred:

S. F. No. 381, A bill for an act relating to game and fish; changing the commissioner's duties in the removal of beaver; authorizing seasons for taking bobcat, fisher, fox, and wild turkey; requiring the commissioner to issue sportsman's licenses; extending the season and eliminating the annual limit for taking beaver; changing the hours for taking trout; extending the surcharge on small game licenses; amending Minnesota Statutes 1976, Sections 97.56; 98.46, Subdivisions 2, 2a, and 14; 100.26, Subdivision 1; 100.27, Subdivisions 1, 3, 4, 5, and 7; 100.28, Subdivision 1; 101.42, Subdivision 8; and Laws 1961, Chapter 66, Section 1, as amended; repealing Minnesota Statutes 1976, Section 348.071.

Reported the same back with the following amendments:

Page 2, line 20, before the period insert "*by January 1, 1978*".

Page 2, line 22, delete "\$8.50" and restore the stricken language.

Page 2, line 23, delete "\$11" and restore the stricken language.

Page 2, lines 28 to 32, restore the stricken language.

Page 4, line 32, after "year" insert "*, except for those restrictions found in section 100.29, subdivision 20*".

Page 5, line 15, delete "*December*" and insert "*November*".

Page 5, line 16, delete "*15th*" and insert "*30th*".

Page 5, line 22, delete "*15th*" and insert "*30th*".

With the recommendation that when so amended the bill pass.

The report was adopted.

Sieben, H., from the Committee on Governmental Operations to which was referred:

H. F. No. 1544, A bill for an act relating to state lands; authorizing the exchange of certain public lake access land in Polk county.

Reported the same back with the recommendation that the bill pass and be placed on the Consent Calendar.

The report was adopted.

Swanson from the Committee on Health and Welfare to which was referred:

S. F. No. 69, A bill for an act relating to adoption; increasing the exceptions in execution of consents to adoptions; requiring consents to be in writing, before witnesses; amending Minnesota Statutes 1976, Section 259.24, Subdivision 5.

Reported the same back with the following amendments:

Page 1, line 18, reinstate the stricken "or".

Page 1, line 18, delete the comma.

Page 1, line 18, delete "*or a judge of*".

Page 1, line 19, delete "*the juvenile court*".

With the recommendation that when so amended the bill pass and be placed on the Consent Calendar.

The report was adopted.

Swanson from the Committee on Health and Welfare to which was referred:

S. F. No. 191, A bill for an act relating to adoption; authorizing release of birth information to adopted persons; requiring waiting period for objections from parents; amending Minnesota Statutes 1976, Sections 144.151, by adding subdivisions; 144.175, Subdivision 2; 260.241, by adding a subdivision; and Chapter 144, by adding a section.

Reported the same back with the following amendments:

Strike everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 1976, Section 144.151, is amended by adding subdivisions to read:

Subd. 8. "State registrar" means the state registrar of vital statistics.

Subd. 9. "Consent to disclosure" means an affidavit filed with the state registrar which sets forth the following information:

- (a) *The current name and address of the affiant;*
- (b) *Any previous name by which the affiant was known;*

(c) *The original and adopted names, if known, of the adopted child whose original birth certificate is to be disclosed;*

(d) *The place and date of birth of the adopted child;*

(e) *The biological relationship of the affiant to the adopted child; and*

(f) *The affiant's consent to disclosure of the original unaltered birth certificate of the adopted child.*

Sec. 2. Minnesota Statutes 1976, Section 144.175, Subdivision 2, is amended to read:

Subd. 2. [PROCEDURE IN CASE OF ILLEGITIMACY.] Except as provided in this section, *section 3*, and *section 144.176*, disclosure of illegitimacy of birth or of information from which it can be ascertained may be made, or a certified copy of the birth certificate issued, only to the guardian of such person, the person to whom the record pertains when such person is 18 years of age or over, or upon order of a court of competent jurisdiction in a case where such information is necessary for the determination of personal or property rights and then only for such purpose. The birth and death records of the state board of health shall be opened to inspection by the commissioner of public welfare, and it shall not be necessary for him to obtain an order of the court in order to inspect records of illegitimate children or to secure certified copies thereof.

Sec. 3. Minnesota Statutes 1976, Chapter 144, is amended by adding a section to read:

[144.1761] [ACCESS TO ADOPTION RECORDS.] *Subdivision 1. [REQUEST.] An adopted person who is 21 years of age or over may request the state registrar to disclose the information on the adopted person's original birth certificate. The state registrar shall, within five days of receipt of the request, notify the commissioner of public welfare in writing of the request by the adopted person.*

Subd. 2. [SEARCH.] Within six months after receiving notice of the request of the adopted person, the commissioner of public welfare shall make complete and reasonable efforts to notify each parent identified on the original birth certificate of the adopted person. Every licensed child placing agency in the state shall cooperate with the commissioner of public welfare in his efforts to notify an identified parent. All communications under this subdivision are confidential pursuant to section 15.162, subdivision 2a.

For purposes of this subdivision, "notify" means a personal and confidential contact with the genetic parents named on the

original birth certificate of the adopted person; said personal and confidential contact shall not be by mail and shall be by an employee or agent of the licensed child placing agency which processed the pertinent adoption, or some other licensed child placing agency designated by the commissioner of public welfare; said personal and confidential contact shall be evidenced by filing with the state registrar an affidavit of notification executed by the person who notified each parent and certifying that each parent was given the following information:

(a) *The nature of the information requested by the adopted person;*

(b) *The date of the request of the adopted person;*

(c) *The right of the parent to file, within 120 days of receipt of the notice, an affidavit with the state registrar stating that the information on the original birth certificate should be disclosed;*

(d) *The right of the parent to file a consent to disclosure with the state registrar at any time; and*

(e) *The effect of a failure of the parent to file either a consent to disclosure or an affidavit stating that the information on the original birth certificate should not be disclosed.*

Subd. 3. [FAILURE TO NOTIFY PARENT.] If the commissioner of public welfare certifies to the state registrar that he has been unable to notify a parent identified on the original birth certificate within six months, and if neither identified parent has at any time filed an unrevoked affidavit with the state registrar stating that the information on the original birth certificate shall be disclosed, the information may be disclosed as follows:

(a) *If the person was adopted prior to June 1, 1977, he may petition the appropriate court for disclosure of his original birth certificate pursuant to section 259.31, and the court shall grant the petition if, after consideration of the interests of all known persons involved, the court determines that disclosure of the information would be of greater benefit than nondisclosure.*

(b) *If the person was adopted on or after June 1, 1977, the state registrar shall release the requested information to the adopted person.*

If either parent identified on the birth certificate has at any time filed with the state registrar an unrevoked affidavit stating that the information on the original birth certificate should not be disclosed, the state registrar shall not disclose the infor-

mation to the adopted person until the affidavit is revoked by the filing of a consent to disclosure by that parent.

Subd. 4. [RELEASE OF INFORMATION AFTER NOTICE.] If, within six months, the commissioner of public welfare certifies to the state registrar that he has notified each parent identified on the original birth certificate pursuant to subdivision 2, the state registrar shall disclose the information requested by the adopted person 121 days after the date of the latest notice to either parent, if at any time prior to the date of the request of the adopted person, either of the parents identified on the original birth certificate has filed an affidavit with the state registrar stating that the information shall be disclosed and the affidavit has not been revoked by the subsequent filing by that parent of an affidavit that the information shall not be disclosed.

Subd. 5. [DEATH OF PARENT.] Notwithstanding the provisions of subdivisions 3 and 4, if a parent named on the original birth certificate of an adopted person has died, and at any time prior to his death the parent has filed an unrevoked affidavit with the state registrar stating that the information on the original birth certificate shall not be released, the adopted person may petition the court of original jurisdiction of the adoption proceeding for disclosure of his original birth certificate pursuant to section 259.31. The court shall grant the petition if, after consideration of the interests of all known persons involved, the court determines that disclosure of the information would be of greater benefit than nondisclosure.

Sec. 4. Minnesota Statutes 1976, Section 260.241, is amended by adding a subdivision to read:

Subd. 4. Upon entry of an order terminating the parental rights of any person who is identified as a parent on the original birth certificate of the child as to whom the parental rights are terminated, the court shall cause written notice to be made to that person setting forth:

(a) The right of the person to file at any time with the state registrar of vital statistics a consent to disclosure, as defined in section 144.151, subdivision 9;

(b) The right of the person to file at any time with the state registrar of vital statistics an affidavit stating that the information on the original birth certificate shall not be disclosed as provided in section 3;

(c) The effect of a failure to file either a consent to disclosure, as defined in section 144.151, subdivision 9, or an affidavit stating that the information on the original birth certificate shall not be disclosed.

Sec. 5. *This act is effective June 1, 1977.*"

With the recommendation that when so amended the bill pass.

The report was adopted.

Swanson from the Committee on Health and Welfare to which was referred:

S. F. No. 223, A bill for an act relating to deaf persons; providing that deaf persons with guide dogs have the same rights and protection as blind persons with guide dogs; defining as a deductible medical expense the cost, feeding and maintenance expenses of guide dogs; amending Minnesota Statutes 1976, Sections 256C.02; 256C.025, Subdivision 4; 256C.03; 290.09, Subdivision 10; and 327.095.

Reported the same back with the following amendments:

Page 4, line 11, before "Section" insert "*This act shall be effective one day after final enactment except for Section 4.*".

With the recommendation that when so amended the bill pass and be re-referred to the Committee on Taxes.

The report was adopted.

Swanson from the Committee on Health and Welfare to which was referred:

S. F. No. 296, A bill for an act relating to medical assistance for needy persons; providing for limits on types, costs and frequency of medical services; amending Minnesota Statutes 1976, Section 256B.04, by adding a subdivision.

Reported the same back with the recommendation that the bill pass.

The report was adopted.

Fugina from the Committee on Higher Education to which was referred:

H. F. No. 1477, A bill for an act relating to education; establishing a Minnesota occupational information system revolving fund; appropriating money.

Reported the same back with the following amendments:

Page 1, line 12, delete "board".

Page 1, line 15, delete "account in which shall be".

Page 1, line 16, delete "deposited moneys collected" and insert "system revolving fund. The higher education coordinating board shall collect fees".

Page 1, line 18, delete "board".

Page 1, line 20, delete "There is" and insert "These receipts shall be deposited in the Minnesota occupational information system revolving fund and are".

Page 1, line 20, after the first "the" insert "higher education coordinating".

Page 1, line 20, delete the second "the".

Page 1, delete line 21 to the period and insert "for the purposes of the Minnesota occupational information system".

Page 2, line 1, after "the" insert "higher education coordinating board for the biennium ending June 30, 1979, for the purposes of the".

Page 2, line 1, after "information" insert "system".

Page 2, delete line 2 to the period.

With the recommendation that when so amended the bill pass and be re-referred to the Committee on Appropriations.

The report was adopted.

Berg from the Committee on Local and Urban Affairs to which was referred:

H. F. No. 1373, A bill for an act relating to transportation; restructuring state and local financing of the operations of the Twin Cities metropolitan transit commission; requiring performance funding; changing the taxing authority of the commission; authorizing the sale of bonds for particular purposes; limiting operating deficits on all regular routes; providing for initiation of and reimbursement for certain new routes; establishing reduced fare service for the elderly, students and handicapped and reimbursing the commission for such service; extending the statewide supplemental transit aid program; establishing a statewide paratransit demonstration grant program; defining "transit"; requiring annual permits for overlength articulated buses; granting powers to and imposing duties on the commissioner of transportation; appropriating money; amending Minnesota Statutes 1976, Sections 169.81, by adding a subdivision; 473.121,

Subdivision 19, and by adding a subdivision; 473.402; 473.413, Subdivision 8; 473.421; 473.423, Subdivision 1; 473.446, Subdivision 1; Chapters 174, by adding a section; and 473, by adding sections; repealing Minnesota Statutes 1976, Section 473.446, Subdivisions 4 and 5.

Reported the same back with the following amendments:

Strike everything after the enacting clause and insert:

“Section 1. Minnesota Statutes 1976, Section 16.72, Subdivision 5, is amended to read:

Subd. 5. [MONEYS COLLECTED.] All moneys collected by the commissioner of administration as rents, charges, or fees in connection with and for the use of any parking lot or facility are appropriated to the commissioner of administration for the purpose of operating, maintaining, and improving parking lots or facilities owned or operated by the state of Minnesota and to carry out the purposes of this section, *except as provided in section 3 of this act.*

Sec. 2. Minnesota Statutes 1976, Section 16.72, is amended by adding a subdivision to read:

Subd. 7. A state employee commuting to work in a car or van pool with at least two other persons or a commuter van acquired or leased and operated in accordance with section 16.756 shall not be charged for parking in a state parking facility in the capitol area, as described in section 15.50, subdivision 2. The commissioner shall adjust parking fees charged to other state employees so that the provisions of Laws 1973, Chapter 778, Section 21 continue to be fulfilled. The commissioner shall make available to the employees commuting in the car or van pool the parking lot and parking space which the employees prefer.

Sec. 3. Minnesota Statutes 1976, Section 16.72, is amended by adding a subdivision to read:

Subd. 8. Except for car or van pools qualifying for free parking under section 2 of this act and persons with handicapped parking permits, the commissioner of administration shall set the charge for parking space in a state parking facility in the capitol area, as described by section 15.50, subdivision 2, at least 25 percent above that required by section 2 of this act and Laws 1973, Chapter 778, Section 21. The revenue from this additional charge shall be placed by the commissioner in a special fund. For the benefit of employees employed in the capitol area, the moneys in the fund shall be used by the commissioner to acquire or lease commuter vans pursuant to section 16.756 and, within such limits and upon such conditions as the commissioner determines to be necessary or prudent, to reimburse state departments or agen-

cies for costs resulting from agreements with the metropolitan transit commission or other operators pursuant to section 23 of this act. The commissioner may adopt rules and regulations necessary to administer the provisions of sections 1 to 3 and 23 of this act.

Sec. 4. Minnesota Statutes 1976, Chapter 174, is amended by adding a section to read:

[174.20] [PUBLIC TRANSIT AID PROGRAM.] *Subdivision 1. [ESTABLISHMENT; PURPOSE.] A public transit aid program is established to provide financial assistance from the state to eligible recipients. The purpose of the public transit aid program shall be to supplement local effort in financing public transit systems in order to preserve and develop public transit and a balanced transportation system in the state.*

Subd. 2. [DEFINITIONS.] For the purpose of this section, the following terms shall have the meanings given them.

(a) "Commuter van" has the meaning given it in section 221.011, subdivision 22, clause (1).

(b) "Operating deficit" means the amount by which the total prudent operating expenses incurred in the operation of the public transit system exceeds the amount of operating revenue derived therefrom.

(c) "Paratransit" means the transportation of passengers by motor vehicle or other means of conveyance by persons operating on a regular and continuing basis and the transportation or delivery of packages in conjunction with an operation having the transportation of passengers as its primary and predominant purpose and activity. "Paratransit" includes, without limitation, transportation by car pool and commuter van, point deviation and route deviation services, shared-ride taxi service, dial-a-ride, and other similar services.

(d) "Public transit" or "transit" means general or specific transportation service provided to the public on a regular and continuing basis. "Public transit" or "transit" includes paratransit and regular route transit.

(e) "Regular route transit" means transportation of passengers for hire by a motor vehicle or other means of conveyance by any person operating on a regular and continuing basis as a common carrier on fixed routes and schedules. "Public transit" does not include transportation by persons engaged primarily in the transportation of children to or from school or of passengers between a common carrier terminal station and hotel or motel, transportation by common carrier railroad or common carrier

railroads or by taxi, transportation furnished by a person solely for his or its employees or customers, or paratransit.

Subd. 3. [ADMINISTRATION.] The commissioner of transportation shall administer the public transit aid program and shall have all powers necessary and convenient to implement the program. The commissioner shall adopt rules and regulations to implement the program pursuant to chapter 15, and may adopt emergency rules and regulations to commence immediately the program, pursuant to section 15.0412. The commissioner shall establish standards and procedures for the acceptance and review of applications, for the granting of financial assistance, and for monitoring and evaluation. The commissioner may make and execute contracts for financial assistance upon such conditions as the commissioner may deem necessary or convenient; may accept and disburse federal money available for the purposes of this section; and, if requested, may act as the agent of any eligible applicant for the receipt and disbursal of federal grants or loans for the purpose of this section. The commissioner may establish a state public transit advisory committee pursuant to section 15.059.

Subd. 4. [ELIGIBILITY; APPLICATIONS.] Eligible recipients of public transit aid shall be any legislatively established public transit commission or authority, any county, city, or home rule charter city providing financial assistance to or operating public transit, any private operator of public transit, or any combination of such units. Applications for financial assistance through the public transit aid program shall be made to the commissioner.

Subd. 5. [FINANCIAL ASSISTANCE.] Payments under contracts for financial assistance shall not exceed two-thirds of the operating deficit of the public transit system. The commissioner shall determine the operating deficit of any public transit system receiving or applying for assistance in accordance with generally accepted accounting principles and practices, provided that any financial assistance received from any agency of the federal government for the operation of a public transit system shall be treated as revenue for the purposes of determining its operating deficit. In determining operating deficits, the commissioner shall consider all increases in expenses and reductions in revenue in the public transit system after the effective date of this section and may disallow part or all of any such increases or reductions. Where legislatively established public transit authorities or commissions do not exist, and where more than one county or municipality contributes assistance to the operation of a public transit system, they shall identify one as lead agency for the purpose of receiving funds under this section. In allocating financial assistance, the commissioner may consider population, transit ridership, relative need for public transit, and other factors.

Subd. 6. [REPORT.] The commissioner shall report to the legislature by January 15 of odd numbered years on the program and shall make recommendations for the succeeding biennium.

Sec. 5. Minnesota Statutes 1976, Chapter 174, is amended by adding a section to read:

[174.21] [TRANSPORTATION SYSTEMS MANAGEMENT; PURPOSE.] *It shall be the purpose of the commissioner under sections 5 to 12 of this act to develop, promote, and evaluate programs, projects, and techniques designed to increase vehicle occupancy, to reduce the use of vehicles occupied by only one person and the congestion, pollution, waste, and other costs associated with such use and to increase the efficiency and productivity of and benefit from public investments in road space and transportation and transit facilities and systems in the state.*

Sec. 6. Minnesota Statutes 1976, Chapter 174, is amended by adding a section to read:

[174.22] [DEFINITIONS.] *Subdivision 1. For the purposes of sections 5 to 12 the following terms have the meaning given them.*

Subd. 2. "Commuter van" has the meaning given it in section 221.011, subdivision 22, clause (1).

Subd. 3. "Metropolitan council" means the council established by section 473.123.

Subd. 4. "Metropolitan transit commission" means the commission established by section 473.404.

Subd. 5. "Paratransit" has the meaning given it in section 4 of this act.

Subd. 6. "Public transit" has the meaning given it in section 4 of this act.

Subd. 7. "Regular route transit" has the meaning given it in section 4 of this act.

Sec. 7. Minnesota Statutes 1976, Chapter 174, is amended by adding a section to read:

[174.23] [GENERAL POWERS AND DUTIES.] *The commissioner shall perform the duties and exercise the powers under sections 5 to 12 in coordination with and in furtherance of state-wide, regional, and local transportation plans and transportation development programs. The commissioner shall have all powers necessary and convenient to carry out the provision of sections 5 to 12 including but not limited to: (a) the authority to adopt rules and regulations under chapter 15 and emergency rules*

and regulations under section 15.0412, (b) the authority to accept and review applications for financial assistance, enter into contracts, and obligate and expend program funds, upon such conditions and limitations as the commissioner deems necessary or convenient, for purposes of program and project planning, implementation, operation, and evaluation, (c) the authority to designate advisory committees and task forces pursuant to section 15.059, (d) the authority to accept and disburse federal funds available for the purposes of sections 5 to 12, and (e) the authority to act upon request as the designated agent of any state department or agency, political subdivision of the state, or other eligible person for the receipt and disbursement of federal funds. The commissioner shall be responsible for developing and explicitly identifying specific program goals and objectives consistent with the purposes of sections 5 to 12, identifying and developing proposals and projects to achieve the goals and objectives, insuring that adequate planning is undertaken prior to program and project implementation, insuring compatibility between program activities and program goals and objectives, and insuring that the programs and individual projects are subjected to analysis, monitoring, and evaluation by the department or an independent third party under contract to the department to determine their contribution to the purposes of sections 5 to 12. The commissioner shall actively offer and provide technical and professional services and financial aid to assist in the planning, promotion, development, operation and evaluation of programs and projects and shall seek out and select eligible recipients of such services and aid. The commissioner shall actively propose, promote, advocate, study, review, and evaluate programs and projects to accomplish the purposes of sections 5 to 12, including those now or previously employed or proposed in this state and elsewhere.

Sec. 8. Minnesota Statutes 1976, Chapter 174, is amended by adding a section to read:

[174.24] [PUBLIC TRANSIT PERFORMANCE PROGRAM.] *Subdivision 1. [PURPOSE.] The purposes of the public transit performance program established by this section shall be to assist public transit systems receiving financial assistance under section 4 of this act to provide more efficient, productive, and effective transit service, to promote the fullest use of public investments in such systems, to provide incentives for efficient, productive, and effective operation and management of such systems, and to develop methods of public transit aid designed to ensure maximum benefit from the use of state funds.*

Subd. 2. [GENERAL.] The commissioner shall conduct a comprehensive study, analysis, and evaluation of concepts and techniques, now or previously employed or proposed in this state and elsewhere, intended to improve the efficiency, productivity, and effectiveness of public transit service without major capital investments in new facilities. Among other concepts and tech-

niques, the commissioner shall study, analyze, and evaluate the relative utility, costs, and benefits of at least the following:

(a) Those intended to improve the delivery of transit services by (i) better coordination and greater flexibility and responsiveness in the routing, scheduling, and dispatching of vehicles to reduce running time and transfer time and to increase frequency of service; (ii) provision of various types of express bus service; (iii) provision of park and ride services from parking areas in suburban locations and shuttle services from parking areas located on the fringe of central business districts and major community activity centers; (iv) institution of simplified fare collection systems and policies, including advance sales; (v) management of demand in relation to capacity by such means as preferential fares; (vi) provision of flexible and responsive shared-ride services such as circulator or shuttle services, including those designed to collect passengers for express bus service or to handle shorter distance trips to work locations without a high level of regular route transit service; (vii) use of shelters, passenger information systems, and similar devices to increase attractiveness of service; (viii) use of commuter vans and car pooling for long distance trips to work.

(b) Those intended to improve the internal management of transit systems by (i) improved marketing; (ii) improved decision making through the use of cost accounting and other management techniques; (iii) institution of maintenance policies that ensure greater reliability of equipment; (iv) use of surveillance and communications technology to improve monitoring and control capability; (v) improved productivity and deployment of personnel.

The commissioner shall review and evaluate the management and operation of public transit systems receiving financial assistance under section 4 of this act. The commissioner shall develop and establish standards and objectives of performance, identify opportunities for improvement, and study methods of funding designed to improve performance. The commissioner shall develop guidelines respecting the adequacy and efficiency of regular route transit service under varying conditions relative to the adequacy and efficiency of other modes of transit service. The commissioner shall consult with and provide advice and technical and professional assistance to the transit systems for the purpose of improving performance. The commissioner shall develop and test practical and economic methods, using existing data wherever possible, for systematic and regular monitoring of progress in improving performance.

Subd. 3. [REGULAR ROUTE TRANSIT PRODUCTIVITY DEMONSTRATION GRANT PROJECTS.] The commissioner shall establish and administer a program of grants to regular route transit systems receiving payments under section 4 of this act, for the purposes of demonstrating specific methods of im-

proving the patronage and productivity of regular route transit service within geographic areas and time periods characterized either actually or potentially by high density of demand for service. The commissioner shall identify specific objectives, select specific methods for demonstration, solicit and select recipients of demonstration grants, and analyze and evaluate results. Among other proposals, the commissioner shall consider: (a) projects designed to increase patronage when and where excess capacity exists, (b) projects designed to spread peak hour patronage over a greater time period where demand exceeds capacity, and (c) projects designed to increase capacity by increasing the frequency of service, by reducing running time, and by flexible and responsive peak hour routing, scheduling, and dispatching, and by other means.

Subd. 4. [METROPOLITAN AREA.] By December 1, 1977, after holding a hearing to receive suggestion and recommendation from the public, the metropolitan transit commission shall submit to the commissioner an operational improvement plan. The plan shall describe performance objectives or standards, for calendar years 1978 and 1979, which it proposes to achieve in satisfying the legislative goals established in section 21 of this act and shall identify performance indicators by which to monitor and assess the commission's progress in achieving the performance objectives or standards. The plan shall at least: (a) identify all routes in the system; (b) identify specific routes and route segments which are experiencing high operating deficits and propose a program for substantially reducing the deficits experienced on the routes or segments by increasing patronage, reducing or eliminating service, increasing fares, executing contracts under which the commission will be reimbursed for retaining uneconomical service, or some combination of these or other means; (c) report on the efforts of the commission to consult with persons and communities served by such marginal routes or segments and summarize the recommendations and suggestions received; (d) propose specific methods to increase the patronage and productivity of public transit service delivered within geographic areas and time periods characterized either actually or potentially by high density of demand for service; (e) propose increases in service levels within geographic areas and on routes and route segments characterized by high density of demand for service, transit dependent population, and little or no subsidy per passenger; and (f) propose specific methods of improving the productivity and effective deployment of personnel. The commission shall at least biennially revise the objectives and proposals stated in the plan and shall report annually to the commissioner, on January 15, on progress in achieving the objectives and implementing the proposals.

As soon as practical after December 31, 1977, but not later than July 1, 1978, and after holding a public hearing, the commissioner shall put into effect an experimental method, or methods, of distributing financial assistance to the commission

under section 4 of this act according to performance objectives and indicators determined by the commissioner. The commissioner shall evaluate the extent to which the plans, programs, and operations of the commission may accomplish the performance goals set by the legislature and the metropolitan council and the objectives set by the commission and the commissioner. The commissioner shall produce findings and conclusions on the relative costs and benefits and probable and acceptable levels of subsidy of implementing the various route ridership improvement projects of the metropolitan transit commission and the following public transit policies of the metropolitan council: (a) all day express service to the metropolitan centers of Minneapolis and St. Paul from subregional major activity centers; (b) travel times of no more than 30 minutes in off-peak periods from any part of a subregion to any other part of a subregion for 90 percent of the residents in the subregion; (c) travel times of no more than 45 minutes in either off-peak or peak periods from any part of the urban service area to one or the other of the metropolitan centers for 90 percent of the residents of the urban service area; and (d) travel times of no more than 60 minutes in off-peak periods from any growth center to one or the other of the metropolitan centers for 90 percent of the residents of freestanding growth centers.

Sec. 9. Minnesota Statutes 1976, Chapter 174, is amended by adding a section to read:

[174.26] [PARATRANSIT SERVICE DEMONSTRATION GRANT PROGRAM.] *Subdivision 1. [PURPOSE.] The purposes of the paratransit service demonstration grant program established by this section shall be to assist local and regional project planning for paratransit and to promote, demonstrate, and evaluate the utility, effectiveness, cost, and efficiency of paratransit, relative to other means of transportation, in accomplishing the following objectives:*

(a) to provide transportation services for persons who because of age or incapacity are unable to drive a private automobile or use existing modes of public transit;

(b) to provide transportation services within less densely populated portions of large cities and metropolitan areas inefficiently or inadequately served by regular route transit;

(c) to provide transportation services which improve the accessibility and productivity of regular route transit by offering collection and distribution services, coordinated with regular route transit;

(d) to provide transportation services, including commuter service to and from work, within towns, cities or home rule charter cities, and rural areas and for trips between such towns and

cities which do not have adequate or efficient regular route transit or other common carrier service;

(e) to provide commuter transportation services for persons traveling to work and back from or within less densely populated portions of large cities and metropolitan areas inefficiently or inadequately served by regular route transit.

Subd. 2. [DUTIES OF COMMISSIONER.] The commissioner shall establish by November 1, 1977, specific program goals and objectives and procedures for handling applications, shall actively solicit proposals from municipalities, counties, legislatively established transit commissions and authorities, regional development commissions, the metropolitan council, and potential vendors, shall identify and propose projects to accomplish the purposes of this section, shall actively seek out and select persons to implement projects, and shall analyze and evaluate results of projects for which grants are made. The commissioner shall evaluate paratransit projects previously instituted in the state, including but not limited to those implemented by the department and by the metropolitan transit commission and under the public transit demonstration program established by Laws 1974, Chapter 534, under section 16.756, and under sections 2 and 3 of this act. The commissioner shall produce findings, conclusions, and recommendations respecting the manner in which and the extent to which such paratransit services and the demonstration grant program contribute or may contribute to the purposes of sections 5 to 12.

Subd. 3. [APPLICATIONS; GRANTS.] Eligible recipients of demonstration grants shall be any public or private agency, entity, or person authorized by law to perform the functions, services, or activities for which the grant is made. Applications for grants shall be made to the commissioner and shall be approved or denied within 120 days of receipt. Grants may be made in any amount up to 100 percent of the capital cost of a project. Grants up to 100 percent of costs may be made to assist in the planning, marketing, and promotion of paratransit projects which in the judgment of the commissioner will serve the purposes and objectives of the demonstration program. Grants made to assist the operation of a project shall not exceed 75 percent of the net operating deficit of the project.

Subd. 4. [METROPOLITAN AREA.] Grants for demonstration projects within the metropolitan area defined in section 473.121 shall be made in accordance with priorities established by the metropolitan council in accordance with its transportation policy plan, after consultation with the metropolitan transit commission and advisory committees or task forces established for this purpose.

Sec. 10. Minnesota Statutes 1976, Chapter 174, is amended by adding a section to read:

[174.27] [PUBLIC EMPLOYER COMMUTER VAN PROGRAMS.] *The commissioner shall promote and evaluate programs instituted pursuant to this section. Any city or home rule charter city, county, school district, independent board or agency may acquire or lease commuter vans, enter into contracts with another public or private employer to acquire or lease such vans, or purchase such a service for the use of its employees. The governing body of any such city, county, or school district may by resolution establish a commuter van revolving fund to be used to acquire or lease commuter vans for the use of its employees. Any payments out of the fund shall be repaid to the fund out of revenues derived from the use by the employees of the city, county, or school district, of the vans so purchased or leased. For the purpose of establishing the fund, any city, county, or school district is authorized to make a one time levy not to exceed one tenth of a mill in excess of all taxing limitations, without affecting the amount or rate of taxes which may be levied by the city, county, or school district for other purposes or by any local governments in the area. Any city, county, or school district which establishes a commuter van acquisition program or contracts for this service is authorized to levy a tax not to exceed 1/100 mill for the purpose of paying the administrative and promotional costs of the program which levy shall be in excess of all taxing limitations, without affecting the amount or rate of taxes which may be levied by the city, county, or school district for other purposes or by a local government in the area. The governing body of any city, county, or school district may by resolution terminate the commuter van revolving fund and use the funds for other purposes authorized by law.*

Sec. 11. Minnesota Statutes 1976, Chapter 174, is amended by adding a section to read:

[174.28] [OTHER PROGRAMS AND PROJECTS.] *The commissioner shall analyze, evaluate, and make recommendations on other transportation system management projects, programs, concepts, and techniques now or previously employed or proposed either in this state or elsewhere. The commissioner shall analyze, evaluate, and make detailed and specific conclusions and recommendations on the relative utility, costs, benefits, and consequences of at least the following:*

(a) *Traffic operations improvements to control and improve the flow of auto and transit vehicles and the movement of people, such as channelization of traffic, one-way streets, special turn lanes or turn prohibition, better signalization and progressive timing, computerized traffic control, metered freeways, reversible traffic lanes, relocated transit stops, and other traffic engineering projects;*

(b) *Preferential treatment and other encouragements for transit and other high-occupancy vehicles, such as exclusive ac-*

cess ramps to freeways, exclusive or preferential lanes on freeways and city streets, exemption from turning restrictions, exclusive lanes to bypass congested points, and bus preemption of traffic signals;

(c) Appropriate provision for pedestrians and bicycles, such as bicycle paths or exclusive lanes, pedestrian malls, other means of separating pedestrian and vehicular traffic, and secure and convenient storage areas for bicycles;

(d) Management and control of parking, such as elimination of on-street parking, especially during peak periods, regulation of the number and price of public and private parking spaces, preferential parking for short-term users rather than all-day commuters and for car pools and van pools used by commuters, better enforcement of parking restrictions, and provision for fringe and transportation corridor parking to facilitate transfer to high-occupancy vehicles;

(e) Changes in work schedules to reduce peak period travel or extend the peak period, such as staggered or flexible work hours;

(f) Reduction in vehicle use in congested and residential areas, such as diversion, exclusion, and other physical restraints on automobile access to specific areas, peak hour tolls, licenses, parking surcharges or other forms of auto disincentives and congested area pricing, establishment of car-free zones, and restrictions on truck delivery during peak hours.

Sec. 12. Minnesota Statutes 1976, Chapter 174, is amended by adding a section to read:

[174.29] [REPORT.] *Subdivision 1. [GENERAL.] By January 15, 1979, and thereafter by January 15 in odd-numbered years, the commissioner shall report to the legislature on transportation systems management. The report shall include: (a) an analysis of the results of the transportation systems management programs and projects undertaken previously in the state, those undertaken pursuant to sections 5 to 12 of this act, and those employed or proposed elsewhere; (b) a description of the management and conduct of the programs and projects, the goals and objectives of the programs and projects and the extent to which they were met; (c) a summary of the technical and professional services and financial assistance offered and provided by the commissioner; (d) a description of the efforts of the commissioner to propose, advocate, and promote projects to accomplish the purposes of sections 5 to 12; (e) a description of the standards and procedures used in evaluating programs and projects; (f) an analysis of the role of private providers in the delivery of transit services and analysis and recommendations for funding private providers and for coordinating the delivery of transit services by private and public providers; (g) the commis-*

sioner's findings, conclusions, and recommendations respecting the manner in which and the extent to which these and other programs and projects contribute or may contribute to the purposes of sections 5 to 12.

Sec. 13. Minnesota Statutes 1976, Section 473.121, Subdivision 18, is amended to read:

Subd. 18. "Operator" means any person engaged or seeking to engage in the business of providing public transit(, BUT DOES NOT INCLUDE PERSONS ENGAGED PRIMARILY IN THE TRANSPORTATION OF CHILDREN TO OR FROM SCHOOL, IN OPERATING TAXICABS, IN OPERATING BUSES, LIMOUSINES, OR OTHER MEANS FOR THE TRANSPORTATION OF PASSENGERS BETWEEN A COMMON CARRIER TERMINAL STATION AND A HOTEL OR MOTEL, IN OPERATING A COMMON CARRIER RAILROAD OR COMMON CARRIER RAILROADS, OR A PERSON FURNISHING TRANSPORTATION SOLELY FOR HIS OR ITS EMPLOYEES OR CUSTOMERS).

Sec. 14. Minnesota Statutes 1976, Section 473.121, is amended by adding a subdivision to read:

Subd. 18a. "Paratransit" means the transportation of passengers by motor vehicles or other means of conveyance by persons operating on a regular and continuing basis and the transportation or delivery of packages in conjunction with an operation having the transportation of passengers as its primary and predominant purpose and activity. "Paratransit" includes, without limitation, transportation by car pool and commuter van, point deviation and route deviation services, shared-ride taxi service, dial-a-ride, and other similar services.

Sec. 15. Minnesota Statutes 1976, Section 473.121, Subdivision 19, is amended to read:

Subd. 19. "Public transit" or "transit" means transportation of passengers for hire *within the transit area* by means(, WITHOUT LIMITATION,) of a (STREET RAILWAY, ELEVATED RAILWAY, SUBWAY, UNDERGROUND RAILROAD,) motor (VEHICLES, BUSES) *vehicle* or other means of conveyance *by any person* operating as a common carrier on (A REGULAR ROUTE OR) *fixed routes*(, OR ANY COMBINATION THEREOF; PROVIDED, HOWEVER, THAT) *and schedules*. "Public transit" shall not include *transportation by persons engaged primarily in the transportation of children to or from school or of passengers between a common carrier terminal station and a hotel or motel, transportation by a common carrier railroad or common carrier railroads or by taxi, transportation furnished by a person solely for his or its employees or customers, or paratransit.*

Sec. 16. Minnesota Statutes 1976, Section 473.121, Subdivision 20, is amended to read:

Subd. 20. "Public transit system" or "*transit system*" means, without limitation, a combination of property, structures, improvements, equipment, plants, parking or other facilities, and rights, or any thereof, used or useful for the purposes of public transit.

Sec. 17. Minnesota Statutes 1976, Section 473.402, is amended to read:

473.402 [LEGISLATIVE DETERMINATION, POLICY, PURPOSE AND GOALS.] The legislature finds and determines that (NEARLY HALF THE PEOPLE OF THE STATE LIVE IN THE METROPOLITAN TRANSIT AREA HEREINAFTER ESTABLISHED. THE POPULATION OF THAT AREA IS GROWING FASTER THAN IN ANY OTHER AREA OF THE STATE, AND IT IS CONTINUALLY VISITED BY LARGE NUMBERS OF PEOPLE FROM OTHER PARTS OF THE STATE, RESULTING IN A HEAVY AND STEADILY INCREASING CONCENTRATION OF RESIDENT AND TRANSIENT POPULATION AND CREATING SERIOUS PROBLEMS OF PUBLIC TRANSIT AND PUBLIC HIGHWAY TRAFFIC IN THE AREA. THE PRESENT PUBLIC TRANSIT SYSTEMS IN THE AREA CONSIST LARGELY OF BUS LINES USING THE PUBLIC HIGHWAYS AND STREETS. THESE SYSTEMS ARE INADEQUATE TO MEET THE NEEDS FOR PUBLIC TRANSIT IN THE AREA. A MAJOR PART OF THE TRANSPORTATION OF PEOPLE IN THE AREA IS PROVIDED BY PRIVATE MOTOR VEHICLES. ALL OF THE FOREGOING ADDS HEAVILY TO THE TRAFFIC LOAD ON THE STATE HIGHWAYS WHICH CONSTITUTE THE MAIN ROUTES OF TRAVEL TO, FROM, AND THROUGH THE AREA, AGGRAVATING THE CONGESTION AND DANGER OF ACCIDENTS THEREON, POLLUTING THE SURROUNDING AIR, INTENSIFYING THE WEAR AND TEAR ON THOSE HIGHWAYS AND STREETS, INCREASING THE COST OF MAINTENANCE THEREOF, AND THE NUMBER, SIZE, AND COST OF NEW HIGHWAYS THAT MUST BE CONSTRUCTED IN THE AREA. THESE EFFECTS WILL PROGRESSIVELY GROW WORSE AS THE POPULATION OF THE AREA INCREASES, IMPOSING SERIOUS HANDICAPS ON THE BUSINESS, INDUSTRY, PROPERTY DEVELOPMENT, RECREATION, AND OTHER BENEFICIAL ACTIVITIES OF THE RESIDENTS OF THE AREA AND VISITORS THERETO, AND CAUSING SEVERE AND WIDESPREAD HARM TO THE PUBLIC HEALTH, SAFETY AND WELFARE OF THE AREA AND THE ENTIRE STATE. IT IS BEYOND THE CAPACITY OF THE PRESENT OPERATORS OF PUBLIC TRANSIT SYSTEMS AND OTHER EXISTING PUBLIC AND PRIVATE AGENCIES UNASSISTED TO MAKE ADEQUATE PROVISION

FOR PUBLIC TRANSIT IN THE AREA OR FOR DEALING EFFECTIVELY WITH THE AFORESAID PROBLEMS AND CONDITIONS THEREIN. THE LEGISLATURE THEREFORE DECLARES AS THE PUBLIC POLICY OF THE STATE THAT), for the protection and advancement of the public health, safety, and welfare of the metropolitan (TRANSIT) area and the entire state, and in order to provide for adequate public transit within the area(, REDUCE THE TRAFFIC CONGESTION AND HAZARDS ON THE STATE AND OTHER HIGHWAYS AND STREETS THEREIN, AND RELIEVE THE OTHER HARMFUL CONDITIONS AFORESAID) *to increase vehicle occupancy, and to reduce the use of vehicles occupied by only one person and the congestion, pollution, waste, and other costs associated with such use*, there is (URGENT) need for the establishment of (THAT) *the transit area (AS)* herein defined, for the creation of a metropolitan transit commission therefor with the powers and duties herein prescribed, for the implementation of a comprehensive transportation policy plan for the area and for the other measures herein provided (FOR).

Sec. 18. Minnesota Statutes 1976, Section 473.405, Subdivision 1, is amended to read:

Subdivision 1. [LEGAL STATUS; GENERAL POWERS.]
(a) The transit area, with the commission as its governing body, shall be a public corporation and a political subdivision of the state. All the powers vested and obligations or duties imposed upon the commission and acts of the commission by sections 473.401 to 473.451 shall be deemed to be those of the transit area wherever necessary or appropriate, and shall be exercised, performed, and discharged in behalf of the area by the commission in its name as a public corporation and with like force and effect as if done in the name of the area, and for all such purposes, the commission shall have the same status and powers as the area, all subject to the provisions of section 473.449. The chairman and secretary of the commission shall have such powers as are delegated to them by the commission.

(b) The commission shall have the power to plan, engineer, construct, equip, and operate transit and paratransit systems, (TRANSIT) projects, or any parts thereof, including (TRANSIT) road lanes or rights of way, terminal facilities, maintenance and garage facilities, ramps, parking areas, and any other facilities useful for or related to any public transit or paratransit system or project. The commission may acquire by purchase, lease, gift, or condemnation proceedings any real or personal property, franchises, easements, or other rights of any kind for such purposes, or which may be necessary or proper for the discharge of its powers and duties. The commission shall have the power to acquire by purchase, lease, gift, or condemnation proceedings any existing public transit system or any part thereof, including all or any part of the plant, equipment, shares of stock, property, real, personal, or mixed, rights in property,

reserve funds, special funds, franchises, licenses, patents, permits and papers, documents and records belonging to any operator of a public transit system within the transit area, and may in connection therewith assume any or all liabilities of any operator of a public transit system. The (COMMISSIONER) *commission* may not acquire any existing public transit system until such acquisition has been approved by a majority of the metropolitan council. The commission may hold, use, improve, operate, maintain, lease, exchange, transfer, sell, or otherwise dispose of any of its property or rights to others and may contract with any operator or other persons for the use by any such operator or person of any such property or facilities under its control.

The commission, if it proceeds to acquire any existing public transit system or any part thereof by condemnation, shall have the power to take control of and operate such system immediately following the filing and approval of the initial petition for condemnation, if the commission, in its discretion, determines such action to be necessary. This power shall include the possession of all right, title and other powers of ownership in all properties and facilities described in the petition. Such action shall be taken by resolution which shall be effective upon service of a copy thereof on the condemnee and the filing of the resolution in the condemnation action. In the determination of the fair value of the existing public transit system, there shall not be included any value attributable to expenditures for improvements made by the transit commission.

The commission may continue or terminate within three months of acquisition any advertising contract in existence by and between any advertiser and a transit system that the commission has acquired. If the commission determines to terminate such advertising contract, it shall acquire all of the advertiser's rights under the contract by purchase or eminent domain proceedings as provided by law.

The commission may sue and be sued and may enter into contracts which may be necessary or proper. The commission may accept gifts, grants, or loans of money or other property from the United States, the state, or any person or entity for such purposes, may enter into any agreement required in connection therewith, may comply with any federal or state laws or regulations applicable thereto, and may hold, use, and dispose of such money or property in accordance with the terms of the gift, grant, loan, or agreement relating thereto. The commission may establish an executive committee, a finance committee, and such other committees of its members as it deems necessary or proper in furtherance of the provisions of sections 473.401 to 473.451, and may authorize them to exercise in the intervals between commission meetings any powers of the commission except those expressly required by law to be exercised by the commission.

Sec. 19. Minnesota Statutes 1976, Section 473.405, is amended by adding a subdivision to read:

Subd. 1a. [FIXED GUIDEWAY TRANSIT.] The commission shall not have the authority to engage consultants or provide or obligate funds for, or pay any expenses related to, the development, feasibility study, preliminary engineering, construction, or operation of any fixed guideway transit system or project.

Sec. 20. Minnesota Statutes 1976, Section 473.405, Subdivision 2, is amended to read:

Subd. 2. [MANAGEMENT CONTRACTS.] Notwithstanding any of the other provisions of sections 473.401 to 473.451, the commission shall have powers, in lieu of directly operating any public transit system, or any part thereof, to enter into management contracts with any persons, firms, or corporations for the management of said system for such period or periods of time, and under such compensation and other terms and conditions as shall be deemed advisable and proper by the commission and such persons, firms, or corporations.

Such persons, firms, or corporations entering into management contracts with the commission may employ necessary personnel for the operation and maintenance of said system as well as perform consulting and supervisory services for the commission. An incentive fee may be included in any management contract that is negotiated. The employees of any public transit system operated pursuant to the provisions of this subdivision shall, in case of any dispute arising under any existing or new collective bargaining agreement relating to the terms or conditions of their employment, have the right, for the purpose of resolving such dispute, either to engage in a concerted refusal to work or to invoke the processes of final and binding arbitration as provided by chapter 572, subject to any applicable provisions of the agreement not inconsistent with law.

Whenever the commission shall directly operate any public transit system, or any part thereof, or enter into any management contract or other arrangement for the operation thereof, the commission shall take such action as may be necessary to extend to employees of affected public transit systems in the area, in accordance with seniority, the first opportunity for reasonably comparable employment in any available non-supervisory jobs in respect to such operations for which they can qualify after a reasonable training period. Such employment shall not result in any worsening of the employee's position in his former employment nor any loss of wages, hours, working conditions, seniority, fringe benefits, and rights and privileges pertaining thereto.

The commission may enter into an agreement specifying fair and equitable arrangements to protect the interests of employees who may be affected if the commission should acquire any interest in or purchase any facilities or other property of a (PRIVATE) *privately owned and operated* transit system, or construct, improve, or reconstruct any such facilities or other such property acquired from any such system, or provide by contract or otherwise for the operation of (MASS) transportation facilities or equipment in competition with, or supplementary to, the service provided by an existing transit system. Such agreement, specifying the terms and conditions of the protective arrangements, shall comply with any applicable requirements of sections 473.401 to 473.451, and with the requirements of any federal law or regulation if federal aid is involved. Such an agreement may provide for final and binding arbitration of any dispute.

Sec. 21. Minnesota Statutes 1976, Chapter 473, is amended by adding a section to read:

[473.407] [PERFORMANCE GOALS.] *The metropolitan transit commission, in addition to other duties and purposes, shall have the following performance goals:*

(a) *To increase the number of persons riding on buses and the rate at which persons are diverted from driving to riding on buses by improvements in productivity and service without substantially increasing the number of miles of route in or the geographic extent of the transit system;*

(b) *To achieve the fullest and most efficient use of public resources and investments in public transit by management and operating practices and fare policies designed to control the ratio between operating cost and subsidy per passenger in the transit system and to reduce the existing disparity in the operating cost and subsidy per passenger on various routes in the system;*

(c) *To increase service levels within geographic areas and on routes and route segments characterized by high density of demand for service, transit dependent population, and little or no subsidy per passenger.*

Sec. 22. Minnesota Statutes 1976, Chapter 473, is amended by adding a section to read:

[473.408] [FARE POLICY.] *Subdivision 1. [DEFINITIONS.] "Off-peak hours" means the time from 9:00 a.m. to 3:30 p.m. and 6:30 p.m. until the last bus on Monday through Friday of each week and all day Saturday, Sunday, and holidays designated by the commission.*

Subd. 2. [DUTY OF COMMISSION.] *The commission and other operators shall establish and administer fares and fare collection systems in accordance with the provisions of this section.*

Subd. 3. [GENERAL FARE POLICY.] *Fares and fare collection systems shall be established and administered to accomplish the following purposes:*

- (a) *To encourage transit ridership during off-peak hours;*
- (b) *To encourage habitual and regular transit ridership as distinct from sporadic ridership by, among other means, the advance sale of passes and tokens at reduced rates;*
- (c) *To encourage transit ridership during peak hours in reverse direction of the heavy loading direction;*
- (d) *To increase patronage in densely populated areas where and when excess capacity exists;*
- (e) *To spread patronage over a greater time period where patronage exceeds capacity;*
- (f) *To restrain increases in the average operating subsidy per passenger; and*
- (g) *To ensure that operating revenues for long-distance trips are proportioned to the cost of providing the service and to reduce the existing disparity in the subsidy per passenger on various routes in the transit system.*

Subd. 4. [SOCIAL FARE POLICY.] *The commission and other operators shall charge 15 cents for all persons under the age of 18 holding an identification card issued or approved by the commission. During off-peak hours, the commission and other operators shall charge the following reduced fares for regular route transit service:*

- (a) *Free fares for all persons over the age of 65 holding a medicare card or other identification card issued or approved by the commission; and*
- (b) *Not more than one-half of the full fare for all handicapped persons as defined by the commission.*

Subd. 5. [DOWNTOWN CIRCULATION FARES.] *The commission and other operators may not charge less than ten cents for service on any route providing circulation service in the downtown areas or major community activity centers. The commission or other operator shall not contribute more than 50 percent of the operating deficit of any such route that is confined to the downtown area or community activity center.*

Subd. 6. [OTHER REDUCED FARES PROHIBITED.] Except as provided in this section and except for the advance sale of service through special passes or for other special promotional efforts, the commission and other operators shall not grant any reduced fares for public transit service.

Sec. 23. Minnesota Statutes 1976, Chapter 473, is amended by adding a section to read:

[473.409] [AGREEMENTS WITH COMMISSION; ENCOURAGEMENT OF TRANSIT USE.] *A state department or agency, including the legislative branch, any local governmental unit, the metropolitan council, or other metropolitan commission may enter into an agreement with the transit commission and other operators for the purpose of encouraging the use of transit by its employees residing in the metropolitan area. The agreement may provide for, among other things: (a) the advance purchase of tokens, tickets or other devices from the commission or other operator for use in lieu of fares on vehicles operated by the commission or other operator; and (b) special transit service for employees to and from their place of employment, at fares to be agreed upon by the contracting parties. The tokens, tickets, or other devices or services may be made available to employees at reduced rates. Any such agreement and arrangement by a state department or agency shall be submitted to the commissioner of administration for approval prior to execution. Any operating deficits or subsidy resulting from such agreements shall be assumed by the contracting department, agency, governmental unit, council, or other commission, unless otherwise provided in the agreement.*

Sec. 24. Minnesota Statutes 1976, Section 473.411, Subdivision 3, is amended to read:

Subd. 3. [COMBINATION OF MASS TRANSIT AND PUBLIC HIGHWAY SYSTEMS; SERVICES OF DEPARTMENT OF TRANSPORTATION.] *The (MASS) public transit system (SPECIFIED IN SUBDIVISION 1) shall be designed and operated, as far as practicable, so as to provide, in combination with public highways, adequate means and facilities of maximum attainable efficiency for public transportation to, from, and within the metropolitan transit area, and to relieve the congestion, traffic hazards, and other objectionable conditions aforesaid on the public highways caused by lack of adequate provisions for public transit. (IN PLANNING, DESIGNING, AND CONSTRUCTING THE MASS TRANSIT SYSTEM) The commission may make use of engineering and other technical and professional services, including regular staff and qualified consultants, which the commissioner of transportation can furnish, upon fair and reasonable reimbursement for the cost thereof; provided, that the commission shall have final authority over the employment of any services from other sources which it may deem necessary for such purposes. The commissioner of trans-*

portation may furnish all engineering, legal, and other services, if so requested by the commission and upon fair and reasonable reimbursement for the cost thereof by the commission, which the commission requests for the purposes stated in this subdivision, including the acquisition by purchase, condemnation, or otherwise in the name of the commission of all lands, waters, easements, or other rights or interests in lands or waters required by the commission.

Sec. 25. Minnesota Statutes 1976, Section 473.411, is amended by adding a subdivision to read:

Subd. 6. [ARTICULATED BUSES.] Articulated buses operated by the commission shall not be subject to the vehicle length and weight limitations of the state or any political subdivision of the state. The commission may operate such buses subject only to an annual permit from the commissioner of transportation, which shall be granted upon application by the commission.

Sec. 26. Minnesota Statutes 1976, Section 473.413, Subdivision 6, is amended to read:

Subd. 6. [SUCCESSION TO POWERS OF DEPARTMENT OF PUBLIC SERVICE.] There shall be transferred to and vested in the transit commission all of the powers and functions of the Minnesota department of public service with respect to any public transit system or part thereof which (SHALL HAVE) *has been or is* acquired or constructed by and is owned and operated by or under the authority of the transit commission. (WHENEVER AND SO LONG AS SUCH PUBLIC TRANSIT SYSTEM OR SYSTEMS IN THE AGGREGATE SERVE IN EXCESS OF 50 PERCENT OF THE PERSONS USING PUBLIC TRANSIT SYSTEMS IN THE TRANSIT AREA AS DETERMINED BY THE DEPARTMENT OF PUBLIC SERVICE, ALL OF THE POWERS AND FUNCTIONS OF THE DEPARTMENT OF PUBLIC SERVICE OVER ALL PUBLIC TRANSIT SYSTEMS IN THE TRANSIT AREA SHALL BE TRANSFERRED TO AND VESTED IN THE TRANSIT COMMISSION. WITH RESPECT TO A PUBLIC TRANSIT SYSTEM OR ANY PART THEREOF OVER WHICH THE TRANSIT COMMISSION SHALL EXERCISE THE POWERS AND FUNCTIONS OF THE DEPARTMENT OF PUBLIC SERVICE AS HEREINBEFORE PROVIDED THE EXERCISE OF SUCH POWERS AND FUNCTIONS BY THE TRANSIT COMMISSION SHALL BE EXCLUSIVE AND) The department of public service shall not have authority to exercise (SUCH) *the* powers and functions (WITH RESPECT THERETO) *so transferred.* (AN APPEAL FROM ANY ORDER OR DECISION OF THE TRANSIT COMMISSION MAY BE TAKEN BY ANY PARTY AGGRIEVED THEREBY IN LIKE MANNER AND WITH LIKE EFFECT AS PROVIDED BY LAW FOR APPEALS IN CORRESPONDING

CASES FROM THE ORDERS OR DECISIONS OF THE DEPARTMENT OF PUBLIC SERVICE.)

Sec. 27. Minnesota Statutes 1976, Section 473.413, Subdivision 8, is amended to read:

Subd. 8. [COMMISSION; INSURANCE.] The commission may provide for self-insurance or may otherwise provide for the insurance of any of its property, rights, or revenue, worker's compensation, public liability, or any other risk or hazard arising from its activities, and may provide for insuring any of its officers or employees against any such risk or hazard at the expense of the commission. *If the commission provides for self insurance against its liability and the liability of its officers, employees and agents for damages resulting from its torts and those of its officers, employees and agents, including its obligation to pay basic economic loss benefits under sections 65B.41 to 65B.71, it shall be entitled to deduct from such damages and basic economic loss benefits all money paid or payable to the persons seeking damages and benefits from all governmental entities providing medical, hospital and disability benefits.*

Sec. 28. Minnesota Statutes 1976, Section 473.415, is amended to read:

473.415 [LABOR PROVISIONS.] If the commission acquires an existing transit system, the commission shall assume and observe all existing labor contracts and pension obligations. All employees of such system except executive and administrative officers who are necessary for the operation thereof by the commission shall be transferred to and appointed as employees of the commission for the purposes of the transit system, subject to all the rights and benefits of sections 473.401 to 473.451. Such employees shall be given seniority credit and sick leave, vacation, insurance, and pension credits in accordance with the records or labor agreements from the acquired transit system. The commission shall assume the obligations of any transit system acquired by it with regard to wages, salaries, hours, working conditions, sick leave, health and welfare and pension or retirement provisions for employees. The commission and the employees, through their representatives for collective bargaining purposes, shall take whatever action may be necessary to have pension trust funds presently under the joint control of the acquired (TRANSPORTATION) system and the participating employees through their representatives transferred to the trust fund to be established, maintained and administered jointly by the commission and the participating employees through their representatives. No employee of any acquired (TRANSPORTATION) system who is transferred to a position with the commission shall by reason of such transfer be placed in any worse position with respect to worker's compensation, pension, seniority, wages, sick leave, vacation, health and welfare insurance or any other bene-

fits than he enjoyed as an employee of such acquired (TRANSPORTATION) system.

Sec. 29. Minnesota Statutes 1976, Section 473.445, Subdivision 1, is amended to read:

473.445 [COMMISSION; ANNUAL REPORTS.] Subdivision 1. The commission on or before November 30 of each year shall prepare a report for the preceding fiscal year, also, so far as practicable, for the further time up to the preparation of the report, containing, in addition to such other matters as the commission may deem proper, the following:

(a) the activities of the commission during the period covered by the report;

(b) the financial condition of public transit systems under the control of the commission;

(c) a complete financial accounting of the financial accounts and affairs of the commission during the fiscal year;

(d) recommendations for improvements of or additions to the (MASS) transit *and paratransit* facilities of the area to provide adequate, speedy, and efficient means of transporting people therein;

(e) recommendations for any needed legislation in furtherance of the aforesaid purposes.

Sec. 30. Minnesota Statutes 1976, Section 473.446, Subdivision 1, is amended to read:

Subdivision 1. [AMOUNT.] For the purposes of sections 473.401 to 473.451 and the metropolitan transit system, the metropolitan transit commission may levy upon all taxable property within the metropolitan transit taxing district, defined herein, a transit tax, which shall not in any year exceed the sum of the following:

(a) An amount equal to 1.72 mills times the assessed value of all such property some or all of the proceeds of which may be used to provide for the full and timely payment of its certificates of indebtedness and other obligations of the commission (TO WHICH COLLECTIONS OF THE WHEELAGE TAX AND REPLACEMENT PROPERTY TAX UNDER SECTION 473.443 HAVE BEEN PLEDGED, PLUS ANY AMOUNT NEEDED FOR COMPLIANCE WITH ANY FINAL JUDGMENT OF A COURT OF COMPETENT JURISDICTION REQUIRING PAYMENT OF ANY AMOUNT OF THE WHEELAGE TAX LEVIED BY THE COMMISSION FOR 1971 AND PRIOR YEARS); plus

(b) (SUCH) An additional amount, if any, as the commission determines to be necessary to provide for the full and timely payment of its certificates of indebtedness and other obligations, *outstanding on the effective date of this act*, to which property taxes under this section have been pledged (, PROVIDED THAT THE AMOUNT OF PRINCIPAL AND INTEREST TO COME DUE ON SUCH OBLIGATIONS SHALL NOT EXCEED \$3,000,000 IN ANY YEAR; PLUS AN ADDITIONAL AMOUNT NOT TO EXCEED \$2,000,000 IN ANY ONE YEAR TO BE USED EXCLUSIVELY TO PROVIDE FOR THE FULL AND TIMELY PAYMENT OF CERTIFICATES OF INDEBTEDNESS AND OTHER OBLIGATIONS ISSUED FOR THE PURPOSES OF THE BUS SERVICE EXPANSION REPORT AS ADOPTED BY THE METROPOLITAN TRANSIT COMMISSION ON FEBRUARY 20, 1974, TO WHICH PROPERTY TAXES UNDER THIS SECTION HAVE BEEN PLEDGED); *plus*

(c) *An additional amount, if any, as the commission determines to be necessary to provide for the full and timely payment of bonds issued by the commission in a total principal amount not exceeding \$9,000,000, the proceeds to be used in accordance with sections 473.401 to 473.451.*

((C)) Nothing in this section shall be construed as providing funding for (THE) preliminary engineering, consultant studies, or construction of a (REGIONAL) fixed guideway transit system or project.

Sec. 31. [APPROPRIATION.] *Subdivision 1. [PUBLIC TRANSIT AID PROGRAM.] The sum of \$18,900,000 is appropriated from the general fund to the department of transportation for the biennium ending June 30, 1979, for expenditure pursuant to section 4 of this act. Of the amount, not more than \$4,000,000 shall be available for payments to eligible recipients outside of the metropolitan area defined in section 473.121. Of the remainder, \$14,000,000 shall be available, subject to arrangements made by the commissioner pursuant to section 8, subdivision 4, for payments pursuant to section 4 to the metropolitan transit commission established by section 473.404 and \$900,000 shall be available for payments to private operators of public transit in the metropolitan area.*

Subd. 2. [SOCIAL FARE REIMBURSEMENT.] The sum of \$8,400,000 is appropriated from the general fund to the department of transportation for the biennium ending June 30, 1979, for expenditure to reimburse the metropolitan transit commission and other operators for the difference between the full fare otherwise charged by the commission and other operators and the fare actually charged pursuant to the social fare policy under section 22, subdivision 4, of this act. Reimbursement shall be paid monthly upon a report by the commission or other operator of the number of passengers carried for the preceding calendar month in each social fare category and the total amount that

otherwise would have been charged for the service by the commission or other operator on a full fare basis.

Subd. 3. [TRANSPORTATION SYSTEMS MANAGEMENT PROGRAM.] *The sum of \$6,500,000 is appropriated from the general fund to the department of transportation for the biennium ending June 30, 1979, for expenditure pursuant to sections 5 to 12 of this act. Of this amount, \$1,000,000 shall be available for regular route transit productivity demonstration grants under section 8, subdivision 3, of this act for grants outside the metropolitan area defined in section 473.121. Of the remainder, \$5,000,000 shall be available for paratransit demonstration grants under section 9 of this act and for funding paratransit services, not less than \$1,000,000 of which shall be used for grants outside the metropolitan area and not more than \$4,000,000 for grants within the metropolitan area. \$500,000 shall be available to the department for costs of professional staff and independent professional services, including temporary, unclassified positions established by the commissioner in addition to the authorized complement of the department, necessary to carry out the provisions of sections 5 to 12. The appropriations made in this subdivision for grants shall not cancel but shall be available until expended.*

Subd. 4. [ADMINISTRATION.] *The sum of \$150,000 is appropriated from the general fund to the department of transportation for administration of the public transit aid program under section 4 of this act, the social fare reimbursements under this section and section 22, subdivision 4, the regular route transit productivity demonstration grants under section 8, subdivision 4, and the paratransit demonstration grants under section 9.*

Sec. 32. [REPEALER.] *Minnesota Statutes 1976, Sections 473.121, Subdivision 17; 473.411, Subdivision 2; 473.421; 473.422; 473.423; 473.424; 473.425; 473.437; 473.443; 473.445, Subdivision 2; 473.446, Subdivision 4; and 473.447 are repealed.*

Sec. 33. [EFFECTIVE DATE.] *Except for the appropriations in section 31, this act is effective on the day following final enactment."*

Further strike the title in its entirety and insert:

"A bill for an act relating to transportation; providing for changes in parking fees in state parking facilities in the capitol area; establishing a public transit aid program; establishing a transportation systems management program; providing for regular route transit productivity demonstration grants; requiring an operational improvement plan from the metropolitan transit commission; providing for paratransit service demonstration grants; granting powers to and imposing duties on the commissioner of transportation; prescribing performance goals and fare policy for the metropolitan transit commission; chang-

ing powers of the metropolitan transit commission; authorizing the sale of bonds for particular purposes; appropriating money; amending Minnesota Statutes 1976, Sections 16.72, Subdivision 5, and by adding subdivisions; 473.121, Subdivisions 18, 19, 20, and by adding a subdivision; 473.402; 473.405, Subdivisions 1, 2, and by adding a subdivision; 473.411, Subdivision 3, and by adding a subdivision; 473.413, Subdivisions 6 and 8; 473.415; 473.445, Subdivision 1; 473.446, Subdivision 1; Chapters 174, by adding sections; and 473 by adding sections; repealing Minnesota Statutes 1976, Sections 473.121, Subdivision 17; 473.411, Subdivision 2; 473.421; 473.422; 473.423; 473.424; 473.425; 473.437; 473.443; 473.445, Subdivision 2; 473.446, Subdivision 4; and 473.447.”.

With the recommendation that when so amended the bill pass and be re-referred to the Committee on Appropriations.

The report was adopted.

Berg from the Committee on Local and Urban Affairs to which was referred:

S. F. No. 880, A bill for an act relating to towns; granting certain towns the powers of statutory cities.

Reported the same back with the recommendation that the bill pass and be placed on the Consent Calendar.

The report was adopted.

Anderson, I., from the Committee on Rules and Legislative Administration to which was referred:

H. F. No. 1416, A bill for an act relating to the legislature; requiring that bodies wholly or principally composed of legislators submit budgets and complement requests to the legislative coordinating commission; amending Minnesota Statutes 1976, Chapter 3, by adding a section.

Reported the same back with the following amendments:

Page 1, line 13, after “*The*” insert “*administrative*”.

With the recommendation that when so amended the bill pass.

The report was adopted.

SECOND READING OF HOUSE BILLS

H. F. Nos. 1610, 167, 875, 1132, 1176, 1215, 1544 and 1416 were read for the second time.

SECOND READING OF SENATE BILLS

S. F. Nos. 1467, 774, 1298, 381, 69, 191, 296 and 880 were read for the second time.

INTRODUCTION AND FIRST READING
OF HOUSE BILLS

The following House Files were introduced:

Byrne introduced:

H. F. No. 1611, A bill for an act relating to education; providing for the correction or elimination of erroneous, ambiguous, omitted and obsolete references and text; amending Minnesota Statutes 1976, Sections 120.02, Subdivision 18; 120.10, Subdivision 3; 120.17, Subdivision 5a; 120.171; 120.66; 121.02, Subdivision 1; 121.09; 121.12; 121.21, Subdivision 6; 121.212, Subdivision 1; 121.28; 121.49; 121.86; 122.34; 123.34, Subdivisions 6, 8 and 10; 123.35, Subdivision 4; 123.36, Subdivision 5; 123.37, Subdivisions 1 and 13; 123.39, Subdivision 6; 123.40, Subdivision 5; 123.58, Subdivisions 2, 4, 6 and 10; 123.581, Subdivisions 4 and 7; 123.69, Subdivision 2; 123.79, Subdivision 1; 124.09; 124.15, Subdivision 2; 124.17, Subdivision 2; 124.30, Subdivision 5; 124.38, Subdivision 10; 124.41, Subdivision 1; 124.47, Subdivision 1; 124.561, Subdivision 3; 125.05, Subdivision 3; 125.08; 125.12, Subdivisions 6b and 9; 125.183, Subdivision 5; 125.185, Subdivision 5; 136.09, Subdivision 3; 136.11, Subdivision 4; 136.141; 136.142, Subdivision 1; 136.145; 136.15; 136.31, Subdivision 2; 136A.142; 136A.17, Subdivision 1; 136A.172; 136A.173, Subdivision 1; 136A.174; 136A.175, Subdivision 4; 136A.176; 136A.177; 136A.178; 136A.179; 136A.233; 136A.28; 137.01, Subdivision 2; 275.09, Subdivision 4; 375.08; 375.14; 382.01; repealing Minnesota Statutes 1976, Sections 120.02, Subdivision 11; 121.16, Subdivision 2; 122.26; 124.562, Subdivision 6; 124.563, Subdivision 4; 136.87, Subdivision 3; Laws 1965, Chapter 705, Section 1, Subdivisions 12, 13, 14, 15, 16 and 17; Laws 1969, Chapter 699, Section 2; Laws 1969, Chapters 969 and 1110; and Laws 1971, Chapter 256.

The bill was read for the first time and referred to the Committee on Education.

Sieben, H.; Anderson, G.; Hokanson; Fjoslien and Wenzel introduced:

H. F. No. 1612, A bill for an act relating to military justice; providing for military judges; modifying court composition and punishment authority; making other changes consistent and current federal military law; amending Minnesota Statutes 1976, Sections 192A.015; 192A.02; 192A.045; 192A.06; 192A.085;

192A.09; 192A.10; 192A.105; 192A.11, Subdivision 3; 192A.12; 192A.13; 192A.14; 192A.145, Subdivisions 3 and 4; 192A.15; 192A.155; 192A.16; 192A.165; 192A.18, Subdivisions 1 and 2; 192A.195; 192A.205; 192A.21, Subdivision 2; 192A.215; 192A.22; 192A.225; 192A.23; 192A.245; 192A.25, Subdivision 2; 192A.265, Subdivision 1; 192A.275; 192A.28; 192A.29; 192A.305; 192A.315; 192A.345, Subdivisions 2 and 3; 192A.355; 192A.47; 192A.555; 192A.585; 192A.595, Subdivision 1; 192A.61, Subdivision 3; 192A.615; Chapter 192A by adding sections; and repealing Minnesota Statutes 1976, Sections 192A.01, Subdivision 1; 192A.04, Subdivisions 4 and 5; 192A.125; and 192A.565.

The bill was read for the first time and referred to the Committee on General Legislation and Veterans Affairs.

HOUSE ADVISORIES

Pursuant to rule 5.3, the following House Advisories were introduced:

Kostohryz, Johnson, Knickerbocker, Eken and Berg introduced:

H. A. No. 29, A proposal to establish maximum liability limits for private contractors carrying out school transportation functions.

The advisory was referred to the Committee on Education.

Enebo; Abeln; Carlson, L.; Rose and Nelsen, B., introduced:

H. A. No. 30, A proposal to study procedures to allow re-training and re-employment for unemployed teachers.

The advisory was referred to the Committee on Labor-Management Relations.

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Mr. Speaker:

I hereby announce the passage by the Senate of the following House Files, herewith returned:

H. F. No. 62, A bill for an act relating to towns; annual audit report; eliminating the requirement that a copy of the report be furnished to the state auditor; amending Minnesota Statutes 1976, Section 366.22.

H. F. No. 107, A bill for an act relating to state property; authorizing the conveyance of certain state property in Sherburne county to the city of St. Cloud, Minnesota.

H. F. No. 146, A bill for an act relating to cities of the first class; establishing procedures for refunds of certain special assessments; amending Minnesota Statutes 1976, Section 430.07.

H. F. No. 425, A bill for an act relating to municipalities; authorizing appropriations for historical work; amending Minnesota Statutes 1976, Section 471.93.

H. F. No. 465, A bill for an act relating to redevelopment; providing for membership on regional development commissions; amending Minnesota Statutes 1976, Section 462.388, Subdivision 1.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

I hereby announce the passage by the Senate of the following House Files, herewith returned:

H. F. No. 163, A bill for an act relating to the firemen's relief association of the city of Albertville, computation of years of service for volunteer firemen.

H. F. No. 218, A bill for an act relating to the city of Minneapolis and Hennepin county; providing for representation for the board of county commissioners of Hennepin county and the Minneapolis city council on the municipal building commission; amending Laws 1903, Chapter 247, Section 1.

H. F. No. 946, A bill for an act relating to the trunk highway system; adding a new route in substitution of an existing route.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

I hereby announce the passage by the Senate of the following House Files, herewith returned:

H. F. No. 686, A bill for an act relating to retirement; judges' survivors' benefits; option to continue.

H. F. No. 979, A bill for an act relating to state lands; authorizing the conveyance by the state of certain lands in St. Louis county.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker :

I hereby announce that the Senate accedes to the request of the House for the appointment of a Conference Committee, consisting of 3 members of the Senate, on the amendments adopted by the Senate to the following House File:

H. F. No. 339, A bill for an act relating to transportation construction contracts; providing for small business contracts; amending Minnesota Statutes 1976, Chapter 161, by adding a section.

The Senate has appointed as such committee Messrs. Knoll, Lewis and Kirchner.

Said House File is herewith returned to the House.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker :

I hereby announce that the Senate accedes to the request of the House for the appointment of a Conference Committee, consisting of 3 members of the Senate, on the amendments adopted by the Senate to the following House File:

H. F. No. 437, A bill for an act relating to taxation; altering the definition of gross income for income tax purposes for individuals, trusts and estates; placing restrictions on certain deductions and allowing certain tax free distributions; extending time for certain sales or exchanges of residential property; making certain changes in treatment of small business corporations; amending Minnesota Statutes 1976, Section 290.01, Subdivision 20; 290.09, Subdivisions 2 and 29; 290.13, Subdivision 9; 290.23, by adding a subdivision; 290.26, by adding a subdivision; 290.971, Subdivisions 1 and 3, and by adding subdivisions; 290.972, Subdivision 5; and 290A.03, Subdivision 3.

The Senate has appointed as such Committee Messrs. Olhoff, Sillers and Peterson.

Said House File is herewith returned to the House.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker :

I hereby announce that the Senate accedes to the request of the House for the appointment of a Conference Committee, consisting of 3 members of the Senate, on the amendments adopted by the Senate to the following House File:

H. F. No. 586, A bill for an act relating to taxation; information contained in tax returns; amending Minnesota Statutes 1976, Sections 290.081; 290.61; and 290A.17.

The Senate has appointed as such committee Messrs. McCutcheon, Merriam and Bernhagen.

Said House File is herewith returned to the House.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

I hereby announce the passage by the Senate of the following Senate Files, herewith transmitted:

S. F. Nos. 627 and 1349.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

I hereby announce the passage by the Senate of the following Senate Files, herewith transmitted:

S. F. Nos. 1068, 1290, 1291, 1309 and 1338.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

I hereby announce the passage by the Senate of the following Senate Files, herewith transmitted:

S. F. Nos. 823 and 912.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

I hereby announce the passage by the Senate of the following Senate Files, herewith transmitted:

S. F. Nos. 442, 581, 683, 734 and 808.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

I hereby announce the passage by the Senate of the following Senate Files, herewith transmitted:

S. F. Nos. 645, 646, 1293, 1362 and 1423.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

I hereby announce the passage by the Senate of the following Senate Files, herewith transmitted:

S. F. Nos. 403, 583, 930 and 1489.

PATRICK E. FLAHAVEN, Secretary of the Senate

FIRST READING OF SENATE BILLS

S. F. No. 627, A bill for an act relating to public indebtedness; interest rates on obligations and special assessments; amending Minnesota Statutes 1976, Sections 429.061, Subdivision 2; and 475.55, Subdivision 1.

The bill was read for the first time and referred to the Committee on Local and Urban Affairs.

S. F. No. 1349, A bill for an act relating to the organization and operation of state government; regulating organization and procedures of various state departments and agencies; providing for the source of per diem and expense payments; providing for appointment and compensation of the employees suggestion board; removing the minimum teachers' license fee; permitting the board of teaching to adopt rules; regulating state arts board grants and publicity; providing the status of part time executive secretaries; permitting joint rule making proceedings; changing the name and composition of the state board of human rights; making miscellaneous inconsequential clarifications and corrections; amending Minnesota Statutes 1976, Sections 15.01; 15.059, Subdivision 6; 16.71, Subdivisions 1 and 1a; 121.02, Subdivision 1; 125.08; 125.185, by adding a subdivision; 139.10, Subdivision 1, and by adding subdivisions; 144A.19, Subdivision 2; 144A.21, Subdivision 1; 144A.251; 214.04, Subdivision 3, and by adding a subdivision; 214.06, Subdivision 1; 238.04, Subdivision 2; 363.04, Subdivisions 4, 4a and 5; Chapter 15, by adding a section; and Laws 1976, Chapter 222, Section 207, Subdivision 2; repealing Minnesota Statutes 1976, Sections 144A.21, Subdivisions 3 and 4; 144A.25; and 214.05.

The bill was read for the first time and referred to the Committee on Governmental Operations.

S. F. No. 1068, A bill for an act relating to children; reporting of maltreatment of minors; providing definitions; delineating reporting requirements; delineating the scope of the privacy at-

tributed to records maintained by welfare agencies; providing for the destruction of certain records; amending Minnesota Statutes 1976, Section 626.556, Subdivisions 2, 3, 9, and 11, and by adding a subdivision.

The bill was read for the first time and referred to the Committee on Criminal Justice.

S. F. No. 1290, A bill for an act relating to juveniles; prescribing venue for neglect cases; amending Minnesota Statutes 1976, Section 260.121, Subdivision 1.

The bill was read for the first time.

Nelson moved that S. F. No. 1290 and H. F. No. 1586, now on General Orders, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 1291, A bill for an act relating to venue for cases involving maltreatment of minors; amending Minnesota Statutes 1976, Chapter 627, by adding a section.

The bill was read for the first time.

Nelson moved that S. F. No. 1291 and H. F. No. 1588, now on General Orders, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 1309, A bill for an act relating to tax-forfeited land; providing time limitations for bringing actions; providing procedures for settling tax titles; amending Minnesota Statutes 1976, Section 284.28; and Chapter 541, by adding a section; repealing Minnesota Statutes 1976, Sections 280.34; 284.09 and 284.22.

The bill was read for the first time and referred to the Committee on Governmental Operations.

S. F. No. 1338, A bill for an act relating to automobile insurance; clarifying certain ambiguous provisions in the Minnesota no-fault automobile insurance act; amending Minnesota Statutes 1976, Sections 65B.44, Subdivision 3; 65B.49, Subdivisions 4 and 6; 65B.51, Subdivision 1; and 65B.53, Subdivision 1.

The bill was read for the first time and referred to the Committee on Financial Institutions and Insurance.

S. F. No. 823, A bill for an act relating to mechanics liens; increasing the period in which notice must be given to the owner of improved real estate; amending the definition of owner; enlarging the circumstances in which notice is not required to be

given; providing penalties; amending Minnesota Statutes 1976, Section 514.011, Subdivisions 2, 3 and 4.

The bill was read for the first time and referred to the Committee on Commerce and Economic Development.

S. F. No. 912, A bill for an act relating to education; providing for the correction or elimination of erroneous, ambiguous, omitted and obsolete references and text; amending Minnesota Statutes 1976, Sections 120.10, Subdivision 3; 120.17, Subdivision 5a; 120.171; 120.66; 121.02, Subdivision 1; 121.09; 121.12; 121.21, Subdivision 6; 121.212, Subdivision 1; 121.28; 121.49; 121.86; 122.34; 123.34, Subdivisions 6, 8 and 10; 123.36, Subdivision 5; 123.37, Subdivisions 1 and 13; 123.39, Subdivision 6; 123.40, Subdivision 5; 123.58, Subdivisions 2, 4, 6 and 10; 123.581, Subdivisions 4 and 7; 123.69, Subdivision 2; 123.79, Subdivision 1; 124.09; 124.15, Subdivision 2; 124.17, Subdivision 2; 124.30, Subdivision 5; 124.38, Subdivision 10; 124.41, Subdivision 1; 124.47, Subdivision 1; 124.561, Subdivision 3; 125.05, Subdivision 3; 125.08; 125.12, Subdivisions 6b and 9; 125.183, Subdivision 5; 125.185, Subdivision 5; 136.09, Subdivision 3; 136.11, Subdivision 4; 136.141; 136.142, Subdivision 1; 136.145; 136.15; 136.31, Subdivision 2; 136A.142; 136A.17, Subdivision 1; 136A.172; 136A.173, Subdivision 1; 136A.174; 136A.175, Subdivision 4; 136A.176; 136A.177; 136A.178; 136A.179; 136A.28; 137.01, Subdivision 2; 275.09, Subdivision 4; 375.08; 375.14; 382.01; repealing Minnesota Statutes 1976, Sections 120.02, Subdivision 11; 121.16, Subdivision 2; 122.26; 124.562, Subdivision 6; 124.563, Subdivision 4; 136.87, Subdivision 3; Laws 1965, Chapter 705, Section 1, Subdivisions 12, 13, 14, 15, 16 and 17; Laws 1969, Chapter 699, Section 2; Laws 1969, Chapters 939 and 1110; and Laws 1971, Chapter 256.

The bill was read for the first time and referred to the Committee on Education.

S. F. No. 442, A bill for an act relating to county planning and zoning; providing for enforcement of certain subdivision regulations by providing for review of conveyancing instruments by an administrative officer after recording; amending Minnesota Statutes 1976, Section 394.37, Subdivision 1.

The bill was read for the first time.

Dahl moved that S. F. No. 442 and H. F. No. 325, now on General Orders, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 581, A bill for an act relating to insurance; regulating licensing procedures; amending Minnesota Statutes 1976, Section 60A.17, Subdivision 2.

The bill was read for the first time and referred to the Committee on Financial Institutions and Insurance.

S. F. No. 683, A bill for an act relating to the establishment of parks, playgrounds and scenic areas by the county of Anoka; amending Laws 1961, Chapter 209, Sections 1 and 2.

The bill was read for the first time.

Voss moved that S. F. No. 683 and H. F. No. 646, now on General Orders, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 734, A bill for an act relating to counties; providing for business days and hours for county offices and emergency closings; amending Minnesota Statutes 1976, Section 373.052.

The bill was read for the first time and referred to the Committee on Local and Urban Affairs.

S. F. No. 808, A bill for an act relating to education; authorizing certain teachers to take extended leaves of absence; providing for retirement benefits of teachers on leave; amending Minnesota Statutes 1976, Chapters 354, by adding a section; and 354A, by adding a section.

The bill was read for the first time and referred to the Committee on Education.

S. F. No. 645, A bill for an act relating to vital statistics; requiring reporting; establishing registration districts; defining terms; providing penalties; repealing Minnesota Statutes 1976, Sections 144.151 to 144.205; 517.071; 517.08, Subdivisions 2 and 3; and 518.001.

The bill was read for the first time and referred to the Committee on Health and Welfare.

S. F. No. 646, A bill for an act relating to the environment; requiring one half of the petitioners initiating environmental impact statements to be adult residents or property owners in affected counties; amending Minnesota Statutes 1976, Section 116D.04, Subdivision 3.

The bill was read for the first time and referred to the Committee on Environment and Natural Resources.

S. F. No. 1293, A bill for an act relating to the Minnesota humane society; restructuring its board; making miscellaneous operational changes; repealing obsolete language; amending Minnesota Statutes 1976, Sections 343.01; 343.06 and 343.08;

repealing Minnesota Statutes 1976, Sections 343.02; 343.03; 343.04; 343.05; 343.07 and 343.09.

The bill was read for the first time and referred to the Committee on Governmental Operations.

S. F. No. 1362, A bill for an act relating to game and fish; exempting certain disabled residents from the requirements of obtaining a fishing license; amending Minnesota Statutes 1976, Section 98.47, by adding a subdivision.

The bill was read for the first time and referred to the Committee on Appropriations.

S. F. No. 1423, A bill for an act relating to state lands; authorizing the exchange of certain public lake access land in Polk county.

The bill was read for the first time.

Eken moved that S. F. No. 1423 and H. F. No. 1544, now on the Technical Consent Calendar, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 403, A bill for an act relating to licensing boards; providing for reissuance of licenses from the board of architecture, engineering, land surveying and landscape architecture; amending Minnesota Statutes 1976, Section 326.11, Subdivision 5.

The bill was read for the first time and referred to the Committee on Governmental Operations.

S. F. No. 583, A bill for an act relating to insurance companies; prescribing penalties for violation of certain filing requirements; amending Minnesota Statutes 1976, Chapter 72A, by adding a section; repealing Minnesota Statutes 1976, Section 72A.06.

The bill was read for the first time.

Nelsen, M., moved that S. F. No. 583 and H. F. No. 1031, now on General Orders, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 930, A bill for an act relating to unemployment compensation; providing for the assignment of veterans employment representatives; amending Minnesota Statutes 1976, Section 268.14, by adding a subdivision.

The bill was read for the first time.

Jacobs moved that S. F. No. 930 and H. F. No. 906, now on General Orders, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 1489, A bill for an act relating to the organization and operation of state government; appropriating money for maintenance of various semi-state activities and for other purposes; amending Minnesota Statutes 1976, Sections 139.08, Subdivision 5; 139.10, by adding a subdivision; 343.08; 343.12; 346.216; Chapter 139, by adding sections; repealing Minnesota Statutes 1976, Sections 343.02; and 343.03.

The bill was read for the first time.

Norton moved that S. F. No. 1489 and H. F. No. 1594, now on General Orders, be referred to the Chief Clerk for comparison. The motion prevailed.

REPORTS FROM THE COMMITTEE ON RULES AND
LEGISLATIVE ADMINISTRATION

Anderson, I., from the Committee on Rules and Legislative Administration to which was referred:

House Resolution No. 6, A house resolution urging that the depiction of violence on television be ended.

Reported the same back with the following amendments:

Page 1, line 11, delete "even" and "obscene".

Page 1, line 18, delete "Minnesota" and after "stations" insert "located in Minnesota".

Page 1, line 19, delete "business communities" and insert "commercial interests".

Page 1, line 20, after "discontinue" insert "their support of".

Page 1, line 21, before the period insert "and further, that a copy of this resolution be sent to national television networks and the federal communications commission".

With the recommendation that when so amended the resolution be adopted.

The report was adopted.

HOUSE RESOLUTION NO. 6

A house resolution urging that the depiction of violence on television be ended.

Whereas, television has become an integral part of family entertainment in the home; and

Whereas, the values that children receive in the informative years are so important to their adult sensitivities and behavior in later life; and

Whereas, so much of our television programming portrays and glorifies violence; and

Whereas, the continued viewing of this violence by our youth may have a direct affect on the manner in which our society may respond to crime and violence in the future; and

Whereas, we are responsible for the peace and welfare of our citizens; now, therefore,

Be It Resolved, by the Minnesota House of Representatives that television stations located in Minnesota and commercial interests that sponsor television programming are urged to discontinue their support of the type of shows that portray violent behavior in a graphic and explicit manner and further, that a copy of this resolution be sent to national television networks and the federal communications commission.

McDonald and Jude moved that House Resolution No. 6, as amended, be now adopted.

A roll call was requested and properly seconded.

The question was taken on the adoption of House Resolution No. 6, as amended, and the roll was called. There were 124 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Abeln	Carlson, L.	Fugina	Kostohryz	Niehaus
Adams	Clark	George	Kroening	Norton
Albrecht	Clawson	Gunter	Kvam	Novak
Anderson, B.	Cohen	Hanson	Laidig	Osthoff
Anderson, D.	Corbid	Haugerud	Langseth	Patton
Anderson, G.	Dahl	Heinitz	Lehto	Pehler
Anderson, I.	Dean	Hokanson	Lemke	Peterson
Arlandson	Den Ouden	Jacobs	Mangan	Petrafeso
Battaglia	Eckstein	Jaros	Mann	Pleasant
Beauchamp	Eken	Jensen	McCarron	Prahl
Begich	Ellingson	Johnson	McCollar	Reding
Berg	Enebo	Jude	McDonald	Rice
Berglin	Erickson	Kahn	McEachern	Rose
Berkelman	Esau	Kaley	Metzen	St. Onge
Biersdorf	Ewald	Kalis	Moe	Samuelson
Birnstihl	Faricy	Kelly, R.	Munger	Sarna
Brandt	Fjoslien	Kelly, W.	Murphy	Savelkoul
Brinkman	Forsythe	Kempe, R.	Neisen	Schulz
Byrne	Friedrich	King	Nelsen, B.	Searle
Carlson, A.	Fudro	Knickerbocker	Nelson	Searles

Sherwood	Smogard	Swanson	Welch	Williamson
Sieben, H.	Spanish	Tomlinson	Wenstrom	Wynia
Sieben, M.	Stanton	Vanasek	Wenzel	Zubay
Simoneau	Stoa	Voss	White	Speaker Sabo
Skoglund	Suss	Waldorf	Wieser	

The motion prevailed and the Resolution, as amended, was adopted.

Anderson, I., from the Committee on Rules and Legislative Administration, pursuant to rule 1.9, designated the following bills as a Special Order to be acted upon immediately following H. F. No. 515 on Special Orders for today, May 4, 1977: H. F. Nos. 451, 787, 788, 1030, 1201, 314, 460, 536, 848, 952, 1004, 1040, 1364, 980, 1054, 17, 954, 611, 789, 1310, 856, 1226 and 782.

PROGRESS REPORTS ON CONFERENCE COMMITTEES

Pursuant to Joint Rule 2.06, progress on S. F. No. 226 was reported to the House.

CALENDAR

S. F. No. 1208, A bill for an act relating to elections; providing that polling places be accessible to the elderly and physically handicapped; providing assistance to voters unable to enter the polling place; amending Minnesota Statutes 1976, Sections 204A.-09, by adding a subdivision; and 204A.34, Subdivision 2; repealing Minnesota Statutes 1976, Section 204A.11, Subdivision 4.

The bill was read for the third time and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 128 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Abeln	Brinkman	Faricy	Kalis	Metzen
Adams	Byrne	Fjoslien	Kelly, R.	Moe
Albrecht	Carlson, A.	Forsythe	Kelly, W.	Munger
Anderson, B.	Carlson, L.	Friedrich	Kempe, A.	Murphy
Anderson, D.	Casserly	Fudro	Kempe, R.	Neisen
Anderson, G.	Clark	Fugina	King	Nelsen, B.
Anderson, I.	Clawson	George	Knickerbocker	Nelsen, M.
Anderson, R.	Cohen	Gunter	Kostohryz	Nelson
Arlandson	Corbid	Hanson	Kroening	Niehaus
Battaglia	Cummiskey	Haugerud	Kvam	Norton
Beauchamp	Dahl	Heinitz	Laidig	Novak
Begich	Dean	Hokanson	Langseth	Osthoff
Berg	Den Ouden	Jacobs	Lehto	Patton
Berglin	Eckstein	Jaros	Lemke	Pehler
Berkelman	Eken	Jensen	Mangan	Peterson
Biersdorf	Ellingson	Johnson	Mann	Petrafeso
Birnstihl	Enebo	Jude	McCollar	Pleasant
Brandl	Erickson	Kahn	McDonald	Prahl
Braun	Ewald	Kaley	McEachern	Reding

Rice	Schulz	Skoglund	Tomlinson	Wieser
Rose	Searle	Smogard	Vanasek	Williamson
St. Onge	Searles	Spanish	Voss	Wynia
Samuelson	Sherwood	Stanton	Waldorf	Zubay
Sarna	Sieben, H.	Stoa	Wenstrom	Speaker Sabo
Savelkoul	Sieben, M.	Suss	Wenzel	
Scheid	Simoneau	Swanson	White	

The bill was passed and its title agreed to.

SPECIAL ORDERS

H. F. No. 1322 was reported to the House.

There being no objection, H. F. No. 1322 was continued on Special Orders for one day.

H. F. No. 577 was reported to the House.

Norton moved to amend H. F. No. 577, as follows:

Page 1, line 15, delete "and".

Page 1, line 17, after "organization" insert ", and shall authorize the sale of intoxicating liquor only to members of labor unions affiliated with the St. Paul Trades and Labor Assembly and their immediate families".

A roll call was requested and properly seconded.

Biersdorf moved to amend the Norton amendment to H. F. No. 577, as follows:

After "families" insert "and their guest accompanying them".

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

The question recurred on the Norton amendment, as amended, and the roll was called. There were 47 yeas and 77 nays as follows:

Those who voted in the affirmative were:

Albrecht	Esau	Kahn	Nelson	Sherwood
Anderson, D.	Ewald	Kaley	Niehaus	Skoglund
Anderson, R.	Fjoslien	King	Norton	Stanton
Byrne	Forsythe	Kyam	Osthoff	Stoa
Clark	Friedrich	Laidig	Peterson	Welch
Corbid	Gunter	Langseth	Pleasant	Wigley
Cummiskey	Hangerud	Lehto	Savelkoul	Zubay
Dean	Heinitz	Moe	Schulz	
Den Ouden	Jaros	Munger	Searle	
Erickson	Jude	Nelsen, B.	Searles	

Those who voted in the negative were:

Abeln	Brinkman	Jacobs	Metzen	Smogard
Adams	Carlson, A.	Jensen	Murphy	Spanish
Anderson, B.	Carlson, L.	Johnson	Neisen	Suss
Anderson, G.	Casserly	Kalis	Novak	Swanson
Anderson, I.	Clawson	Kelly, R.	Patton	Tomlinson
Arlandson	Cohen	Kelly, W.	Pehler	Vanasek
Battaglia	Eckstein	Kempe, A.	Petraleso	Waldorf
Beauchamp	Eken	Kempe, R.	Rice	Wenstrom
Begich	Ellingson	Knickerbocker	Rose	Wenzel
Berg	Enebo	Kroening	St. Onge	White
Berglin	Faricy	Lemke	Samuelson	Wieser
Berkelman	Fudro	Mangan	Sarna	Wynia
Biersdorf	Fugina	McCarron	Scheid	Speaker Sabo
Birnstihl	George	McCollar	Sieben, H.	
Brandl	Hanson	McDonald	Sieben, M.	
Braun	Hokanson	McEachern	Simoneau	

The motion did not prevail and the amendment, as amended, was not adopted.

H. F. No. 577, A bill for an act relating to the city of St. Paul; authorizing an on-sale liquor license for the St. Paul Labor Center, Inc.

The bill was read for the third time and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 102 yeas and 25 nays as follows:

Those who voted in the affirmative were:

Abeln	Casserly	Johnson	Nelsen, M.	Smogard
Adams	Clark	Jude	Nelson	Spanish
Anderson, B.	Clawson	Kaley	Novak	Stanton
Anderson, G.	Cohen	Kalis	Osthoff	Stoa
Anderson, I.	Dahl	Kelly, R.	Patton	Suss
Anderson, R.	Eckstein	Kelly, W.	Pehler	Swanson
Arlandson	Eken	Kempe, A.	Petraleso	Tomlinson
Battaglia	Ellingson	Kempe, R.	Prahl	Vanasek
Beauchamp	Enebo	King	Rice	Voss
Begich	Faricy	Knickerbocker	Rose	Waldorf
Berg	Friedrich	Lehto	St. Onge	Wenstrom
Berglin	Fudro	Lemke	Samuelson	Wenzel
Berkelman	Fugina	Mangan	Sarna	White
Biersdorf	George	McCarron	Savelkoul	Wieser
Birnstihl	Gunter	McCollar	Scheid	Williamson
Brandl	Hanson	McDonald	Schulz	Wynia
Braun	Heinitz	McEachern	Searles	Zubay
Brinkman	Hokanson	Metzen	Sieben, H.	Speaker Sabo
Byrne	Jacobs	Munger	Sieben, M.	
Carlson, A.	Jaros	Murphy	Simoneau	
Carlson, L.	Jensen	Neisen	Skoglund	

Those who voted in the negative were:

Albrecht	Corbid	Dean	Erickson	Ewald
Anderson, D.	Cummiskey	Den Ouden	Esau	Fjoslien

Forsythe
Haugerud
Kahn

Kvam
Laidig
Langseth

Moe
Nelsen, B.
Niehaus

Norton
Peterson
Pleasant

Searle
Sherwood
Welch

The bill was passed and its title agreed to.

H. F. No. 515 was reported to the House.

Beauchamp moved to amend H. F. No. 515 as follows:

Strike everything after the enacting clause and insert:

“Section 1. Minnesota Statutes 1976, Chapter 237, is amended by adding a section to read:

[237.065] [DIRECTORY ASSISTANCE CHARGES PROHIBITED.] *A telephone company shall not charge for the following directory assistance calls:*

(1) *The first five calls made by a consumer in each billing period;*

(2) *Calls made by blind consumers;*

(3) *Calls made from a coin operated phone;*

(4) *Calls made by consumers whose area code differs from that of the directory assistance operator called;*

(5) *Calls made by handicapped consumers.*

The department may by rule exclude other classes of consumers from directory assistance charges.”

Further, amend the title as follows:

Page 1, line 2, after “prohibiting” insert “certain”.

POINT OF ORDER

Murphy raised a point of order pursuant to rule 3.9 that the Beauchamp amendment was not in order. The Speaker ruled the point of order not well taken and the amendment in order.

Pehler moved to amend the Beauchamp amendment to H. F. No. 515, as follows:

Page 1, after line 14, insert “(6) *students*

(7) *Senior Citizens*

(8) *Anyone not previously covered between the ages of 18 and 65".*

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

Stanton moved to amend the Beauchamp amendment to H. F. No. 515, as follows:

Page 1, line 8, delete "*five*" insert "*15*".

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

The question recurred on the Beauchamp amendment. The motion did not prevail and the amendment was not adopted.

Anderson, G., moved to amend H. F. No. 515, as follows:

Page 1, beginning on line 8, strike all of Section 1.

Page 1, line 14, renumber the section.

Page 1, line 21, after "*assistance*" and before the period insert "*for five calls or less per month, which are to be included in the regular monthly service charge*".

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

Neisen moved to amend H. F. No. 515 as follows:

Page 1, strike all of line 17 and line 18 through the period.

Page 1, line 21, after the word "*assistance*" and before the period add "*without having had first a general public hearing by the public service commission in each congressional district on the subject of directory assistance charging*".

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

H. F. No. 515, A bill for an act relating to telephone companies; prohibiting charges for directory assistance; amending Minnesota Statutes 1976, Chapter 237, by adding a section.

The bill was read for the third time and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 80 yeas and 45 nays as follows:

Those who voted in the affirmative were :

Anderson, B.	Cohen	Jacobs	McEachern	Scheid
Anderson, I.	Cummiskey	Jaros	Moe	Sieben, H.
Anderson, R.	Dahl	Jude	Munger	Sieben, M.
Arlandson	Dean	Kelly, R.	Murphy	Skoglund
Battaglia	Eken	Kelly, W.	Nelsen, M.	Smogard
Begich	Ellingson	Kempe, A.	Nelson	Spanish
Berg	Enebo	Kempe, R.	Novak	Stanton
Berglin	Faricy	King	Osthoff	Swanson
Berkelman	Fjoslien	Kostohryz	Patton	Vanasek
Birnstihl	Fudro	Kroening	Pehler	Voss
Braun	Fugina	Langseth	Petrafeso	Welch
Byrne	George	Lehto	Prahl	Wenstrom
Carlson, A.	Gunter	Lemke	Reding	Wenzel
Carlson, L.	Hanson	Mangan	Rice	White
Casserly	Haugerud	McCarron	St. Onge	Wynia
Clark	Hokanson	McCollar	Sarna	Speaker Sabo

Those who voted in the negative were :

Abeln	Clawson	Jensen	Nelsen, B.	Searles
Adams	Den Ouden	Kaley	Niehaus	Sherwood
Albrecht	Eckstein	Kalis	Norton	Stoa
Anderson, D.	Erickson	Knickerbocker	Peterson	Suss
Anderson, G.	Esau	Kvam	Pleasant	Tomlinson
Beauchamp	Ewald	Laidig	Rose	Waldorf
Biersdorf	Forsythe	Mann	Samuelson	Wieser
Brandl	Friedrich	McDonald	Savelkoul	Wigley
Brinkman	Heinitz	Neisen	Searle	Zubay

The bill was passed and its title agreed to.

H. F. No. 451 was reported to the House.

Voss moved to amend H. F. No. 451, as follows :

Page 3, line 27, after "*applications*" insert "*, closing loans,*".

A roll call was requested and properly seconded.

The question was taken on the adoption of the amendment and the roll was called. There were 38 yeas and 76 nays as follows :

Those who voted in the affirmative were :

Battaglia	Cohen	Haugerud	Nelsen, M.	Skoglund
Berg	Cummiskey	Heinitz	Nelson	Stanton
Berglin	Ewald	Jacobs	Norton	Swanson
Brandl	Faricy	Kahn	Patton	Voss
Byrne	Fjoslien	McCarron	Rose	Wigley
Carlson, L.	Forsythe	McCollar	Scheid	Wynia
Casserly	Gunter	Munger	Sieben, H.	
Clark	Hanson	Neisen	Sieben, M.	

Those who voted in the negative were :

Abeln	Albrecht	Anderson, D.	Anderson, I.	Arlandson
Adams	Anderson, B.	Anderson, G.	Anderson, R.	Beauchamp

Begich	Erickson	Knickerbocker	Osthoff	Smogard
Berkelman	Esau	Kostohryz	Pehler	Stoa
Biersdorf	Friedrich	Kroening	Peterson	Suss
Birnstihl	Fudro	Laidig	Prahl	Vanasek
Braun	Fugina	Langseth	Reding	Waldorf
Brinkman	George	Lemke	Rice	Wenstrom
Clawson	Hokanson	Mangan	St. Onge	Wenzel
Corbid	Jaros	Mann	Samuelson	White
Dahl	Jensen	McDonald	Sarna	Wieser
Dean	Jude	McEachern	Savelkoul	Zubay
Den Ouden	Kaley	Metzen	Schulz	
Eckstein	Kalis	Nelsen, B.	Searle	
Eken	Kempe, A.	Niehaus	Searles	
Enebo	Kempe, R.	Novak	Simoneau	

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

Voss moved to amend H. F. No. 451 as follows:

Page 3, line 7, delete "*25 miles of*" and insert "*the same county as*".

Anderson, G., moved to amend the Voss amendment to H. F. No. 451, as follows:

Reinsert "*25 miles of*" and before "*the same*" insert "*or within*".

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

The question recurred on the Voss amendment, as amended. The motion did not prevail and the amendment, as amended, was not adopted.

Voss moved to amend H. F. No. 451 as follows:

Page 2, line 32, strike "*within the*".

Page 3, strike lines 1 through 6.

Page 3, line 7, strike "*municipality is located*".

A roll call was requested and properly seconded.

The question was taken on the adoption of the amendment and the roll was called. There were 41 yeas and 73 nays as follows:

Those who voted in the affirmative were:

Arlandson	Carlson, A.	Cummiskey	Gunter	Jacobs
Battaglia	Casserly	Dean	Hanson	Jaros
Berg	Clark	Ewald	Haugerud	Johnson
Berglin	Cohen	Forsythe	Heinitz	Kahn

Knickerbocker	Moe	Norton	Simoneau	Zubay
Kvam	Munger	Patton	Stanton	
Laidig	Neisen	Pleasant	Voss	
Lehto	Nelsen, M.	Rose	Welch	
McCollar	Nelson	Scheid	Wigley	

Those who voted in the negative were:

Abeln	Carlson, L.	Jude	Murphy	Smogard
Adams	Clawson	Kalis	Nelsen, B.	Stoa
Albrecht	Corbid	Kelly, R.	Niehaus	Suss
Anderson, D.	Dahl	Kelly, W.	Novak	Swanson
Anderson, G.	Den Ouden	Kempe, A.	Osthoff	Tomlinson
Anderson, I.	Eckstein	Kempe, R.	Prahl	Waldorf
Anderson, R.	Eken	King	Rice	Wenstrom
Beauchamp	Enebo	Kroening	St. Onge	Wenzel
Begich	Esau	Langseth	Samuelson	White
Berkelman	Faricy	Lemke	Sarna	Wieser
Biersdorf	Fjoslien	Mangan	Schulz	Williamson
Birnstihl	Fudro	Mann	Searles	Wynia
Brandl	George	McDonald	Sieben, H.	Speaker Sabo
Braun	Hokanson	McEachern	Sieben, M.	
Brinkman	Jensen	Metzen	Skoglund	

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

H. F. No 451, A bill for an act relating to banks; authorizing a bank to establish two detached banking facilities; providing for notice and approval procedures; amending Minnesota Statutes 1976, Sections 47.51; 47.52; 47.53; 47.54; and 47.55.

The bill was read for the third time and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 83 yeas and 35 nays as follows:

Those who voted in the affirmative were:

Abeln	Corbid	Jude	Murphy	Stanton
Albrecht	Cummiskey	Kaley	Nelsen, B.	Stoa
Anderson, B.	Dean	Kempe, A.	Nelsen, M.	Suss
Anderson, I.	Eckstein	Kempe, R.	Nelson	Swanson
Arlandson	Enebo	King	Norton	Tomlinson
Battaglia	Esau	Knickerbocker	Patton	Vanasek
Beauchamp	Ewald	Kostohryz	Petrafeso	Voss
Berkelman	Forsythe	Kvam	Pleasant	Waldorf
Biersdorf	Friedrich	Laidig	Reding	Welch
Braun	George	Langseth	Rose	Wenzel
Brinkman	Gunter	Lemke	St. Onge	White
Byrne	Hanson	Mangan	Scheid	Wieser
Carlson, A.	Haugerud	Mann	Searles	Wigley
Carlson, L.	Heinitz	McCarron	Sherwood	Williamson
Casserly	Hokanson	McCollar	Sieben, M.	Zubay
Clark	Jacobs	McDonald	Simoneau	
Clawson	Johnson	Munger	Smogard	

Those who voted in the negative were:

Adams	Brandl	Fugina	Kroening	Rice
Anderson, D.	Cohen	Jaros	Metzen	Schulz
Anderson, G.	Dahl	Jensen	Neisen	Sieben, H.
Anderson, R.	Den Ouden	Kahn	Niehaus	Skoglund
Begich	Eken	Kalis	Novak	Wenstrom
Berglin	Faricy	Kelly, R.	Osthoff	Wynia
Birnstihl	Fjoslien	Kelly, W.	Prahl	Speaker Sabo

The bill was passed and its title agreed to.

H. F. No. 787, A bill for an act relating to savings banks; allowing savings banks to establish negotiable order of withdrawal accounts; imposing reserve requirements; amending Minnesota Statutes 1976, Chapter 50, by adding a section.

The bill was read for the third time and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 122 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Abeln	Cohen	Jaros	Murphy	Simoneau
Adams	Corbid	Jensen	Neisen	Skoglund
Albrecht	Cummiskey	Johnson	Nelsen, B.	Smogard
Anderson, B.	Dahl	Jude	Nelsen, M.	Spanish
Anderson, D.	Dean	Kahn	Nelson	Stanton
Anderson, G.	Den Ouden	Kaley	Niehaus	Stoa
Anderson, I.	Eckstein	Kalis	Norton	Suss
Anderson, R.	Eken	Kelly, R.	Novak	Swanson
Arlandson	Ellingson	Kelly, W.	Osthoff	Tomlinson
Battaglia	Enebo	Kempe, A.	Patton	Vanasek
Beauchamp	Esau	Kempe, R.	Peterson	Voss
Begich	Ewald	King	Petrafeso	Waldorf
Berg	Faricy	Knickerbocker	Pleasant	Welch
Berglin	Fjoslien	Laidig	Reding	Wenstrom
Berkelman	Forsythe	Langseth	Rice	Wenzel
Birnstihl	Friedrich	Lehto	Rose	White
Brandl	Fudro	Lemke	St. Onge	Wieser
Braun	Fugina	Mangan	Samuelson	Wigley
Brinkman	George	Mann	Sarna	Williamson
Byrne	Gunter	McCollar	Savelkoul	Wynia
Carlson, A.	Hanson	McDonald	Scheid	Zubay
Carlson, L.	Haugerud	McEachern	Searles	Speaker Sabo
Casserly	Heinitz	Metzen	Sherwood	
Clark	Hokanson	Moe	Sieben, H.	
Clawson	Jacobs	Munger	Sieben, M.	

The bill was passed and its title agreed to.

H. F. No. 788 was reported to the House.

There being no objection, H. F. No. 788 was continued on Special Orders for one day.

H. F. No. 1030, A bill for an act relating to health care plans; requiring minimum anticipated loss ratios for certain insurance plans; eliminating certain open enrollment requirements for non-profit health service plans; revising the Minnesota comprehensive health insurance act of 1976; revising the Minnesota catastrophic health expense protection act of 1976; making necessary improvements and corrections; further prescribing the powers and duties of the commissioner of insurance; further prescribing the powers and duties of the commissioner of public welfare; amending Minnesota Statutes 1976, Chapter 62E, by adding a section; and Sections 62A.02, Subdivision 3; 62A.17, Subdivision 6; 62D.10, Subdivision 1; 62E.02, Subdivisions 2, 8, 11 and 21; 62E.03, Subdivision 2; 62E.04, Subdivision 4, and by adding a subdivision; 62E.06; 62E.08; 62E.09; 62E.10, Subdivisions 1, 3 and 7; 62E.11, Subdivision 5; 62E.13, Subdivisions 2 and 4; 62E.14, Subdivision 1; 62E.53; and 62E.54, Subdivision 1; repealing Minnesota Statutes 1976, Section 62E.16.

The bill was read for the third time and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 127 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Abeln	Cummiskey	Johnson	Murphy	Sieben, M.
Adams	Dahl	Jude	Neisen	Simoneau
Albrecht	Dean	Kahn	Nelsen, B.	Skoglund
Anderson, B.	Den Ouden	Kaley	Nelsen, M.	Smogard
Anderson, D.	Eckstein	Kalis	Nelson	Spanish
Anderson, G.	Eken	Kelly, R.	Niehaus	Stanton
Anderson, I.	Ellingson	Kelly, W.	Norton	Stoa
Arlandson	Enebo	Kempe, A.	Novak	Suss
Battaglia	Erickson	Kempe, R.	Osthoff	Swanson
Beauchamp	Esau	King	Patton	Tomlinson
Begich	Ewald	Knickerbocker	Peterson	Vanasek
Berg	Faricy	Kroening	Petrufeso	Voss
Berglin	Fjoslien	Kvam	Pleasant	Waldorf
Berkelman	Forsythe	Laidig	Prahl	Weich
Birnstihl	Friedrich	Langseth	Reding	Wenstrom
Brandl	Fudro	Lehto	Rice	Wenzel
Braun	Fugina	Lemke	Rose	White
Brinkman	George	Mangan	St. Onge	Wieser
Byrne	Gunter	Mann	Samuelson	Wigley
Carlson, A.	Hanson	McCarron	Sarna	Williamson
Carlson, L.	Haugerud	McCollar	Savelkoul	Wynia
Casserly	Heinitz	McDonald	Scheid	Zubay
Clark	Hokanson	McEachern	Searle	Speaker Sabo
Clawson	Jacobs	Metzen	Searles	
Cohen	Jaros	Moe	Sherwood	
Corbid	Jensen	Munger	Sieben, H.	

The bill was passed and its title agreed to.

H. F. No. 1201, A bill for an act relating to insurance; requiring insurers to supply cover sheets for insurance policies; requir-

ing insurers to issue readable insurance policies; establishing testing procedures for readability.

The bill was read for the third time and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 123 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Abeln	Cummiskey	Jensen	Neisen	Sieben, H.
Adams	Dahl	Johnson	Nelsen, B.	Sieben, M.
Albrecht	Dean	Jude	Nelsen, M.	Simoneau
Anderson, B.	Den Ouden	Kahn	Nelson	Skoglund
Anderson, D.	Eckstein	Kaley	Niehaus	Smogard
Anderson, I.	Eken	Kalis	Norton	Stanton
Arlandson	Ellingson	Kelly, R.	Novak	Stoa
Battaglia	Enebo	Kempe, A.	Osthoff	Suss
Beauchamp	Erickson	Kempe, R.	Patton	Swanson
Begich	Esau	King	Peterson	Tomlinson
Berg	Ewald	Knickerbocker	Petrafaso	Vanasek
Berglin	Faricy	Kroening	Pleasant	Voss
Berkelman	Fjoslien	Kvam	Prahl	Waldorf
Birnstihl	Forsythe	Laidig	Reding	Welch
Brandl	Friedrich	Langseth	Rice	Wenstrom
Eraun	Fudro	Lehto	Rose	Wenzel
Brinkman	Fugina	Lemke	St. Onge	White
Byrne	George	Mangan	Samuelson	Wieser
Carlson, A.	Gunter	Mann	Sarna	Wigley
Carlson, L.	Hanson	McDonald	Savelkoul	Williamson
Casserly	Haugerud	McEachern	Scheid	Wynia
Clark	Heinitz	Metzen	Schulz	Zubay
Clawson	Hokanson	Moe	Searle	Speaker Sabo
Cohen	Jacobs	Munger	Searles	
Corbid	Jaros	Murphy	Sherwood	

The bill was passed and its title agreed to.

H. F. No. 314 was reported to the House.

Cummiskey moved to amend H. F. No. 314 as follows:

Page 1, delete lines 16 through 20 and renumber the following subdivision.

Page 2, after line 12 insert the following:

"Sec. 3. The supreme court shall promulgate rules to establish acceptable electronic equipment specifications for court reporting and the length of time which records of court proceedings must be retained."

The motion prevailed and the amendment was adopted.

H. F. No. 314, A bill for an act relating to Olmsted county; authorizing electronic recording of trial proceedings; providing for costs and payment.

The bill was read for the third time, as amended, and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 105 yeas and 15 nays as follows:

Those who voted in the affirmative were:

Abeln	Corbid	Jensen	Murphy	Searles
Albrecht	Cummiskey	Johnson	Nelsen, B.	Sherwood
Anderson, B.	Dahl	Kahn	Nelsen, M.	Sieben, M.
Anderson, D.	Dean	Kaley	Niehau	Skoglund
Anderson, G.	Den Ouden	Kalis	Norton	Smogard
Anderson, I.	Eken	Kelly, R.	Novak	Stanton
Anderson, R.	Ellingson	Kelly, W.	Osthoff	Stoa
Arlandson	Enebo	Kempe, A.	Patton	Suss
Beauchamp	Erickson	Kempe, R.	Peterson	Swanson
Begich	Esau	King	Petrafaso	Tomlinson
Berg	Fjoslien	Knickerbocker	Pleasant	Vanasek
Berkelman	Forsythe	Kvam	Prahl	Voss
Biersdorf	Fudro	Langseth	Reding	Waldorf
Birnstihl	Fugina	Lehto	Rice	Welch
Braun	George	Mangan	Rose	Wenstrom
Byrne	Gunter	Mann	St. Onge	White
Carlson, L.	Hanson	McCollar	Sarna	Wigley
Casserly	Haugerud	McDonald	Savelkoul	Williamson
Clark	Heinitz	McEachern	Scheid	Wynia
Clawson	Jacobs	Metzen	Schulz	Zubay
Cohen	Jaros	Munger	Searle	Speaker Sabo

Those who voted in the negative were:

Adams	Eckstein	Hokanson	Lemke	Simoneau
Battaglia	Ewald	Jude	Neisen	Wenzel
Berglin	Faricy	Kroening	Sieben, H.	Wieser

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

H. F. No. 460, A bill for an act relating to retirement; adjustment in annuities through the adjustable fixed benefit fund; amending Minnesota Statutes 1976, Section 11.25, Subdivisions 3, 12 and 13.

The bill was read for the third time and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 124 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Abeln	Anderson, R.	Berkelman	Carlson, L.	Dahl
Adams	Arlandson	Biersdorf	Casserly	Dean
Albrecht	Battaglia	Birnstihl	Clark	Den Ouden
Anderson, B.	Beauchamp	Brandl	Clawson	Eckstein
Anderson, D.	Begich	Braun	Cohen	Eken
Anderson, G.	Berg	Byrne	Corbid	Ellingson
Anderson, I.	Berglin	Carlson, A.	Cummiskey	Enebo

Erickson	Jude	McDonald	Reding	Stoa
Esau	Kahn	McEachern	Rice	Suss
Ewald	Kaley	Metzen	Rose	Swanson
Faricy	Kalis	Munger	St. Onge	Tomlinson
Fjoslien	Kelly, R.	Murphy	Sarna	Vanasek
Friedrich	Kempe, A.	Neisen	Savelkoul	Voss
Fudro	Kempe, R.	Nelsen, B.	Scheid	Waldorf
Fugina	King	Nelsen, M.	Schulz	Welch
George	Knickerbocker	Nelson	Searle	Wenstrom
Gunter	Kroening	Niehaus	Searles	Wenzel
Hanson	Kvam	Norton	Sherwood	White
Haugerud	Laidig	Novak	Sieben, H.	Wieser
Heinitz	Langseth	Osthoff	Sieben, M.	Wigley
Hokanson	Lehto	Patton	Simoneau	Williamson
Jacobs	Lemke	Peterson	Skoglund	Wynia
Jaros	Mangan	Petrafeso	Smogard	Zubay
Jensen	Mann	Pleasant	Spanish	Speaker Sabo
Johnson	McCollar	Prahl	Stanton	

The bill was passed and its title agreed to.

H. F. No. 536, A bill for an act relating to civil service; providing that promotion and place of service are separate considerations; amending Minnesota Statutes 1976, Section 43.19, by adding a subdivision.

The bill was read for the third time and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 118 yeas and 2 nays as follows:

Those who voted in the affirmative were:

Abeln	Clawson	Jaros	Munger	Sieben, H.
Adams	Cohen	Jensen	Murphy	Sieben, M.
Albrecht	Corbid	Johnson	Neisen	Simoneau
Anderson, B.	Cummiskey	Jude	Nelsen, M.	Skoglund
Anderson, D.	Dahl	Kahn	Nelson	Smogard
Anderson, G.	Dean	Kaley	Niehaus	Spanish
Anderson, I.	Den Ouden	Kalis	Norton	Stanton
Anderson, R.	Eckstein	Kelly, R.	Novak	Stoa
Arlandson	Eken	Kelly, W.	Osthoff	Suss
Battaglia	Ellingson	Kempe, A.	Patton	Swanson
Beauchamp	Enebo	Kempe, R.	Peterson	Vanasek
Begich	Faricy	Kostohryz	Petrafeso	Voss
Berg	Fjoslien	Kroening	Pleasant	Waldorf
Berglin	Forsythe	Kvam	Prahl	Welch
Berkelman	Friedrich	Laidig	Reding	Wenstrom
Biersdorf	Fudro	Langseth	Rice	Wenzel
Birnsthil	Fugina	Lehto	Rose	White
Brandl	George	Lemke	St. Onge	Wieser
Braun	Gunter	Mangan	Samuelson	Williamson
Brinkman	Hanson	Mann	Sarna	Wynia
Byrne	Haugerud	McDonald	Scheid	Zubay
Carlson, L.	Heinitz	McEachern	Schulz	Speaker Sabo
Cassery	Hokanson	Metzen	Searle	
Clark	Jacobs	Moe	Sherwood	

Those who voted in the negative were:

Erickson Ewald

The bill was passed and its title agreed to.

MOTION FOR RECONSIDERATION

Reding moved that the vote whereby H. F. No. 968, as amended, was not passed as a Special Order on Monday, May 2, 1977, be now reconsidered.

A roll call was requested and properly seconded.

The question was taken on the motion for reconsideration and the roll was called. There were 75 yeas and 44 nays as follows:

Those who voted in the affirmative were:

Abeln	Clark	Jaros	Murphy	Sieben, M.
Adams	Clawson	Jude	Nelsen	Simoneau
Anderson, I.	Cohen	Kahn	Nelson	Skoglund
Arlandson	Corbid	Kelly, R.	Norton	Stanton
Beauchamp	Cummiskey	Kempe, R.	Novak	Stoa
Berg	Dahl	King	Patton	Swanson
Berglin	Dean	Kostohryz	Pehler	Tomlinson
Berkelman	Ellingson	Kroening	Petrafeso	Vanasek
Biersdorf	Enebo	Lehto	Reding	Waldorf
Brandl	Faricy	Mangan	Rice	Wenzel
Braun	Fugina	McCarron	St. Onge	White
Byrne	George	McCollar	Samuelson	Wieser
Carlson, A.	Gunter	McEachern	Scheid	Williamson
Carlson, L.	Hanson	Moe	Sherwood	Wynia
Casserly	Hokanson	Munger	Sieben, H.	Speaker Sabo

Those who voted in the negative were:

Albrecht	Eckstein	Jensen	Mann	Rose
Anderson, B.	Eken	Johnson	McDonald	Savelkoul
Anderson, D.	Erickson	Kaley	Nelsen, B.	Schulz
Anderson, G.	Esau	Kalis	Nelsen, M.	Searle
Anderson, R.	Ewald	Kelly, W.	Niehaus	Searles
Battaglia	Fjoslien	Knickerbocker	Osthoff	Smogard
Begich	Forsythe	Kvam	Peterson	Wigley
Brinkman	Friedrich	Laidig	Pleasant	Zubay
Ben Ouden	Heinitz	Lenke	Prahl	

The motion prevailed.

H. F. No. 968, as amended, was reported to the House.

Eken moved to amend H. F. No. 968, as amended, as follows:

Page 2, after line 20, add the following:

"(e) The provisions of this subdivision shall not apply to chapters 116A through 116H."

The motion prevailed and the amendment was adopted.

Begich moved that H. F. No. 968, as amended, be re-referred to the Committee on Appropriations.

A roll call was requested and properly seconded.

The question was taken on the motion by Begich and the roll was called. There were 51 yeas and 72 nays as follows:

Those who voted in the affirmative were:

Albrecht	Den Ouden	Johnson	Nelsen, B.	Searles
Anderson, B.	Eckstein	Kaley	Niehaus	Spanish
Anderson, D.	Eken	Kalis	Osthoff	Waldorf
Anderson, G.	Erickson	Kelly, W.	Peterson	Wenstrom
Anderson, R.	Esau	Knickerbocker	Pleasant	Wieser
Battaglia	Fjoslien	Kvam	Prahl	Wigley
Begich	Forsythe	Laidig	Rose	Zubay
Biersdorf	Friedrich	Langseth	Samuelson	
Birnstihl	Haugerud	Lemke	Savelkoul	
Brinkman	Heinitz	Mangan	Schulz	
Corbid	Jensen	Metzen	Searle	

Those who voted in the negative were:

Abeln	Clawson	Jude	Neisen	Skoglund
Adams	Cohen	Kahn	Nelsen, M.	Smogard
Anderson, I.	Cummiskey	Kelly, R.	Nelson	Stanton
Arlandson	Dean	Kempe, R.	Norton	Stoa
Beauchamp	Ellingson	King	Novak	Swanson
Berg	Enebo	Kostohryz	Pehler	Tomlinson
Berglin	Ewald	Kroening	Petraleso	Vanasek
Berkelman	Faricy	Lehto	Reding	Wenzel
Brandl	Fudro	Mann	Rice	White
Braun	Fugina	McCarron	Sarna	Williamson
Byrne	George	McCollar	Scheid	Wynia
Carlson, A.	Gunter	McDonald	Sherwood	Speaker Sabo
Carlson, L.	Hanson	Moe	Sieben, H.	
Casserly	Jacobs	Munger	Sieben, M.	
Clark	Jaros	Murphy	Simoneau	

The motion did not prevail.

H. F. No. 968, A bill for an act relating to the pollution control agency; its powers and duties; prescribing additional enforcement powers with respect to air, land, noise and hazardous waste pollution control; amending Minnesota Statutes 1976, Section 116.07, by adding a subdivision.

The bill was read for the third time, as amended, and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 68 yeas and 60 nays as follows:

Those who voted in the affirmative were:

Abeln	Berglin	Carlson, L.	Dean	Hanson
Adams	Berkelman	Casserly	Ellingson	Hokanson
Anderson, I.	Brandl	Clark	Enebo	Jacobs
Arlandson	Braun	Cohen	Faricy	Jaros
Beauchamp	Byrne	Cummiskey	Fugina	Jude
Berg	Carlson, A.	Dahl	George	Kahn

Kelly, R.	Munger	Reding	Simoneau	Waldorf
Kempe, R.	Murphy	Rice	Skoglund	Wenzel
King	Neisen	St. Onge	Stanton	White
Kostohryz	Nelson	Sarna	Stoa	Williamson
Kroening	Norton	Scheid	Swanson	Wynia
Lehto	Novak	Sherwood	Tomlinson	Speaker Sabo
McCarron	Pehler	Sieben, H.	Vanasek	
Moe	Petrafeso	Sieben, M.	Voss	

Those who voted in the negative were:

Albrecht	Den Ouden	Heinitz	Mann	Samuelson
Anderson, B.	Eckstein	Jensen	McDonald	Savelkoul
Anderson, D.	Eken	Johnson	McEachern	Schulz
Anderson, G.	Erickson	Kaley	Metzen	Searle
Anderson, R.	Esau	Kalis	Nelsen, B.	Searles
Battaglia	Ewald	Kelly, W.	Nelsen, M.	Smogard
Begich	Fjoslien	Knickerbocker	Niehaus	Spanish
Biersdorf	Forsythe	Kvam	Osthoff	Welch
Birnstihl	Friedrich	Laidig	Peterson	Wenstrom
Brinkman	Fudro	Langseth	Pleasant	Wieser
Clawson	Gunter	Lemke	Prahl	Wigley
Corbid	Haugerud	Mangan	Rose	Zubay

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

SPECIAL ORDERS, Continued

H. F. No. 848 was reported to the House.

Patton moved to amend H. F. No. 848 as follows:

Page 2, line 9, delete "1979" and insert "1978".

Page 4, line 16, delete "1979" and insert "1978".

Page 14, line 3, delete "1979" and insert "1978".

Page 20, line 4, delete "1979" and insert "1978".

Page 20, line 8, delete "1979" and insert "1978".

Page 20, line 15, delete "1979" and insert "1978".

Page 20, line 17, delete "1979" and insert "1978".

Page 20, line 19, delete "1984" and insert "1983".

Page 20, line 23, delete "1983" and insert "1982".

Page 20, line 28, delete "1979" and insert "1978".

Page 20, line 30, delete "1980" and insert "1979".

Page 21, line 2, delete "1981" and insert "1980".

Page 21, line 24, delete "1979" and insert "1978".

The motion prevailed and the amendment was adopted.

Moe moved to amend H. F. No. 848, as follows:

Page 15, line 22, delete "55" and insert "58".

Page 15, line 23, delete "ten" and insert "20".

Page 15, line 23, after "service" delete the balance of the line.

Page 15, line 24, delete "for not less than 30 years of service regardless of age,".

Page 15, line 28, delete "to and including age 60".

Page 15, delete line 29.

Page 15, line 30, delete "under age 60".

Page 16, line 6, delete "the arithmetic average" and insert "an amount equivalent to the average of a coordinated employee's highest salary upon which employee contributions were paid for any five successive years of allowable service.".

Page 16, delete lines 7 through 11.

The motion prevailed and the amendment was adopted.

H. F. No. 848, A bill for an act relating to retirement; Minneapolis municipal employees retirement fund; miscellaneous amendments; establishment of a coordinated program; amending Minnesota Statutes 1976, Sections 422A.01, by adding subdivisions; 422A.06, Subdivision 6; 422A.08, Subdivisions 2 and 5; 422A.09, Subdivision 3; 422A.16, by adding a subdivision; 422A.18, Subdivision 2; 422A.23, Subdivision 7, by adding a subdivision; and Chapters 355, by adding sections; and 422A, by adding sections.

The bill was read for the third time, as amended, and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 120 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Abeln	Anderson, D.	Beauchamp	Biersdorf	Carlson, L.
Adams	Anderson, G.	Berg	Birnstihl	Casserly
Albrecht	Anderson, I.	Berglin	Braun	Clark
Anderson, B.	Arlandson	Berkelman	Carlson, A.	Clawson

Cohen	Hanson	Laidig	Novak	Skoglund
Corbid	Haugerud	Langseth	Osthoff	Smogard
Cummiskey	Heinitz	Lehto	Patton	Spanish
Dahl	Hokanson	Lemke	Pehler	Stanton
Dean	Jacobs	Mangan	Peterson	Suss
Den Ouden	Jaros	Mann	Petrafeso	Swanson
Eckstein	Jensen	McCarron	Reding	Tomlinson
Ellingson	Johnson	McCollar	Rice	Vanasek
Enebo	Jude	McDonald	Rose	Voss
Erickson	Kahn	McEachern	St. Onge	Waldorf
Esau	Kaley	Metzen	Sarna	Welch
Ewald	Kalis	Moe	Savelkoul	Wenstrom
Faricy	Kelly, R.	Munger	Scheid	Wenzel
Fjoslien	Kelly, W.	Murphy	Schulz	White
Forsythe	Kempe, A.	Neisen	Searle	Wieser
Friedrich	Kempe, R.	Nelsen, B.	Searles	Wigley
Fudro	King	Nelsen, M.	Sherwood	Williamson
Fugina	Knickerbocker	Nelson	Sieben, H.	Wynia
George	Kostohryz	Niehaus	Sieben, M.	Zubay
Gunter	Kroening	Norton	Simoneau	Speaker Sabo

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

H. F. No. 952, A bill for an act relating to courts; sixth judicial district; authorizing the position of domestic relations referee in St. Louis county; amending Minnesota Statutes 1976, Chapter 484, by adding a section.

The bill was read for the third time and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 122 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Abeln	Corbid	Jensen	Nelsen, B.	Sieben, M.
Adams	Cummiskey	Johnson	Nelson, M.	Simoneau
Albrecht	Dahl	Jude	Nelson	Skoglund
Anderson, B.	Dean	Kahn	Niehaus	Smogard
Anderson, D.	Den Ouden	Kaley	Norton	Spanish
Anderson, G.	Eckstein	Kelly, R.	Novak	Stanton
Anderson, I.	Eken	Kelly, W.	Osthoff	Stoa
Arlandson	Ellingson	Kempe, A.	Patton	Suss
Battaglia	Enebo	Kempe, R.	Pehler	Swanson
Beauchamp	Erickson	King	Peterson	Tomlinson
Begich	Esau	Knickerbocker	Petrafeso	Vanasek
Berg	Ewald	Kroening	Pleasant	Waldorf
Berglin	Faricy	Kvam	Prahl	Welch
Berkelman	Fjoslien	Laidig	Reding	Wenstrom
Biersdorf	Forsythe	Langseth	Rice	Wenzel
Birnstihl	Friedrich	Lehto	Rose	White
Brandl	Fudro	Lemke	St. Onge	Wieser
Braun	Fugina	Mangan	Sarna	Wigley
Byrne	George	McCarron	Savelkoul	Williamson
Carlson, A.	Gunter	McCollar	Scheid	Wynia
Carlson, L.	Hanson	McDonald	Schulz	Zubay
Casserly	Heinitz	Metzen	Searle	Speaker Sabo
Clark	Hokanson	Munger	Searles	
Clawson	Jacobs	Murphy	Sherwood	
Cohen	Jaros	Neisen	Sieben, H.	

The bill was passed and its title agreed to.

H. F. No. 1004 was reported to the House.

There being no objection, H. F. No. 1004 was continued on Special Orders until Monday, May 9, 1977.

H. F. No. 1040, A bill for an act relating to finance; deleting obsolete provisions; changing and clarifying cross-references; authorizing commissioner of finance to transfer money to revolving funds in certain cases; transferring air travel account from commissioner of administration to commissioner of finance; codifying certain provisions formerly in session laws; appropriating money; amending Minnesota Statutes 1976, Sections 12.24, Subdivision 2; 15.50, Subdivision 5; 16.172; 16.80, Subdivision 1; 16A.126; 16A.17, Subdivision 9; 18.69; 43.43, Subdivision 2; 121.48, Subdivision 2; 124.212, Subdivision 19; 136.11, Subdivision 5; 136.144; 136.37; 136.55, Subdivision 2; and Chapters 16A, by adding a section, and 243, by adding a section; repealing Minnesota Statutes 1976, Sections 16.02, Subdivision 21; 16.026, Subdivision 5; and 16A.05; and Laws 1945, Chapter 575, Sections 19 and 21.

The bill was read for the third time and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 124 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Abeln	Cummiskey	Jude	Murphy	Sherwood
Adams	Dahl	Kahn	Neisen	Sieben, H.
Albrecht	Dean	Kaley	Nelsen, B.	Sieben, M.
Anderson, D.	Den Ouden	Kalis	Nelsen, M.	Simoneau
Anderson, G.	Eckstein	Kelly, R.	Nelson	Skoglund
Anderson, I.	Eken	Kelly, W.	Niehaus	Smogard
Arlandson	Ellingson	Kempe, A.	Norton	Spanish
Battaglia	Enebo	Kempe, R.	Novak	Stanton
Beauchamp	Erickson	King	Osthoff	Suss
Begich	Esau	Knickerbocker	Patton	Swanson
Berg	Ewald	Kostohryz	Pehler	Tomlinson
Berglin	Faricy	Kroening	Peterson	Vanasek
Berkelman	Fjoslien	Kvam	Petrafaso	Voss
Biersdorf	Forsythe	Laidig	Pleasant	Waldorf
Birnstihl	Friedrich	Langseth	Prahl	Welch
Brandl	Fudro	Lehto	Reding	Wenstrom
Braun	George	Lemke	Rice	Wenzel
Brinkman	Gunter	Mangan	Rose	White
Carlson, A.	Haugerud	Mann	St. Onge	Wieser
Carlson, L.	Heinitz	McCarron	Samuelson	Wigley
Casserly	Hokanson	McCollar	Sarna	Williamson
Clark	Jacobs	McDonald	Savelkoul	Wynia
Clawson	Jaros	Metzen	Schulz	Zubay
Cohen	Jensen	Moe	Searle	Speaker Sabo
Corbid	Johnson	Munger	Searles	

The bill was passed and its title agreed to.

H. F. No. 1364, A bill for an act relating to the attorney general; changing appointments; removing restrictions on assignment of deputy and assistant attorneys general; amending Minnesota Statutes 1976, Sections 8.02 and 268.12, Subdivision 5; repealing Minnesota Statutes 1976, Sections 8.023; 8.024; 8.026; and 84.025, Subdivision 6.

The bill was read for the third time and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 128 yeas and 1 nay as follows:

Those who voted in the affirmative were:

Abeln	Corbid	Jensen	Murphy	Sieben, H.
Adams	Cummiskey	Johnson	Neisen	Sieben, M.
Albrecht	Dahl	Jude	Neisen, B.	Simoneau
Anderson, B.	Dean	Kahn	Neisen, M.	Skoglund
Anderson, D.	Den Ouden	Kaley	Nelson	Smogard
Anderson, G.	Eckstein	Kalis	Niehaus	Spanish
Anderson, I.	Eken	Kelly, R.	Norton	Stanton
Arlandson	Ellingson	Kelly, W.	Novak	Stoa
Battaglia	Enebo	Kempe, A.	Osthoff	Suss
Beauchamp	Erickson	Kempe, R.	Patton	Swanson
Begich	Esau	King	Pehler	Tomlinson
Berg	Ewald	Knickerbocker	Peterson	Vanasek
Berglin	Faricy	Kostohryz	Petrufeso	Voss
Berkelman	Fjoslien	Kroening	Prahl	Waldorf
Biersdorf	Forsythe	Laidig	Reding	Welch
Birnstihl	Friedrich	Langseth	Rice	Wenstrom
Brandl	Fudro	Lehto	Rose	Wenzel
Braun	Fugina	Lemke	St. Onge	White
Brinkman	George	Mangan	Samuelson	Wieser
Byrne	Gunter	Mann	Sarna	Wigley
Carlson, A.	Hanson	McCarron	Savelkoul	Williamson
Carlson, L.	Haugerud	McDonald	Scheid	Wynia
Casserly	Heinitz	McEachern	Schulz	Zubay
Clark	Hokanson	Metzen	Searle	Speaker Sabo
Clawson	Jacobs	Moe	Searles	
Cohen	Jaros	Munger	Sherwood	

Those who voted in the negative were:

Pleasant

The bill was passed and its title agreed to.

H. F. No. 980 was reported to the House.

Carlson, L., moved to amend H. F. No. 980, as follows:

Page 4, line 17, delete "not".

Page 4, line 17, after "include" insert "all".

Page 4, line 17, delete "five or less".

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

H. F. No. 980, A bill for an act relating to public health; regulations for the preservation of public health; authorizing the state board of health to regulate the establishment, operation and maintenance of certain non-hospital clinical laboratories; amending Minnesota Statutes 1976, Section 144.12, Subdivision 1.

The bill was read for the third time and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 129 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Abeln	Cohen	Jensen	Moe	Searles
Adams	Corbid	Johnson	Munger	Sherwood
Albrecht	Cummiskey	Jude	Murphy	Sieben, H.
Anderson, B.	Dahl	Kahn	Neisen	Sieben, M.
Anderson, D.	Dean	Kaley	Neisen, B.	Simoneau
Anderson, G.	Den Ouden	Kalis	Neison	Skoglund
Anderson, I.	Eckstein	Kelly, R.	Niehaus	Smogard
Anderson, R.	Eken	Kelly, W.	Norton	Spanish
Arlandson	Ellingson	Kempe, A.	Novak	Stanton
Battaglia	Enebo	Kempe, R.	Osthoff	Stoa
Beauchamp	Erickson	King	Patton	Suss
Begich	Ewald	Knickerbocker	Pehler	Swanson
Berg	Faricy	Kostohryz	Peterson	Tomlinson
Berglin	Fjoslien	Kroening	Petrafaso	Vanasek
Berkelman	Forsythe	Kvam	Pleasant	Voss
Biersdorf	Friedrich	Laidig	Prahl	Waldorf
Birnstihl	Fudro	Langseth	Reding	Welch
Brandl	Fugina	Lehto	Rice	Wenstrom
Braun	George	Lemke	Rose	Wenzel
Brinkman	Gunter	Mangan	St. Onge	White
Byrne	Hanson	Mann	Samuelson	Wigley
Carlson, A.	Haugerud	McCarron	Sarna	Williamson
Carlson, L.	Heinitz	McCollar	Savelkoul	Wynia
Casserly	Hokanson	McDonald	Scheid	Zubay
Clark	Jacobs	McEachern	Schulz	Speaker Sabo
Clawson	Jaros	Metzen	Searle	

The bill was passed and its title agreed to.

Sarna was excused from 5:15 p.m. to 6:20 p.m.

H. F. No. 1054 was reported to the House.

Brandl moved to amend H. F. No. 1054, as follows:

Page 1, line 9 insert a new section to read:

"Sec. 1. Minnesota Statutes 1976, Section 256.12, Subdivision 14, is amended to read:

Subd. 14. [DEPENDENT CHILD.] "Dependent child," as used in sections 256.72 to 256.87, means a child under the age of 18 years, (OR A CHILD UNDER THE AGE OF 19 YEARS WHO IS REGULARLY ATTENDING AS A FULL TIME STUDENT AT A HIGH SCHOOL, COLLEGE, OR UNIVERSITY, OR REGULARLY ATTENDING AS A FULL TIME STUDENT IN A COURSE OF VOCATIONAL OR TECHNICAL TRAINING DESIGNED TO FIT HIM FOR GAINFUL EMPLOYMENT,) who is found to be deprived of parental support or care by reason of the death, continued absence from the home, physical or mental incapacity of a parent, or who is a child of an unemployed father as that term is defined by the commissioner of public welfare, such definition to be consistent with, and not to exceed minimum standards established by the congress of the United States and the secretary of health, education and welfare, and whose relatives, liable under the law for his support are not able to provide adequate care and support of such child, and who is living with his father, mother, grandfather, grandmother, brother, sister, stepfather, stepmother, stepbrother, stepsister, uncle, aunt, first cousin, nephew, or niece in a place of residence maintained by one or more of such relatives as his or their home.

The term "dependent child" shall also mean a child who has been removed from the home of a relative after a judicial determination that continuance in the home would be contrary to the welfare and best interests of the child and whose care and placement in a foster home or a private licensed child care institution is, in accordance with the rules and regulations of the commissioner, the responsibility of the state or county agency under sections 256.72 to 256.87."

Renumber the remaining sections.

Further amend the title, line 5, after "Sections" insert "256.12, Subdivision 4,".

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

H. F. No. 1054, A bill for an act relating to welfare; aid to families with dependent children; changing certain eligibility qualifications; amending Minnesota Statutes 1976, Sections 256.73, Subdivisions 1, 2, 4, and by adding subdivisions; and 256.79.

The bill was read for the third time and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 127 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Abeln	Cohen	Johnson	Murphy	Sieben, M.
Adams	Corbid	Jude	Neisen	Simoneau
Albrecht	Cummiskey	Kahn	Nelsen, B.	Skoglund
Anderson, B.	Dahl	Kaley	Nelsen, M.	Smogard
Anderson, D.	Dean	Kalis	Nelson	Spanish
Anderson, G.	Eckstein	Kelly, R.	Niehaus	Stanton
Anderson, I.	Eken	Kelly, W.	Norton	Stoa
Anderson, R.	Ellingson	Kempe, A.	Novak	Suss
Arlandson	Enebo	Kempe, R.	Osthoff	Swanson
Battaglia	Erickson	King	Patton	Tomlinson
Beauchamp	Ewald	Knickerbocker	Pehler	Vanasek
Begich	Faricy	Kostohryz	Peterson	Voss
Berg	Fjoslien	Kroening	Petrafeso	Waldorf
Berglin	Forsythe	Kvam	Pleasant	Welch
Berkelman	Friedrich	Laidig	Prahl	Wenstrom
Biersdorf	Fudro	Langseth	Reding	Wenzel
Birnstihl	Fugina	Lehto	Rice	White
Brandl	George	Lemke	Rose	Wieser
Braun	Gunter	Mangan	St. Onge	Wigley
Brinkman	Hanson	McCarron	Samuelson	Williamson
Byrne	Haugerud	McCollar	Savelkoul	Wynia
Carlson, A.	Heinitz	McDonald	Scheid	Zubay
Carlson, L.	Hokanson	McEachern	Schulz	Speaker Sabo
Casserly	Jacobs	Metzen	Searle	
Clark	Jaros	Moe	Searles	
Clawson	Jensen	Munger	Sieben, H.	

The bill was passed and its title agreed to.

H. F. No. 17, A bill for an act relating to elections; providing for special elections to the Minnesota legislature and the United States house of representatives; amending Minnesota Statutes 1976, Sections 202A.62, Subdivisions 1, 2 and 3; 202A.63; 202A.65, Subdivision 3; 202A.66, Subdivision 3; and 202A.67, Subdivisions 2 and 3.

The bill was read for the third time and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 128 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Abeln	Biersdorf	Dean	Hanson	Kempe, R.
Adams	Birnstihl	Eckstein	Haugerud	King
Albrecht	Brandl	Eken	Heinitz	Knickerbocker
Anderson, B.	Braun	Ellingson	Hokanson	Kostohryz
Anderson, D.	Brinkman	Enebo	Jacobs	Kroening
Anderson, G.	Byrne	Erickson	Jaros	Kvam
Anderson, I.	Carlson, A.	Ewald	Jensen	Laidig
Anderson, R.	Carlson, L.	Faricy	Johnson	Langseth
Arlandson	Casserly	Fjoslien	Jude	Lehto
Battaglia	Clark	Forsythe	Kahn	Lemke
Beauchamp	Clawson	Friedrich	Kaley	Mangan
Begich	Cohen	Fudro	Kalis	Mann
Berg	Corbid	Fugina	Kelly, R.	McCarron
Berglin	Cummiskey	George	Kelly, W.	McCollar
Berkelman	Dahl	Gunter	Kempe, A.	McDonald

McEachern	Novak	Samuelson	Smogard	Wenstrom
Metzen	Osthoff	Savelkoul	Spanish	Wenzel
Moe	Patton	Scheid	Stanton	White
Munger	Pehler	Schulz	Stoa	Wieser
Murphy	Peterson	Searle	Suss	Wigley
Neisen	Petrafeso	Searles	Swanson	Williamson
Nelsen, B.	Pleasant	Sherwood	Tomlinson	Wynia
Nelsen, M.	Prahl	Sieben, H.	Vanasek	Zubay
Nelson	Reding	Sieben, M.	Voss	Speaker Sabo
Niehaus	Rose	Simoneau	Waldorf	
Norton	St. Onge	Skoglund	Welch	

The bill was passed and its title agreed to.

H. F. No. 954 was reported to the House.

Cummiskey moved to amend H. F. No. 954, as follows:

Page 13, line 7, delete "and".

Page 13, line 8, before the period insert "; Laws 1959, Chapter 219; and Extra Session Laws 1959, Chapter 19, Section 2, are repealed".

Further amend the title:

Page 1, line 11, delete "and".

Page 1, line 11, before the period insert "; and Laws 1959, Chapter 219; and Extra Session Laws 1959, Chapter 19, Section 2".

The motion prevailed and the amendment was adopted.

H. F. No. 954, A bill for an act relating to juries; enacting the uniform juror selection and service act; providing for the selection and service of grand and petit jurors; providing penalties; repealing Minnesota Statutes 1976, Sections 3.081; 192.24; 357.26; 488A.07; 546.09; 593.03; 593.04; 593.05; 593.06; 593.07; 593.09; 593.10; 593.11; 593.12; 593.13; 593.14; 593.20; 628.42; 628.43; 628.44; 628.45; 628.46; 628.47; 628.49; 628.50; 628.51; 628.52; 628.53; and 631.33; and Laws 1959, Chapter 219; and Extra Session Laws 1959, Chapter 19, Section 2.

The bill was read for the third time, as amended, and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 127 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Abeln	Albrecht	Anderson, D.	Anderson, I.	Arlandson
Adams	Anderson, B.	Anderson, G.	Anderson, R.	Battaglia

Beauchamp	Ellingson	Kelly, R.	Nelsen, B.	Simoneau
Begich	Enebo	Kelly, W.	Nelsen, M.	Skoglund
Berg	Erickson	Kempe, A.	Nelson	Smogard
Berglin	Ewald	Kempe, R.	Niehaus	Spanish
Berkelman	Faricy	King	Norton	Stanton
Biersdorf	Fjoslien	Knickerbocker	Novak	Stoa
Birnstihl	Forsythe	Kostohryz	Osthoff	Suss
Brandl	Friedrich	Kroening	Patton	Swanson
Braun	Fudro	Kvam	Pehler	Tomlinson
Brinkman	Fugina	Laidig	Peterson	Voss
Byrne	George	Langseth	Petrafeso	Waldorf
Carlson, A.	Gunter	Lehto	Pleasant	Weich
Carlson, L.	Hanson	Lemke	Prahl	Wenstrom
Casserly	Haugerud	Mangan	Reding	Wenzel
Clark	Heinitz	Mann	Rose	White
Clawson	Hokanson	McCarron	St. Onge	Wieser
Cohen	Jacobs	McCollar	Samuelson	Wigley
Corbid	Jaros	McDonald	Savelkoul	Williamson
Cummiskey	Jensen	McEachern	Scheid	Wynia
Dahl	Johnson	Metzen	Schulz	Zubay
Dean	Jude	Moe	Searle	Speaker Sabo
Den Ouden	Kahn	Munger	Searles	
Eckstein	Kaley	Murphy	Sieben, H.	
Eken	Kalis	Neisen	Sieben, M.	

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

H. F. No. 611, A bill for an act relating to retirement; date for payment of monthly annuities and benefits; additional lump sum payments to certain retirees, disabilitants and surviving spouses; amending Minnesota Statutes 1976, Chapter 356, by adding a section; Sections 352.01, Subdivision 21; and 354.46, Subdivision 3.

The bill was read for the third time and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 127 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Abeln	Byrne	Faricy	Kelly, R.	Metzen
Adams	Carlson, A.	Fjoslien	Kelly, W.	Moe
Albrecht	Carlson, L.	Friedrich	Kempe, A.	Munger
Anderson, B.	Casserly	Fudro	Kempe, R.	Murphy
Anderson, D.	Clark	Fugina	King	Neisen
Anderson, G.	Clawson	George	Knickerbocker	Nelsen, B.
Anderson, I.	Cohen	Gunter	Kostohryz	Nelsen, M.
Anderson, R.	Corbid	Hanson	Kroening	Nelson
Arlandson	Cummiskey	Haugerud	Kvam	Niehaus
Battaglia	Dahl	Heinitz	Laidig	Norton
Beauchamp	Dean	Hokanson	Langseth	Novak
Begich	Den Ouden	Jacobs	Lehto	Osthoff
Berg	Eckstein	Jaros	Lemke	Patton
Berglin	Eken	Jensen	Mangan	Pehler
Berkelman	Ellingson	Johnson	Mann	Peterson
Biersdorf	Enebo	Jude	McCarron	Petrafeso
Birnstihl	Erickson	Kahn	McCollar	Pleasant
Brandl	Esau	Kaley	McDonald	Prahl
Braun	Ewald	Kalis	McEachern	Reding

Rice	Searles	Spanish	Voss	Williamson
Rose	Sherwood	Stanton	Waldorf	Wynia
St. Onge	Sieben, H.	Stoa	Wenstrom	Zubay
Savelkoul	Sieben, M.	Suss	Wenzel	Speaker Sabo
Scheid	Simoneau	Swanson	White	
Schulz	Skoglund	Tomlinson	Wieser	
Searle	Smogard	Vanasek	Wigley	

The bill was passed and its title agreed to.

H. F. No. 789 was reported to the House.

Cummiskey moved to amend H. F. No. 789, as follows:

Page 2, line 5, after "(NEVERTHELESS)" insert "*register and*".

Page 2, line 6, after "*after*" strike "*completing*", delete "*and signing*" and strike "*a*".

Page 2, line 7, strike "*registration card, making*" and insert "*verifying his identity and residence in the precinct. Before being permitted to register the individual shall provide his name and address on an election day registration application provided by the commissioner and sign on the application*".

Page 2, line 8, strike "*and providing proof of his residence*".

Page 2, line 9, before "*The*" insert "*The judge shall thereupon ask for proof of identity and residence. As proof of identity*", after "*individual*" strike "*may prove his residence by (1)*" and strike "*showing*" and insert "*shall show*".

Page 2, line 10, strike "*or*" and insert a comma.

Page 2, line 11, after "*171.07,*" insert "*passport*"; after "*or*" strike "*(2) providing*"; and after "*any*" insert "*other*".

Page 2, lines 12 and 13, delete and strike "*or accepted by the election judge as proper identification, or (3) having*" and insert "*.*".

If the address shown on the identification is different from the address on the application, the individual shall be required to (a) provide a document which conforms to specifications required by the commissioner as reasonably proving residence, or (b) have".

Page 2, line 14, delete "*an election*" and insert "*a*".

Page 2, line 15, delete "*election*".

Page 2, line 17, strike "election" and after "judge" insert "on the reverse side of the application".

Page 2, lines 18 to 20, delete the new language and insert "*The application shall be completed by the judge. The application shall contain boxes corresponding to the approved identification and residency documents and provide spaces to record the serial number of the identification and residency proof provided by the individual.*"

If for any reason the individual is not permitted to register and vote, the judge shall record the reason on the application. Every application, whether or not registration is permitted, shall be kept on file by the auditor until after the general election occurring two or more years after the election at which the individual applied to register. The applications shall be open for public inspection during regular office hours."

Page 2, line 20, strike "card" and insert "application" and strike "oath" and insert "registration".

Page 2, line 21, after the period strike "Forms used" and insert "A registration".

Page 7, after line 16, insert a new section to read:

"Sec. 10. Minnesota Statutes 1976, Section 204A.46, Subdivision 2, is amended to read:

Subd. 2. [TALLY BOOK, INFORMATION REQUIRED.] The judges shall fill out the tally book and returns in duplicate, and in suitable spaces provided therefor they shall disclose the following information:

(a) State of Minnesota, Tally Book and Returns for (Color) Ballots, (number) Precinct, (number) Ward, of the (City) (Town) of (Name) and the date and kind of election;

(b) The office, name of candidates, the number of votes each candidate received, and the number of blank and defective ballots for each office;

(c) The number of persons who voted at the election in the precinct, where there is permanent registration the number of registered voters in the precinct at the time the polls opened, the number who registered that day, the number who applied but were not permitted to register, the total number of ballots actually counted, the number of totally defective ballots, and the number of persons who returned spoiled ballots and received other ballots;

(d) A certificate in substantially the following form: "We, the undersigned judges of the (number) Precinct, (number) Ward, of the (City) (Town) of (Name), Minnesota, do hereby certify that all of the ballots cast at the (date and kind of election) Election, were carefully and properly piled, checked, and counted, and that the number of votes marked opposite the respective names of the candidates, correctly shows the number of votes so cast. The national flag was displayed on a suitable staff during all the hours of voting." The certificate shall be signed by all members of the election board."

Renumber the following section.

And further, amend the title as follows:

Page 1, line 8, after "1;" and before "and" insert "204A.46, Subdivision 2;"

The motion prevailed and the amendment was adopted.

Knickerbocker moved to amend H. F. No. 789, as amended, as follows:

Page 2, after line 18, insert "*Signing a false oath to procure a registration is a felony punishable by not more than five years imprisonment and a fine of not more than \$5,000 or both.*"

The motion prevailed and the amendment was adopted.

Laidig moved to amend H. F. No. 789, as amended, as follows:

Page 7, after line 16, insert:

"Sec. 10. *The secretary of state shall appoint a nonpartisan commission of not more than seven interested citizens to study problems and possible improvements to the permanent registration system. The commission shall use the facilities of the office of the secretary of state. The commission shall complete its study and report by January 15, 1979. The members shall not be compensated or reimbursed for expenses.*"

Renumber the remaining section in order.

A roll call was requested and properly seconded.

The question was taken on the adoption of the amendment and the roll was called. There were 30 yeas and 92 nays as follows:

Those who voted in the affirmative were:

Abeln	Anderson, D.	Dean	Erickson	Ewald
Albrecht	Carlson, A.	Den Ouden	Esau	Fjoslien

Forsythe	Kaley	Laidig	Peterson	Searle
Friedrich	Kempe, R.	McDonald	Pleasant	Searles
Heinitz	Knickerbocker	Nelsen, B.	Rose	Wigley
Johnson	Kvam	Niehaus	Savelkoul	Zubay

Those who voted in the negative were:

Adams	Clawson	Jude	Neisen	Skoglund
Anderson, B.	Corbid	Kahn	Nelsen, M.	Smogard
Anderson, G.	Cummiskey	Kalis	Nelson	Stanton
Anderson, I.	Dahl	Kelly, R.	Novak	Stoa
Arlandson	Eckstein	Kelly, W.	Osthoff	Suss
Battaglia	Eken	King	Patton	Swanson
Beauchamp	Ellingson	Kostohryz	Petrafeso	Tomlinson
Begich	Enebo	Kroening	Prahl	Vanasek
Berg	Faricy	Langseth	Reding	Welch
Berglin	Fudro	Lehto	Rice	Wenstrom
Berkelman	Fugina	Lemke	St. Onge	Wenzel
Birnstihl	George	Mangan	Samuelson	White
Brandl	Gunter	Mann	Sarna	Wieser
Braun	Hanson	McCollar	Scheid	Williamson
Brinkman	Haugerud	McEachern	Schulz	Wynia
Byrne	Hokanson	Metzen	Sherwood	Speaker Sabo
Carlson, L.	Jacobs	Moe	Sieben, H.	
Casserly	Jaros	Munger	Sieben, M.	
Clark	Jensen	Murphy	Simoneau	

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

Tomlinson moved to amend H. F. No, 789, as amended, as follows:

Page 2, line 14, delete "*including*" and insert "*except*".

Page 2, line 14, delete "*other than the*".

Page 2, line 15, delete "*election judge who is registering the individual*".

The motion prevailed and the amendment was adopted.

Lehto moved to amend H. F. No. 789, as amended, as follows:

Page 2, line 18, after the period, insert "*No person may vouch for more than ten persons on an election day.*".

A roll call was requested and properly seconded.

The question was taken on the adoption of the amendment and the roll was called. There were 34 yeas and 91 nays as follows:

Those who voted in the affirmative were:

Albrecht	Dean	Esau	Forsythe	Hokanson
Anderson, B.	Den Ouden	Ewald	Friedrich	Kaley
Carlson, A.	Erickson	Fjoslien	Heinitz	Kelly, R.

Kempe, A.	Laidig	Nelsen, B.	Pleasant	Tomlinson
Kempe, R.	Lehto	Niehaus	Rose	Wigley
Knickerbocker	McDonald	Osthoff	Savelkoul	Zubay
Kvam	Munger	Peterson	Searles	

Those who voted in the negative were:

Abeln	Clawson	Kahn	Novak	Stanton
Adams	Corbid	Kalis	Patton	Stoa
Anderson, D.	Cummiskey	Kelly, W.	Pehler	Suss
Anderson, G.	Dahl	King	Petraffeso	Swanson
Anderson, I.	Eckstein	Kostohryz	Prahl	Vanasek
Arlandson	Eken	Kroening	Reding	Voss
Battaglia	Ellingson	Langseth	Rice	Waldorf
Beauchamp	Enebo	Lemke	St. Onge	Welch
Begich	Faricy	Mangan	Samuelson	Wenstrom
Berg	Fudro	Mann	Scheid	Wenzel
Berglin	Fugina	McCarron	Schulz	White
Birnstihl	George	McCollar	Searle	Wieser
Brandl	Gunter	Metzen	Sherwood	Williamson
Braun	Hanson	Moe	Sieben, H.	Wynia
Brinkman	Jacobs	Murphy	Sieben, M.	Speaker Sabo
Byrne	Jaros	Neisen	Simoneau	
Carlson, L.	Jensen	Nelsen, M.	Skoglund	
Casserly	Johnson	Nelson	Smogard	
Clark	Jude	Norton	Spanish	

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

Williamson moved to amend H. F. No. 789, as amended, as follows:

Strike the Knickerbocker amendment and add a new section to read:

"Sec. 11. Minnesota Statutes 1976, Section 201.27, is amended to read:

201.27 [VIOLATIONS, PENALTIES.] Any officer, deputy, clerk, or other employee who shall wilfully fail to perform or enforce any of the provisions of this chapter, or who shall unlawfully or fraudulently remove any registration card or record from its proper compartment in the registration files, or who shall wilfully destroy any record provided by this chapter to be kept, or any person who shall wilfully or fraudulently register more than once, or register under any but his true name, or attempt to vote by impersonating another who is registered, or who wilfully registers in any precinct where he is not a resident at any time of registering, or who adds a name or names to the registration files, records or cards, or who signs a false oath to procure a registration, or who violates any of the provisions of this chapter is guilty of a felony."

Further amend the title, line 8, after "201.15;" and insert "201.27;".

The motion prevailed and the amendment was adopted.

Eken moved to amend H. F. No. 789, as amended, as follows:

Page 1, lines 14 to 23, delete Section 1 from the bill.

Renumber the sections accordingly.

Further amend the title:

Line 6, after "Sections" delete "201.021;".

The motion prevailed and the amendment was adopted.

MOTION FOR RECONSIDERATION

Kahn moved that the vote whereby the Tomlinson amendment to H. F. No. 789 was adopted be now reconsidered.

A roll call was requested and properly seconded.

The question was taken on the motion to reconsider and the roll was called. There were 69 yeas and 57 nays as follows:

Those who voted in the affirmative were:

Anderson, B.	Casserly	Jacobs	Neisen	Stanton
Anderson, G.	Clark	Jaros	Nelsen, B.	Stoa
Anderson, I.	Clawson	Johnson	Nelsen, M.	Suss
Arlandson	Corbid	Kahn	Pehler	Swanson
Battaglia	Cummiskey	Kalis	Reding	Vanasek
Beauchamp	Dahl	Kelly, W.	Rice	Voss
Berg	Eckstein	Kroening	Scheid	Welch
Berglin	Eken	Langseth	Schulz	Wenstrom
Berkelman	Ellingson	Lemke	Sieben, H.	Wenzel
Birnstihl	Enebo	Mangan	Sieben, M.	Wieser
Brandl	Fugina	Mann	Simoneau	Williamson
Braun	George	McCarron	Skoglund	Wynia
Byrne	Gunter	Munger	Smogard	Speaker Sabo
Carlson, L.	Haugerud	Murphy	Spanish	

Those who voted in the negative were:

Abeln	Esau	Kaley	McEachern	Sarna
Adams	Ewald	Kelly, R.	Metzen	Savelkoul
Albrecht	Faricy	Kempe, A.	Niehaus	Searle
Anderson, D.	Fjoslien	Kempe, R.	Novak	Searles
Begich	Forsythe	King	Osthoff	Tomlinson
Biersdorf	Friedrich	Knickerbocker	Patton	Waldorf
Brinkman	Fudro	Kostohryz	Peterson	White
Carlson, A.	Hanson	Kvam	Pleasant	Wigley
Carlson, D.	Heintz	Laidig	Prahl	Zubay
Dean	Hokanson	Lehto	Rose	
Den Ouden	Jensen	McCollar	St. Onge	
Erickson	Jude	McDonald	Samuelson	

The motion prevailed.

The Tomlinson amendment was reported to the House.

Tomlinson moved to amend H. F. No. 789, as amended, as follows:

Page 2, line 14, delete "including" and insert "except".

Page 2, line 14, delete "other than the".

Page 2, line 15, delete "election judge who is registering the individual".

A roll call was requested and properly seconded.

The question was taken on the adoption of the amendment and the roll was called. There were 50 yeas and 78 nays as follows:

Those who voted in the affirmative were:

Abeln	Ewald	Kelly, R.	Nelsen, B.	Savelkoul
Albrecht	Faricy	Kempe, A.	Niehaus	Searle
Anderson, D.	Fjoslien	Kempe, R.	Novak	Searles
Biersdorf	Forsythe	King	Osthoff	Sherwood
Carlson, A.	Friedrich	Knickerbocker	Patton	Tomlinson
Carlson, D.	Hanson	Kostohryz	Peterson	Waldorf
Dean	Heinitz	Kvam	Pleasant	White
Den Ouden	Hokanson	Laidig	Prahl	Wigley
Erickson	Jude	Lehto	Rose	Williamson
Esau	Kaley	McDonald	Samuelson	Zubay

Those who voted in the negative were:

Adams	Casserly	Jaros	Munger	Smogard
Anderson, B.	Clark	Jensen	Murphy	Spanish
Anderson, G.	Clawson	Johnson	Neisen	Stanton
Anderson, I.	Cohen	Kahn	Nelsen, M.	Stoa
Battaglia	Corbid	Kalis	Norton	Suss
Beauchamp	Cummiskey	Kelly, W.	Pehler	Swanson
Begich	Dahl	Kroening	Petrafeso	Vanasek
Berg	Eckstein	Langseth	Rice	Voss
Berglin	Eken	Lemke	St. Onge	Welch
Berkelman	Ellingson	Mangan	Sarna	Wenstrom
Birnstihl	Enebo	Mann	Scheid	Wenzel
Brandl	Fudro	McCarron	Schulz	Wieser
Braun	Fugina	McCollar	Sieben, H.	Wynia
Brinkman	George	McEachern	Sieben, M.	Speaker Sabo
Byrne	Gunter	Metzen	Simoneau	
Carlson, L.	Jacobs	Moe	Skoglund	

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

H. F. No. 789, A bill for an act relating to elections; establishing voter registration in all counties; changing required voter registration information; providing for reports of changes; amending Minnesota Statutes 1976, Sections 201.061, Subdivi-

sions 3 and 6; 201.071; 201.091, by adding a subdivision; 201.14; 201.15; 204A.37, Subdivision 1; 204A.46, Subdivision 2; and Chapter 201, by adding a section; repealing Minnesota Statutes 1976, Section 201.061, Subdivision 2.

The bill was read for the third time, as amended, and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 123 yeas and 5 nays as follows:

Those who voted in the affirmative were:

Abeln	Corbid	Johnson	Murphy	Sieben, M.
Adams	Cummiskey	Jude	Neisen	Simoneau
Anderson, B.	Dahl	Kahn	Nelsen, B.	Skoglund
Anderson, D.	Dean	Kaley	Nelsen, M.	Smogard
Anderson, G.	Den Ouden	Kelly, R.	Nelson	Spanish
Arlandson	Eckstein	Kelly, W.	Niehaus	Stanton
Battaglia	Eken	Kempe, A.	Norton	Stoa
Beauchamp	Ellingson	Kempe, R.	Novak	Suss
Begich	Enebo	King	Patton	Swanson
Berg	Erickson	Knickerbocker	Pehler	Tomlinson
Berglin	Esau	Kostohryz	Petrafeso	Vanasek
Berkelman	Ewald	Kroening	Pleasant	Voss
Biersdorf	Faricy	Kvam	Reding	Waldorf
Birnstihl	Fjoslien	Langseth	Rice	Welch
Brandl	Forsythe	Lehto	Rose	Wenstrom
Braun	Friedrich	Lemke	St. Onge	Wenzel
Brinkman	Fudro	Mangan	Samuelson	White
Byrne	Fugina	Mann	Sarna	Wieser
Carlson, A.	George	McCarron	Savelkoul	Wigley
Carlson, D.	Gunter	McCollar	Scheid	Williamson
Carlson, L.	Hanson	McDonald	Schulz	Wynia
Casserly	Heinitz	McEachern	Searle	Zubay
Clark	Hokanson	Metzen	Searles	Speaker Sabo
Clawson	Jacobs	Moe	Sherwood	
Cohen	Jaros	Munger	Sieben, H.	

Those who voted in the negative were:

Anderson, I.	Haugerud	Kalis	Laidig	Osthoff
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The bill was passed, as amended, and its title agreed to.

H. F. No. 1310; A bill for an act relating to unemployment compensation; providing for conformity with federal requirements; providing for agricultural and domestic service employees; altering covered employment; regulating employer's contributions; providing for the noncharging of certain benefits; providing for extended benefits; providing for certain public employees; allowing certain political activities; changing total disqualification based on receipt of social security benefits; amending Minnesota Statutes 1976, Sections 268.04, Subdivisions 10, 12, 22, and 23, and by adding a subdivision; 268.06, Subdivisions 1, 5, 25 and 28, and by adding subdivisions; 268.07, by adding a subdivision; 268.071, Subdivisions 1 and 6; 268.08, Sub-

divisions 3, 4, and 5, and by adding subdivisions; 268.09, Subdivision 3, as amended; and 268.12, Subdivision 5; repealing Minnesota Statutes 1976, Section 268.08, Subdivision 5; and a portion of Laws 1975, Chapter 433, Section 11, Subdivision 4.

The bill was read for the third time and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 130 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Abeln	Cohen	Jaros	Metzen	Searles
Adams	Corbid	Jensen	Moe	Sherwood
Albrecht	Cummiskey	Johnson	Munger	Sieben, H.
Anderson, B.	Dahl	Jude	Murphy	Sieben, M.
Anderson, D.	Dean	Kahn	Neisen	Simoneau
Anderson, G.	Den Ouden	Kaley	Nelsen, B.	Skoglund
Anderson, I.	Eckstein	Kalis	Nelson	Smogard
Arlandson	Eken	Kelly, R.	Niehaus	Spanish
Battaglia	Ellingson	Kelly, W.	Norton	Stanton
Beauchamp	Enebo	Kempe, A.	Novak	Stoa
Begich	Erickson	Kempe, R.	Osthoff	Suss
Berg	Esau	King	Patton	Swanson
Berglin	Ewald	Knickerbocker	Pehler	Tomlinson
Berkelman	Faricy	Kostohryz	Peterson	Vanasek
Biersdorf	Fjoslien	Kroening	Petrafeso	Voss
Birnstihl	Forsythe	Kvam	Pleasant	Waldorf
Brandl	Friedrich	Laidig	Reding	Welch
Braun	Fudro	Langseth	Rice	Wenstrom
Brinkman	Fugina	Lehto	Rose	Wenzel
Byrne	George	Lemke	St. Onge	White
Carlson, A.	Gunter	Mangan	Samuelson	Wieser
Carlson, D.	Hanson	Mann	Sarna	Wigley
Carlson, L.	Haugerud	McCarron	Savelkoul	Williamson
Casserly	Heinitz	McCollar	Scheid	Wynia
Clark	Hokanson	McDonald	Schulz	Zubay
Clawson	Jacobs	McEachern	Searle	Speaker Sabo

The bill was passed and its title agreed to.

H. F. No. 856 was reported to the House.

Rice moved to amend H. F. No. 856, as follows:

Page 1, line 14, after "*with*" insert "*dependent*".

Page 1, line 14, delete "*under age 21*" and insert "*as defined in Minnesota Statutes 1976, Section 256.12*".

The motion prevailed and the amendment was adopted.

H. F. No. 856, A bill for an act relating to welfare; authorizing the establishment of a centralized disbursement system for payments and for food stamp benefit documents; amending Minnesota Statutes 1976, Section 256.01, by adding a subdivision.

The bill was read for the third time, as amended, and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 131 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Abeln	Corbid	Johnson	Neisen	Sieben, M.
Adams	Cummiskey	Jude	Nelsen, B.	Simoneau
Albrecht	Dahl	Kahn	Nelsen, M.	Skoglund
Anderson, B.	Dean	Kaley	Nelson	Smogard
Anderson, D.	Den Ouden	Kalis	Niehaus	Spanish
Anderson, G.	Eckstein	Kelly, R.	Norton	Stanton
Anderson, I.	Eken	Kelly, W.	Novak	Stoa
Arlandson	Ellingson	Kempe, A.	Osthoff	Suss
Battaglia	Enebo	Kempe, R.	Patton	Swanson
Beauchamp	Erickson	King	Pehler	Tomlinson
Begich	Esau	Knickerbocker	Peterson	Vanasek
Berg	Ewald	Kostohryz	Petrafes	Voss
Berglin	Farcy	Kroening	Pleasant	Waldorf
Berkelman	Fjoslien	Laidig	Prahl	Welch
Biersdorf	Forsythe	Langaeth	Reding	Wenstrom
Birnstihl	Friedrich	Lehto	Rice	Wenzel
Brandl	Fudro	Lemke	Rose	White
Braun	Fugina	Mangan	St. Onge	Wieser
Brinkman	George	Mann	Samuelson	Wigley
Byrne	Gunter	McCarron	Sarna	Williamson
Carlson, A.	Hanson	McCollar	Saveikoul	Wynia
Carlson, D.	Haugerud	McDonald	Scheid	Zubay
Carlson, L.	Heinitz	McEachern	Schulz	Speaker Sabo
Casserly	Hokanson	Metzen	Searle	
Clark	Jacobs	Moe	Searles	
Clawson	Jaros	Munger	Sherwood	
Cohen	Jensen	Murphy	Sieben, H.	

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

H. F. No. 1226 was reported to the House.

Carlson, A., moved to amend H. F. No. 1226, as follows:

Page 2, line 13, after the period insert "*The mayors and members of the city councils of Minneapolis and St. Paul shall not be eligible for per diem compensation.*"

The motion prevailed and the amendment was adopted.

H. F. No. 1226, A bill for an act relating to metropolitan airports; authorizing reimbursement to commission members; clarifying its organization and authority; granting emergency authority to expend funds; amending Minnesota Statutes 1976, Sections 473.605, Subdivisions 1 and 2; 473.606, Subdivisions 1 and 4; 473.608, Subdivisions 1, 15 and 17; 473.611, Subdivision 5; 473.621, Subdivisions 2 and 4; 473.641, Subdivision 2; 473.652; repealing Minnesota Statutes 1976, Sections 473.611, Subdivisions 1, 2, 3 and 4; and 473.621, Subdivision 1.

The bill was read for the third time, as amended, and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 129 yeas and 1 nay as follows:

Those who voted in the affirmative were:

Abeln	Cohen	Jensen	Munger	Sherwood
Adams	Corbid	Johnson	Murphy	Sieben, H.
Albrecht	Cummiskey	Jude	Neisen	Sieben, M.
Anderson, B.	Dahl	Kahn	Nelsen, B.	Simoneau
Anderson, D.	Den Ouden	Kaley	Nelsen, M.	Skoglund
Anderson, G.	Eckstein	Kalis	Nelson	Smogard
Anderson, I.	Eken	Kelly, R.	Niehaus	Spanish
Arlandson	Ellingson	Kelly, W.	Norton	Stanton
Battaglia	Enebo	Kempe, A.	Novak	Stoa
Beauchamp	Erickson	Kempe, R.	Osthoff	Suss
Begich	Esau	King	Patton	Swanson
Berg	Ewald	Knickerbocker	Peterson	Tomlinson
Berglin	Faricy	Kostohryz	Petrafeso	Vanasek
Berkelman	Fjoslien	Kroening	Pleasant	Voss
Biersdorf	Forsythe	Kvam	Prahl	Waldorf
Birnstihl	Friedrich	Laidig	Reding	Welch
Brandl	Fudro	Langseth	Rice	Wenstrom
Braun	Fugina	Lehto	Rose	Wenzel
Brinkman	George	Lemke	St. Onge	White
Byrne	Gunter	Mangan	Samuelson	Wieser
Carlson, A.	Hanson	Mann	Sarna	Wigley
Carlson, D.	Haugerud	McCarron	Savelkoul	Williamson
Carlson, L.	Heinitz	McCollar	Scheid	Wynia
Cassery	Hokanson	McEachern	Schulz	Zubay
Clark	Jacobs	Metzen	Searle	Speaker Sabo
Clawson	Jaros	Moe	Searles	

Those who voted in the negative were:

Pehler

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

H. F. No. 782, A bill for an act relating to education; school district organization; authorizing school districts to discontinue certain grades and provide instruction by contract with other districts; providing for aids, levies, and the contractual rights of teachers in participating districts; amending Minnesota Statutes 1976, Sections 122.41; 122.43, Subdivision 1; and 122.44, Subdivision 1; and Chapter 122, by adding sections.

The bill was read for the third time and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 122 yeas and 8 nays as follows:

Those who voted in the affirmative were:

Abeln	Adams	Albrecht	Anderson, B.	Anderson, D.
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Anderson, G.	Eckstein	Kelly, W.	Niehaus	Skoglund
Anderson, I.	Eken	Kempe, A.	Norton	Smogard
Battaglia	Ellingson	Kempe, R.	Novak	Spanish
Beauchamp	Enebo	King	Osthoff	Stanton
Begich	Erickson	Knickerbocker	Patton	Stoa
Berg	Esau	Kostohryz	Pehler	Suss
Berglin	Ewald	Kroening	Peterson	Swanson
Berkelman	Faricy	Laidig	Petrafeso	Tomlinson
Biersdorf	Forsythe	Langseth	Pleasant	Vanasek
Birnstihl	Friedrich	Lehto	Prahl	Voss
Brandl	Fudro	Lemke	Reding	Walderf
Braun	Fugina	Mangan	Rice	Welch
Brinkman	George	Mann	Rose	Wenstrom
Byrne	Gunter	McCollar	St. Onge	Wenzel
Carlson, A.	Hanson	McDonald	Samuelson	White
Carlson, D.	Haugerud	McEachern	Sarna	Wieser
Carlson, L.	Heinitz	Metzen	Savelkoul	Wigley
Casserly	Hokanson	Moe	Scheid	Williamson
Clark	Jacobs	Munger	Schulz	Wynia
Cohen	Johnson	Murphy	Searle	Zubay
Corbid	Jude	Neisen	Sherwood	Speaker Sabo
Dahl	Kahn	Nelsen, B.	Sieben, H.	
Dean	Kaley	Nelsen, M.	Sieben, M.	
Den Ouden	Kalis	Nelson	Simoneau	

Those who voted in the negative were:

Arlandson	Cummiskey	Jaros	Kvam	McCarron
Clawson	Fjoslien	Jensen		

The bill was passed and its title agreed to.

Anderson, I., moved that the remaining bills on Special Orders for today be continued on Special Orders until Thursday, May 5, 1977, immediately following the Calendar. The motion prevailed.

There being no objection the order of business reverted to Reports of Standing Committees.

REPORTS OF STANDING COMMITTEES

Kelly, W., from the Committee on Taxes to which was referred:

H. F. No. 1475, A bill for an act relating to taxation; providing changes in classification ratios and assessment procedures; increasing local government aids and certain tax credits; altering levy limits; imposing a minimum tax on certain types of income; appropriating money; amending Minnesota Statutes 1976, Sections 124.212, Subdivision 10; 273.11, Subdivision 1; 273.12; 273.13, Subdivisions 6, 7 and 14a; 273.132; 275.50, Subdivision 5; 275.51, by adding a subdivision; 275.52, Subdivisions 2, 3 and 4; 278.01; 287.241, Subdivision 2; 290A.04, Subdivisions 1 and 2; 477A.01, Subdivisions 1, 2, 4, 4a, 4b, and by adding a subdivision; 477A.03; and Chapters 272, 290, 290A and 477A, by adding sections; repealing Minnesota Statutes 1976, Sections 275.51, Subdivisions 3b and 3c; and 287.241, Subdivisions 3 and 4.

Reported the same back with the following amendments:

Strike everything after the enacting clause and insert:

"ARTICLE I

Section 1. Minnesota Statutes 1976, Section 273.13, Subdivision 6, is amended to read:

Subd. 6. [CLASS 3B.] Agricultural land, except as provided by class 1 hereof, and which is used for the purposes of a homestead, shall constitute class 3b and shall be valued and assessed at 20 percent of the market value thereof. *For taxes payable in 1979 and subsequent years class 3b property shall be valued and assessed at 18 percent of the market value thereof.* The property tax to be paid on class 3b property as otherwise determined by law not exceeding (120) 160 acres less any reduction received pursuant to section 273.135, regardless of whether or not the market value is in excess of the homestead base value, for all purposes (EXCEPT THE PAYMENT OF PRINCIPAL AND INTEREST ON NON-SCHOOL DISTRICT BONDED INDEBTEDNESS,) shall be reduced by 45 percent of the tax; provided that the amount of said reduction shall not exceed \$325. Valuation subject to relief shall be limited to (120) 160 acres of land, most contiguous surrounding, or bordering the house occupied by the owner as his dwelling place, and, such other structures as may be included thereon utilized by the owner in an agricultural pursuit. If the market value is in excess of the homestead base value, the amount in excess of that sum shall be valued and assessed as provided for by class 3. The first \$12,000 market value of each tract of real estate which is rural in character and devoted or adaptable to rural but not necessarily agricultural use, used for the purpose of a homestead shall be exempt from taxation for state purposes; except as specifically provided otherwise by law.

Agricultural land as used herein, and in section (124.03) 273.132, shall mean contiguous acreage of ten acres or more, primarily used during the preceding year for agricultural purposes. Agricultural use may include pasture, timber, waste, unusable wild land and land included in federal farm programs.

Real estate of less than ten acres used principally for raising poultry, livestock, fruit, vegetables or other agricultural products, shall be considered as agricultural land, if it is not used primarily for residential purposes.

Sec. 2. Minnesota Statutes 1976, Section 273.13, Subdivision 7, is amended to read:

Subd. 7. [CLASS 3C, 3CC.] All other real estate and class 2a property, except as provided by classes 1 and 3cc, which is

used for the purposes of a homestead, shall constitute class 3c, and shall be valued and assessed at (25) 21 percent of the market value (THEREOF) for taxes payable in 1978 and at 18 percent of market value for taxes payable in 1979 and subsequent years. The property tax to be paid on class 3c property as otherwise determined by law, less any reduction received pursuant to section 273.135, regardless of whether or not the market value is in excess of the homestead base value, for all purposes (EXCEPT THE PAYMENT OF PRINCIPAL OR INTEREST ON NON-SCHOOL DISTRICT BONDED INDEBTEDNESS,) shall be reduced by 45 percent of the amount of such tax; provided that the amount of said reduction shall not exceed \$325. If the market value is in excess (OF THE SUM) of the homestead base value, the amount in excess (OF THAT SUM) shall be valued and assessed at (40) 35 percent of market value for taxes payable in 1978 and 33 1/3 percent of market value for taxes payable in 1979 and subsequent years. The first \$12,000 market value of each tract of such real estate used for the purposes of a homestead shall be exempt from taxation for state purposes; except as specifically provided otherwise by law. All real estate which is used for the purposes of a homestead by any blind person, if such blind person is the owner thereof or if such blind person and his or her spouse are the sole owners thereof; or by any person (hereinafter referred to as veteran) who served in the active military or naval service of the United States and who is entitled to compensation under the laws and regulations of the United States for permanent and total service-connected disability due to the loss, or loss of use, by reason of amputation, ankylosis, progressive muscular dystrophies, or paralysis, of both lower extremities, such as to preclude motion without the aid of braces, crutches, canes, or a wheel chair, and who with assistance by the administration of veterans affairs has acquired a special housing unit with special fixtures or movable facilities made necessary by the nature of the veteran's disability; or by any person who is permanently and totally disabled and who is receiving aid from any state as a result of that disability, or who is receiving supplemental security income for the disabled, or who is receiving worker's compensation based on a finding of total and permanent disability, or who is receiving social security disability, or who is receiving aid under the federal railroad retirement act of 1937, 45 United States Code Annotated, Section 228b(a)5 which aid is at least 90 percent of the total income of such disabled person from all sources, shall constitute class 3cc and shall be valued and assessed at five percent of the market value thereof. Permanently and totally disabled for the purpose of this subdivision means a condition which is permanent in nature and totally incapacitates the person from working at an occupation which brings him an income. The property tax to be paid on class 3cc property as otherwise determined by law, less any reduction received pursuant to section 273.135, regardless of whether or not the market value is in excess of the homestead base value, for all purposes (EXCEPT THE PAYMENT OF PRINCIPAL OR INTEREST ON NON-SCHOOL DISTRICT BONDED INDEBTEDNESS,) shall be reduced by 45 percent

of the amount of such tax; provided that the amount of said reduction shall not exceed \$325. If the market value is in excess of the sum of (\$24,000) \$28,000, the amount in excess of that sum shall be valued and assessed at 33 1/3 percent in the case of agricultural land used for a homestead and (40) 35 percent in the case of all other real estate used for a homestead for taxes payable in 1978 and 33 1/3 percent for taxes payable in 1979 and subsequent years.

Sec. 3. Minnesota Statutes 1976, Section 273.13, Subdivision 14a, is amended to read:

Subd. 14a. [BUILDINGS AND APPURTENANCES ON LAND NOT OWNED BY OCCUPANT.] The property tax to be paid in respect of the value of all buildings and appurtenances thereto owned and used by the occupant as a permanent residence, which are located upon land subject to property taxes and the title to which is vested in a person or entity other than the occupant, for all purposes (EXCEPT THE PAYMENT OF PRINCIPAL AND INTEREST ON BONDED INDEBTEDNESS,) shall be reduced by 45 percent of the amount of the tax in respect of said value as otherwise determined by law, but not by more than \$325.

Sec. 4. *The 1976 adjusted assessed values determined under the provisions of section 124.212 shall be computed using the homestead assessment ratios for taxes payable in 1978 provided by sections 1 and 2. The 1977 adjusted assessed values determined under the provisions of section 124.212 shall be computed using the homestead assessment ratios for taxes payable in 1979 provided by sections 1 and 2.*

Sec. 5. Minnesota Statutes 1976, Section 273.132, is amended to read:

273.132 [STATE PAID AGRICULTURAL CREDIT.] *For taxes levied in 1977 payable 1978, the county auditor shall reduce the tax on all property receiving the homestead credit pursuant to section 273.13, subdivision 6, by an amount equal to the tax levy that would be produced by applying a rate of (12) 17 mills on the property. For taxes levied in 1978 payable 1979 and subsequent years, the county auditor shall reduce the tax on all property receiving the homestead credit pursuant to section 273.13, subdivision 6, by an amount equal to the tax levy that would be produced by applying a rate of 19 mills on the property. The county auditor shall reduce the tax on all other agricultural lands and all real estate devoted to temporary and seasonal residential occupancy for recreational purposes, but not devoted to commercial purposes, by an amount that would be produced by applying a rate of ten mills on the property. The amounts so computed by the county auditor shall be submitted to the commissioner of revenue as part of the abstracts of tax lists required to be filed with the commissioner under the provisions*

of section 275.29. Any prior year adjustments shall also be certified in the abstracts of tax lists. The commissioner of revenue shall review such certifications to determine their accuracy. He may make such changes in the certification as he may deem necessary or return a certification to the county auditor for corrections.

Payment shall be made according to the procedure provided in section 273.13, subdivision 15a, for the purpose of replacing revenue lost as a result of the reduction of property taxes provided in this section. There is appropriated from the general fund in the state treasury to the commissioner of revenue the amount necessary to make these payments.

Sec. 6. No purchaser under a contract for deed shall receive the homestead credit provided under section 273.13, subdivisions 6 and 7; the agricultural mill credit provided in section 273.132; or the taconite homestead credit provided in sections 273.134 to 273.136, unless the contract for deed is recorded.

This section shall apply to any real estate taxes that are payable the year following the sale of the property.

Sec. 7. Minnesota Statutes 1976, Section 375.192, is amended by adding a subdivision to read:

Subd. 3. Subject to the approval of the commissioner of revenue, the county board shall authorize the county auditor to grant the credits denied under section 6 of this article, provided that the contract for deed has been recorded. The county board shall not hear any requests under this subdivision after May 31 of the year in which the taxes are payable.

Sec. 8. Minnesota Statutes 1976, Chapter 287, is amended by adding a section to read:

[287.13] Any person who grants, assigns, or transfers any mortgage or executory contract for the sale of land subject to the tax imposed by section 287.05 shall be liable for the tax, but no public official shall be liable for a tax with respect to any instrument executed by him in connection with his official duties.

Sec. 9. *This article is effective for taxes payable in 1978 and succeeding years.*

ARTICLE II

Section 1. Minnesota Statutes 1976, Section 124.212, Subdivision 10, is amended to read:

Subd. 10. The equalization aid review committee, consisting of the commissioner of education, the commissioner of adminis-

tration, and the commissioner of revenue, is hereby continued and permanently established. The duty of this committee shall be to review the assessed valuation of the districts of the state. When such reviews disclose reasonable evidence that the assessed valuation of any district furnished by any county auditor is not based upon the market value of taxable property *as defined in section 273.11, subdivision 1*, in such district, then said committee shall call upon the department of revenue to ascertain the market value of such property, and adjust such values as required by law to determine the adjusted assessed valuation. The department of revenue shall take such steps as (IT MAY CONSIDER) *are necessary in the performance of that duty and shall use all factors required by section 273.11, subdivision 1, to determine the adjusted assessed valuation of all classes of property.* It may incur such expense as is necessary therefor. The commissioner of revenue is authorized to reimburse any county or governmental official for services performed at his request in ascertaining such adjusted valuation. On or before March 15, annually, the department of revenue shall submit its report on the assessed values established by the previous year's assessment to said committee for approval or rejection and, if approved, such report shall be filed not later than the following July 1 with the commissioner of education and each county auditor for those school districts for which he has the responsibility for determination of mill rates. A copy of the adjusted assessed value so filed shall be forthwith mailed to the clerk of each district involved and to the county assessor or supervisor of assessments of the county or counties in which such district is located.

Sec. 2. Minnesota Statutes 1976, Section 124.212, Subdivision 11, is amended to read:

Subd. 11. (a) The committee shall not increase the adjusted assessed valuation, exclusive of property valuation added, improved, reclassified, or reassessed since the prior assessment, of taxable property for 1962 or any subsequent year in any school district by more than eight percent over the certified valuation established for the year immediately preceding.

(b) The sales ratio studies (**OR ANY PART THEREOF, OR ANY COPY OF THE SAME, OR RECORDS ACCUMULATED IN PREPARATION THEREOF, WHICH ARE PREPARED BY THE COMMISSIONER OF REVENUE FOR THE EQUALIZATION AID REVIEW COMMITTEE FOR USE IN DETERMINING SCHOOL AIDS PURSUANT TO THIS SECTION**) *published by the department of revenue* shall not be admissible in evidence in any proceeding, except *the sales ratio studies shall be admissible as a public record without the laying of a foundation in actions under chapter 278 and actions for review of the determination of the school aids payable under this section.*

Sec. 3. Minnesota Statutes 1976, Chapter 272, is amended by adding a section to read:

[272.115] *Subdivision 1. Whenever any real estate is sold for a consideration in excess of \$1,000, whether by warranty deed, quitclaim deed, contract for deed or any other method of sale, the grantor, grantee or his legal agent shall file within 30 days from the date of the sale, a certificate of value with the county auditor in the county in which the property is located. Value shall, in the case of any deed not a gift, be the amount of the full actual consideration thereof, paid or to be paid, including the amount of any lien or liens assumed. The certificate of value shall include the classification to which the property belongs for the purpose of determining the fair market value of the property.*

Subd. 2. The certificate of value shall require such facts and information as may be determined by the equalization aid review committee to be reasonably necessary in the administration of the state education aid formulas. The form of the certificate of value shall be prescribed by the department of revenue which shall provide an adequate supply of forms to each county auditor.

Subd. 3. The county auditor shall transmit two true copies of the certificate of value to the assessor who shall insert the most recent market value and year of original construction of each parcel of property on both copies and shall transmit one copy to the department of revenue. Upon the request of a city council located within the county, a copy of each certificate of value for property located in that city shall be made available to the governing body of the city.

Sec. 4. Minnesota Statutes 1976, Section 273.11, Subdivision 1, is amended to read:

273.11 [VALUATION OF PROPERTY.] Subdivision 1. Except as provided in subdivision 2 or section 273.17, subdivision 1, all property shall be valued at its market value. In estimating and determining such value, the assessor shall not adopt a lower or different standard of value because the same is to serve as a basis of taxation, nor shall he adopt as a criterion of value the price for which such property would sell at auction or at a forced sale, or in the aggregate with all the property in the town or district; but he shall value each article or description of property by itself, and at such sum or price as he believes the same to be fairly worth in money. In assessing any tract or lot of real property, the value of the land, exclusive of structures and improvements, shall be determined, and also the value of all structures and improvements thereon, and the aggregate value of the property, including all structures and improvements, excluding the value of crops growing upon cultivated land. In valuing real property upon which there is a mine or quarry, it shall be valued at such price as such property, including the mine or quarry, would sell for a fair, voluntary sale, for cash. In valu-

ing real property which is vacant, the fact that such property is platted shall not be taken into account. An individual lot of such platted property shall not be assessed in excess of the assessment of the land as if it were unplatted until the lot is improved with a permanent improvement all or a portion of which is located upon the lot, or for a period of three years after final approval of said plat whichever is shorter. When a lot is sold or construction begun, the assessed value of that lot or any single contiguous lot fronting on the same street shall be eligible for reassessment. *When any residential property, including homesteads, apartments and other rental housing, and recreational property which includes a residence, but not including agricultural, commercial, industrial or vacant property, is sold, the assessor shall assign the property a value at least as high as the product of the purchase price stated on the certificate of value required pursuant to section 287.241 multiplied by the average aggregate assessment-sales ratio for the same class of property in the assessment jurisdiction. If the assessor determines that the market value of the property is greater than that stated on the certificate of value, he may assign the property a value equal to the product of the market value he determines to be correct multiplied by the average aggregate assessment-sales ratio for the same class of property in the assessment jurisdiction. Any increase in value so determined upon the sale of such residential property shall be subject to the limitation provided in subdivision 2. All property, or the use thereof, which is taxable under sections 272.01, subdivision 2, or 273.19, shall be valued at the market value of such property and not at the value of a leasehold estate in such property, or at some lesser value than its market value.*

For purposes of property taxation the market value of agricultural lands shall be the arithmetic average of (1) the price for which the property would sell in an arms length transaction, and (2) the income which could be derived from its free market rental rate capitalized at a rate of nine percent, which includes the effective tax rate.

Sec. 5. Minnesota Statutes 1976, Section 273.11, Subdivision 2, is amended to read:

Subd. 2. (a) The assessor after determining the value of any property shall compare the value with that determined in the preceding assessment. The amount of the increase entered in the current assessment shall not exceed ten percent of the value in the preceding assessment or one-fourth of the total amount of the increase in valuation whichever is greater; the excess shall be entered in *equal annual assessments* in a subsequent year or years. However, no increase shall be greater than ten percent of the preceding valuation or one-fourth of the total amount of increase in valuation, whichever is greater, notwithstanding the provisions of section 273.17.

(b) In the case of property described in section 273.13, subdivisions 6, 7, 7b, 10, 12, 17, 17b and 19, plus all agricultural property and all real estate devoted to temporary and seasonal residential occupancy for recreational purposes which was not subject to the five percent limitation in valuation increase for the 1973 or the 1974 assessment that was previously provided pursuant to Minnesota Statutes 1974, Section 273.11, Subdivision 2, the value to be used for levying the 1976 taxes payable in 1977 shall be set at the average percent of market value used for the respective class of property in the 1976 tax levies in its assessment district if the market value as determined by the assessor pursuant to section 273.11, subdivision 1 exceeds by more than ten percent the limited market value established for that class of property. Such property shall subsequently increase in value for property tax purposes as prescribed in clause (a).

Sec. 6. Minnesota Statutes 1976, Section 273.12, is amended to read:

273.12 [ASSESSMENT OF REAL PROPERTY.] It shall be the duty of every assessor and board, in estimating and determining the value of lands for the purpose of taxation, to consider and give due weight to every element and factor affecting the market value thereof, including its location with reference to roads and streets and the location of roads and streets thereon or over the same, and to take into consideration a reduction in the acreage of each tract or lot sufficient to cover the amount of land actually used for any improved public highway and the reduction in area of land caused thereby, provided, that in determining the market value of vacant land, the fact that such land is platted shall not be taken into account. An individual lot of such platted property shall not be assessed in excess of the assessment of the land as if it were unplatted until the lot is improved with a permanent improvement all or a portion of which is located upon the lot, or for a period of three years after final approval of said plat whichever is shorter. When a lot is sold or construction begun, the assessed value of that lot or any single contiguous lot fronting on the same street shall be eligible for reassessment. It shall be the duty of every assessor and board, in estimating and determining the value of lands for the purpose of taxation, to consider and give due weight to lands which are comparable in character, quality, and location, to the end that all lands similarly located and improved will be assessed upon a uniform basis and without discrimination (AND, FOR AGRICULTURAL LANDS, TO CONSIDER AND GIVE RECOGNITION TO ITS EARNING POTENTIAL AS MEASURED BY ITS FREE MARKET RENTAL RATE).

Sec. 7. Minnesota Statutes 1976, Section 274.01, Subdivision 1, is amended to read:

274.01 [BOARD OF REVIEW.] Subdivision 1. (a) The town board of each town, the council or other governing body

of each city, except in cities whose charters provide for a board of equalization, shall be a board of review. The county assessor shall fix a day and time when each of such boards and the board of equalization of any city whose charter provides for a board of equalization shall meet in the several assessment districts of the county, and shall on or before April 1st of each year give written notice thereof to the clerk. Such meetings notwithstanding the provisions of any charter to the contrary shall be held between May 1st and June 30th in each year, and the clerk shall give published and posted notice of such meeting at least ten days prior to the date fixed. Such board shall meet at the office of the clerk to review the assessment of property in such town or district, and immediately proceed to examine and see that all taxable property in the town or district has been properly placed upon the list, and duly valued by the assessor. In case any property, real or personal shall have been omitted, the board shall place it upon the list with its market value, and correct the assessment so that each tract or lot of real property, and each article, parcel, or class of personal property, shall be entered on the assessment list at its market value; but no assessment of the property of any person shall be raised until he has been duly notified of the intent of the board so to do. On application of any person feeling aggrieved, the board shall review the assessment, and correct it as shall appear just. *If the board determines that a parcel has been assessed at a valuation which exceeds by ten percent or more the valuation which the parcel would have if it were valued at the average assessment/sales ratio for real property in the same class in the county in which that parcel is located, the board shall reduce the valuation of said parcel to within ten percent of the valuation which the parcel would have if it were valued at the average assessment/sales ratio for real property in the same class in that portion of the county in which the parcel is located, for which the commissioner is able to establish and publish a sales ratio study.* A majority of the members may act at such meeting, and adjourn from day to day until they finish the hearing of all cases presented. The assessor shall attend, with his assessment books and papers, and take part in the proceedings, but shall not vote. The county assessor, or an assistant, delegated by him shall attend such meetings. The board shall list separately, on a form appended to the assessment book, all omitted property added to the list by the board and all items of property increased or decreased, with the market value of each item of property, added or changed by the board, placed opposite such item. The county assessor shall enter all changes made by the board in the assessment book.

(b) If a person fails to appear in person, by counsel, or by written communication before the board after being duly notified of the board's intent to raise the assessment of his property, or if a person feeling aggrieved by an assessment fails to apply for a review of the assessment, he may not appear before the county board of equalization for a review of his assessment, except when an assessment was made subsequent to the meeting of the board,

as provided in section 273.01, or that he can establish that he did not receive notice of his market value at least five days before the local board of review meeting.

The board of review, and the board of equalization of any city, unless a longer period is approved by the commissioner of revenue, shall complete its work and adjourn within 20 days from the time of convening specified in the notice of the clerk and no action taken subsequent to such date shall be valid. All complaints in reference to any assessment made after the meeting of such board, shall be heard and determined by the county board of equalization. Any non-resident may, at any time, before the meeting of the board of review file written objections to his assessment with the county assessor and if any such objections are filed they shall be presented to the board of review at its meeting by the county assessor for its consideration.

Sec. 8. Minnesota Statutes 1976, Section 278.01, is amended to read:

278.01 [DEFENSE OR OBJECTION TO TAX ON LAND; SERVICE AND FILING.] Any person having any estate, right, title, or interest in or lien upon any parcel of land, who claims that such property has been partially, unfairly, or unequally assessed, or that such parcel has been assessed at a valuation greater than its real or actual value, *or that parcel has been assessed at a valuation which exceeds by ten percent or more the valuation which the parcel would have if it were valued at the average assessment/sales ratio for real property in the same class, in that portion of the county in which that parcel is located, for which the commissioner is able to establish and publish a sales ratio study as determined by the applicable real estate assessment/sales ratio study published by the commissioner of revenue*, or that the tax levied against the same is illegal, in whole or in part, or has been paid, or that the property is exempt from the tax so levied, may have the validity of his claim, defense, or objection determined by the district court of the county in which the tax is levied by serving copies of a petition for such determination upon the county auditor, county treasurer, and the county attorney and filing the same, with proof of such service, in the office of the clerk of the district court on or before the first day of June of the year in which such tax becomes payable.

Sec. 9. Minnesota Statutes 1976, Section 278.05, is amended to read:

278.05 [TRIAL OF ISSUES.] Such petition, without any answer, return, or other pleading thereto, shall stand for trial at any general term in session when the same is filed; or, if the court be not then in session, at the next general or special term appointed to be held in the county; and, if no such term be appointed to be held within 30 days thereafter, the same shall be

brought to trial at any general term appointed to be held within the judicial district upon ten days notice. The attorney of the county in which these taxes are levied shall take charge of and prosecute such proceedings, but the county board may employ any other attorney to assist him. At the term at which such petition comes on for trial it shall take precedence of all other business before the court. The court shall without delay summarily hear and determine the claims, objections, or defenses made by the petitioner and shall direct judgment accordingly, and the trial thereof shall disregard all technicalities and matters of form not affecting the substantial merits.

Any time after the filing of the petition and before the trial of the issues raised thereby, when the defense or claim presented is that the property has been partially, unfairly, or unequally assessed, or that such parcel has been assessed at a valuation greater than its real or actual value, or *that the parcel has been assessed at a valuation which exceeds by ten percent or more the valuation which the parcel would have if it were valued at the average assessment/sales ratio for real property in the same class in that portion of the county in which the parcel is located, for which the commissioner is able to establish and publish a sales ratio study*, the attorney representing the state in the proceedings may serve on the petitioner, or his attorney, and file with the clerk of the district court, an offer to reduce the valuation of any tract or tracts to a valuation set forth in the offer. If, within ten days thereafter, the petitioner, or his attorney, shall give notice in writing to the county attorney that the offer is accepted, he may file same with proof of such notice, and thereupon the clerk shall enter judgment accordingly. Otherwise, the offer shall be deemed withdrawn and evidence thereof shall not be given; and, if a lower valuation than specified in the offer be not found by the court, no costs or disbursements shall be allowed to the petitioner, but the costs and disbursements of the state, including interest at six percent on the tax based on the amount of such offer from and after the first day of November of the year such taxes are payable, shall be taxed in its favor and included in the judgment and when collected shall be credited to the county revenue fund, unless the taxes were paid in full before the first day of November of the year in which such taxes were payable, in which event interest shall not be taxable.

Sec. 10. Minnesota Statutes 1976, Section 287.241, Subdivision 2, is amended to read:

Subd. 2. No deed or instrument providing for the transfer of title to real estate as subject to the tax as provided in section 287.21 and no executory contract for the sale of land shall be recorded in the office of the county recorder or the registrar of titles unless such deed or instrument shall be accompanied by a *notice from the county auditor that a certificate of value (BY THE GRANTOR, GRANTEE OR HIS LEGAL AGENT CONCERNING THE PROPERTY TRANSFERRED OR TO BE*

TRANSFERRED. VALUE SHALL, IN THE CASE OF ANY DEED NOT A GIFT, BE THE AMOUNT OF THE FULL ACTUAL CONSIDERATION THEREOF, PAID OR TO BE PAID, INCLUDING THE AMOUNT OF ANY LIEN OR LIENS ASSUMED. SUCH CERTIFICATE OF VALUE SHALL INCLUDE THE CLASSIFICATION TO WHICH SUCH PROPERTY BELONGS FOR THE PURPOSE OF DETERMINING THE FAIR MARKET VALUE OF THE PROPERTY. IF THE TRANSFER, OR FRACTION THEREOF, IS TAX EXEMPT AS HEREIN PROVIDED, THE CERTIFICATE SHALL SPECIFY THE REASONS FOR THE EXEMPTION) *was filed in his office as provided in section 272.115.*

Sec. 11. [REPEALER.] *Minnesota Statutes 1976, Section 287.241, Subdivisions 3 and 4 are hereby repealed.*

Sec. 12. [EFFECTIVE DATE.] *Sections 1, 3, 4, 5, 6, 10 and 11 shall be effective for assessment year 1978 and thereafter. Sections 2, 7, 8 and 9 shall be effective taxable years 1977 payable 1978 and thereafter.*

ARTICLE III

Section 1. Minnesota Statutes 1976, Section 275.53, Subdivision 1, is amended to read:

275.53 [GOVERNING CENSUS.] Subdivision 1. For the purpose of determining the amount of tax that a governmental subdivision may levy in accordance with a per capita limitation established by this chapter *or the amount of aid that a city or township may receive pursuant to section 477A.01*, the population of the governmental subdivision shall be that established by the last state or federal census, or by a special census taken within the entire governmental subdivision pursuant to sections 275.50 to 275.56 or to any other law, by a census taken pursuant to subdivision 2, or by a population estimate made by the metropolitan council, by an order of the Minnesota municipal board pursuant to section 414.01, subdivision 14, or by an estimate made pursuant to subdivision 3, whichever is the most recent as to the stated date of count or estimate, up to and including October 1 of the current levy year. Population changes established after October 1 of the current levy year shall not be used in determining the levy limitation of a governmental subdivision for the current levy year under sections 275.50 to 275.56.

Sec. 2. Minnesota Statutes 1976, Section 275.53, Subdivision 3, is amended to read:

Subd. 3. (a) In lieu of passing a resolution pursuant to subdivision 2, the governing body of a governmental subdivision may pass by June 1 of any year a resolution containing an estimate of the current population of the subdivision. The resolution

shall describe the criteria upon which the estimate is based, and shall state that the estimate is made for purposes of increasing that subdivision's tax levy pursuant to sections 275.50 to 275.56 or local government aids pursuant to section 477A.01. The resolution shall be in the form and accompanied by the data required by the state planning agency.

(b) The resolution shall then be submitted to the state planning agency. The agency shall determine, and inform the subdivision in writing within 30 days of receipt of the resolution, whether the criteria and process described therein do or do not provide a reasonable basis for the population estimate. The estimate prepared by the subdivision shall be reviewed by the state planning agency with reference to county population estimates prepared by the state demographer. The state demographer's county population estimates will be used as a county control.

(c) If the agency determines that the criteria and process used by the subdivision do not provide a reasonable basis for the population estimate, the resolution shall be of no effect. If the agency determines that the criteria do provide a reasonable basis for the population estimate, the resolution shall be published at least once in a legal newspaper of general circulation in said subdivision. Said estimate may be used for computing the amount of ad valorem taxes the subdivision may levy, unless within 30 days following the publication of the resolution, 10 percent or more of the registered voters of the subdivision, or if the subdivision does not require voter registration, then 10 percent or more of its voters, who voted at the subdivision's last election, sign a petition demanding a special census, and submit the petition to the governing body of the subdivision.

(d) Attached to the petition shall be an affidavit executed by the circulator or circulators thereof, stating that he or they personally circulated the petition, the number of signatures thereon, that all signatures were affixed in his or their presence and that he or they believe them to be genuine signatures of the persons whose names they purport to be. Each signature need not be notarized.

(e) Upon the receipt of a petition conforming to this subdivision, the governing body shall pass a resolution requesting the secretary of state to take a special census of the governmental subdivision. The census shall be taken and financed pursuant to the provisions of subdivision 2. Any population estimate made by the governing body of any governmental subdivision shall be superseded by any subsequent state or federal census taken pursuant to sections 275.50 to 275.56 or any other law, or by a population estimate made by the metropolitan council or the state demographer. The governing body of a governmental subdivision may not avail itself of the provisions of this subdivision during any year for which any state or federal census has been taken

or for which the metropolitan council has made a population estimate of the subdivision.

Sec. 3. Minnesota Statutes 1976, Section 477A.01, Subdivision 1, is amended to read:

477A.01 [LOCAL GOVERNMENT AID.] Subdivision 1. The state shall distribute (\$42) ~~\$52~~ for each person residing in the territory comprising each county for the calendar year (1976) ~~1978~~ and (\$45) ~~\$59~~ for calendar year (1977) ~~1979~~ to the several taxing authorities, except school districts *and special taxing districts*, with authority to impose taxes on property located in the county's territory. *For purposes of this subdivision the number of persons residing in a county shall be the 1970 federal census population.* For the purposes of subdivisions 1, 3, 4, 4a and 4b, the counties of Anoka, Carver, Dakota, Hennepin, Ramsey, Scott, *excluding the city of New Prague*, and Washington shall be considered a single county. *That portion of the city of New Prague which is in Scott county shall be treated as if it is in LeSueur county.*

Sec. 4. Minnesota Statutes 1976, Section 477A.01, Subdivision 2, is amended to read:

Subd. 2. Every county government except that of a county containing a city of the first class shall receive a distribution equal to the distribution it was entitled to receive in (1975) *the preceding year* pursuant to Minnesota Statutes 1974, Section 477A.01.

Sec. 5. Minnesota Statutes 1976, Section 477A.01, Subdivision 4, is amended to read:

Subd. 4. The balance of the distributions in (1976) ~~1978~~ pursuant to subdivision 1, shall be divided among the several cities and towns in the county's territory in the proportion that the product of

the city or town's 1970 federal census population *or the average of the city's or town's 1970 federal census population and its current population as determined under the provisions of section 275.53, whichever is greater*; times

the sum of its average city or town mill rate for the three immediately preceding years divided by three; times

its city or town (1974) ~~1976~~ aggregate sales ratio as determined by the commissioner of revenue bears to the sum of the product of that calculation for all cities and towns in the territory.

The balance of the distributions in (1977) 1979 pursuant to subdivision 1 shall be divided among the several cities and towns in the county's territory in the proportion that the product of

the city or town's 1970 federal census population or the average of the city's or town's 1970 federal census population and its current population as determined under the provisions of section 275.53, whichever is greater; times

the sum of its average city or town mill rate for the three immediately preceding years divided by three; times

its city or town (1975) 1977 aggregate sales ratio as determined by the commissioner of revenue bears to the sum of the product of that calculation for all cities and towns in the territory.

Sec. 6. Minnesota Statutes 1976, Section 477A.01, Subdivision 4a, is amended to read:

Subd. 4a. If the amount distributed to a city or town pursuant to subdivision 4 is less than the aids the city or town (RECEIVED) was entitled to receive in (1975) *the preceding year*, before corrections for prior year aid payments, pursuant to Minnesota Statutes 1974, Section 477A.01, the amount distributed to it shall be raised to the amount the city or town (RECEIVED) was entitled to receive in (1975) *the preceding year*, before corrections for prior year aid payments, and the distributions to the other cities and towns within the county's territory shall be proportionately reduced as necessary to supply the difference. *In the event that the three year average mill rate times the aggregate sales ratio as described herein in subdivision 4 does not exceed ten mills, then that city or town shall receive the same amount that it received in the preceding year and the distribution to the other cities or towns within the county's territory shall be proportionately increased as necessary to distribute the difference. For purposes of the preceding sentence, "county" means the counties of Anoka, Carver, Dakota, Hennepin, Ramsey, Scott and Washington, and they shall be treated as a single county as provided in subdivision 1.*

Sec. 7. Minnesota Statutes 1976, Section 477A.01, Subdivision 4b, is amended to read:

Subd. 4b. The commissioner of revenue shall make all necessary calculations and make payments directly to the affected taxing authorities in four (EQUAL PARTS) *installments* on March 15, July 15, September 15, and November 15 (IN 1976 AND 1977) *annually*.

Sec. 8. Minnesota Statutes 1976, Section 477A.01, is amended by adding a subdivision to read:

Subd. 4c. For the purpose of the distributions based on populations provided in subdivisions 1 and 4, cities and towns having boundary changes resulting from Minnesota municipal board orders shall have their population counts modified to reflect such changes. The modified population counts shall be included in all Minnesota municipal board orders, a copy of which shall be forwarded to the commissioner of revenue.

Sec. 9. Minnesota Statutes 1976, Section 477A.03, is amended to read:

477A.03 [APPROPRIATION.] A sum sufficient to discharge the duties imposed by (LAWS 1975, CHAPTER 437, ARTICLE 3) section 477A.01 is annually appropriated from the general fund to the commissioner of revenue.

Sec. 10. Minnesota Statutes 1976, Chapter 477A, is amended by adding a section to read:

[477A.04] [ASSESSMENT DISPERSION PENALTY.]
Subdivision 1. To encourage the proper assessment of property an assessment dispersion penalty shall be imposed on assessment districts as provided in subdivision 2. Each city or town which employs a local assessor, either singly or jointly with other cities or towns, shall be considered an assessment district for purposes of this section. Any two or more cities or towns which enter into an agreement pursuant to Minnesota Statutes, Section 471.59, for the assessment of property in the contracting units, shall for purposes of this section be a single assessment district. The balance of each county, including any city or town which contracts with the county for assessment of property therein, shall be deemed a single assessment district for purposes of this section.

The coefficient of dispersion shall be determined by the equalization aid review committee of the department of revenue. The coefficient of dispersion shall be determined on the assessor's market value before the limitation provided in Minnesota Statutes, Section 273.11, Subdivision 2. The population shall be the number of persons residing in the assessment district according to the 1970 federal census.

Subd. 2. Beginning in calendar year 1980 and subsequent years, an assessment district shall be penalized according to the following schedule:

(a) \$1 per capita if the coefficient of dispersion in assessments for the preceding year is more than 10 percent but less than 12.5 percent;

(b) \$3 per capita if the coefficient of dispersion in assessments for the preceding year is at least 12.5 percent but no more than 15 percent;

(c) \$5 per capita if the coefficient of dispersion in assessments for the preceding year is greater than 15 percent.

Subd. 3. The amount of penalty resulting from this section shall be deducted from the local government aid payments provided in section 477A.01.

Sec. 11. [EFFECTIVE DATE.] Article III shall be effective the day following final enactment.

ARTICLE IV

Section 1. Minnesota Statutes 1976, Section 275.50, Subdivision 5, is amended to read:

Subd. 5. Notwithstanding any other law to the contrary for taxes levied in (1975) 1977 payable in (1976) 1978 and thereafter, "special levies" means those portions of ad valorem taxes levied by governmental subdivisions to:

((A) SATISFY JUDGMENTS RENDERED AGAINST THE GOVERNMENTAL SUBDIVISION BY A COURT OF COMPETENT JURISDICTION IN ANY ACTION OTHER THAN AN ACTION ON AN EXPRESS CONTRACT OR DEFAULT ON AN EXPRESS CONTRACT, OR TO PAY THE COSTS OF SETTLEMENTS OUT OF COURT AGAINST THE GOVERNMENTAL SUBDIVISION IN ANY ACTION OTHER THAN AN ACTION ON AN EXPRESS CONTRACT WHEN SUBSTANTIATED BY A STIPULATION FOR THE DISMISSAL OF THE ACTION FILED WITH THE COURT OF COMPETENT JURISDICTION AND SIGNED BY BOTH THE PLAINTIFF AND THE LEGAL REPRESENTATIVE OF THE GOVERNMENTAL SUBDIVISION, BUT ONLY TO THE EXTENT OF THE INCREASE IN LEVY FOR SUCH JUDGMENTS AND OUT OF COURT SETTLEMENTS OVER LEVY YEAR 1970, TAXES PAYABLE IN 1971;)

((B) PAY THE COSTS OF COMPLYING WITH ANY WRITTEN LAWFUL ORDER ISSUED BY THE STATE OF MINNESOTA, OR THE UNITED STATES, OR ANY AGENCY OR SUBDIVISION THEREOF, WHICH IS AUTHORIZED BY LAW, STATUTE, SPECIAL ACT OR ORDINANCE AND IS ENFORCEABLE IN A COURT OF COMPETENT JURISDICTION, OR ANY STIPULATION AGREEMENT OR PERMIT FOR TREATMENT WORKS OR DISPOSAL SYSTEM FOR POLLUTION ABATEMENT IN LIEU OF A LAWFUL ORDER SIGNED BY THE GOVERNMENTAL SUBDIVISION AND THE STATE OF MINNESOTA, OR THE UNITED STATES, OR ANY AGENCY OR SUBDIVISION THEREOF WHICH IS ENFORCEABLE IN A COURT OF COMPETENT JURISDICTION. THE COMMISSIONER OF REVENUE SHALL IN CONSULTATION WITH OTHER STATE DEPARTMENTS AND AGENCIES, DEVELOP A SUGGESTED

FORM FOR USE BY THE STATE OF MINNESOTA, ITS AGENCIES AND SUBDIVISIONS IN ISSUING ORDERS PURSUANT TO THIS SUBDIVISION;)

((C) PAY THE COSTS OF COMPLYING WITH ANY LAW ENACTED BY THE 1975 LEGISLATURE OR A SUBSEQUENT YEAR'S LEGISLATURE WHICH SPECIFICALLY AND DIRECTLY REQUIRES A NEW OR ALTERED ACTIVITY AFTER LEVY YEAR 1974, TAXES PAYABLE IN 1975, BUT ONLY TO THE EXTENT OF THE INCREASED COST FOR SUCH ACTIVITY AFTER LEVY YEAR 1974, TAXES PAYABLE IN 1975;)

((D) PAY THE COSTS OF AN EXPANDED COUNTY COURT SYSTEM TO THE EXTENT OF THE INCREASE IN COSTS OVER THE AMOUNT LEVIED IN SUPPORT OF A COUNTY COURT OR A PROBATE COURT IN LEVY YEAR 1974, TAXES PAYABLE IN 1975;)

((E) PAY AMOUNTS REQUIRED BY ANY PUBLIC PENSION PLAN TO THE EXTENT THAT OPERATION OF THE LAWS OF THE STATE OF MINNESOTA OR THE UNITED STATES GOVERNING SUCH FUND DIRECTLY CAUSES THE LEVEL OF GOVERNMENTAL FINANCIAL SUPPORT TO EXCEED THE LEVEL OF SUCH SUPPORT PRIOR TO JULY 1, 1971, PROVIDED THAT SUCH INCREASES ARE NOT THE RESULT OF AMENDMENT BY ANY MEANS TO THE BENEFIT PLAN AFTER JULY 1, 1971 WHICH REQUIRED THE APPROVAL OF THE GOVERNING BODY OF THE GOVERNMENTAL SUBDIVISION;)

((F) PAY AMOUNTS REQUIRED TO BE LEVIED IN SUPPORT OF A VOLUNTEER FIREMEN'S RELIEF ASSOCIATION IF RESULTING FROM THE OPERATION OF SECTIONS 69.772 AND 69.773;)

((G) PAY THE COSTS TO A GOVERNMENTAL SUBDIVISION FOR THEIR SHARE OF ANY PROGRAM OTHERWISE AUTHORIZED BY LAW, INCLUDING THE ADMINISTRATIVE COSTS OF SOCIAL SERVICES AND OF COUNTY WELFARE SYSTEMS, FOR WHICH MATCHING FUNDS HAVE BEEN APPROPRIATED BY THE STATE OF MINNESOTA OR THE UNITED STATES, BUT ONLY TO THE EXTENT THAT THE COSTS TO THE GOVERNMENTAL SUBDIVISION FOR THE PROGRAM EXCEED THOSE EXPENDED IN CALENDAR YEAR 1970, SUBJECT TO RULES PROMULGATED BY THE COMMISSIONER OF REVENUE PURSUANT TO THE ADMINISTRATIVE PROCEDURES ACT;)

((H) PAY EXPENSES REASONABLY AND NECESSARILY INCURRED IN PREVENTING, PREPARING FOR

OR REPAIRING THE EFFECTS OF NATURAL DISASTER. "NATURAL DISASTER" AS USED HEREIN MEANS THE OCCURRENCE OR THREAT OF WIDESPREAD OR SEVERE DAMAGE, INJURY OR LOSS OF LIFE OR PROPERTY RESULTING FROM NATURAL CAUSES, INCLUDING AND LIMITED TO FIRE, FLOOD, EARTHQUAKE, WIND STORM, WAVE ACTION, OIL SPILL, OR OTHER WATER CONTAMINATION REQUIRING ACTION TO AVERT DANGER OR DAMAGE, VOLCANIC ACTIVITY, DROUGHT OR AIR CONTAMINATION. THE EMERGENCY SERVICES DIVISION OF THE STATE DEPARTMENT OF PUBLIC SAFETY SHALL FORMULATE STANDARDS BY WHICH AN OCCURRENCE OF ANY OF THE AFOREMENTIONED NATURAL PHENOMENA WOULD BE DEEMED A NATURAL DISASTER BY REASON OF THE LEVEL OF DAMAGE, INJURY OR LOSS OF LIFE OR PROPERTY THAT HAS OCCURRED OR WOULD OCCUR IF PREVENTATIVE ACTION WAS NOT TAKEN;)

((I)) (a) pay the costs not reimbursed by the state or federal government, of payments made to or on behalf of recipients of aid under any public assistance program authorized by law;

((J)) (b) pay the costs of principal and interest on bonded indebtedness, or, effective for taxes levied in 1973 and years thereafter, to reimburse for the amount of liquor store revenues used to pay the principal and interest due in the year preceding the year for which the levy limit is calculated on municipal liquor store bonds;

((K)) (c) pay the costs of principal and interest on certificates of indebtedness, except tax anticipation or aid anticipation certificates of indebtedness, issued for any corporate purpose except current expenses or funding an insufficiency in receipts from taxes or other sources or funding extraordinary expenditures resulting from a public emergency;

((L)) (d) fund the payments made to the Minnesota state armory building commission pursuant to section 193.145, subdivision 2, to retire the principal and interest on armory construction bonds;

((M)) (e) provide for the bonded indebtedness portion of payments made to another political subdivision of the state of Minnesota;

((N)) PAY THE AMOUNTS REQUIRED TO COMPENSATE FOR A DECREASE IN REVENUES FROM PUBLIC SERVICE ENTERPRISES, MUNICIPAL LIQUOR STORES, LICENSES, PERMITS, FINES AND FORFEITS AND NO OTHER, TO THE EXTENT THAT THE AGGREGATE OF REVENUES FROM THESE SOURCES IN THE CALENDAR YEAR PRECEDING THE YEAR OF LEVY ARE LESS THAN

THE AGGREGATE OF REVENUES FROM THESE SOURCES IN CALENDAR YEAR 1971. "REVENUES" FROM A PUBLIC SERVICE ENTERPRISE OR A MUNICIPAL LIQUOR STORE SHALL MEAN THE NET INCOME OR LOSS OF SUCH PUBLIC SERVICE ENTERPRISE OR MUNICIPAL LIQUOR STORE, DETERMINED BY SUBTRACTING TOTAL EXPENSES FROM TOTAL REVENUES, AND BEFORE ANY CONTRIBUTION TO OR FROM THE GOVERNMENTAL SUBDIVISION. "FINES" FOR A MUNICIPAL COURT MEANS THE NET AMOUNT REMAINING AFTER SUBTRACTING TOTAL MUNICIPAL COURT EXPENSES FROM TOTAL COLLECTIONS OF MUNICIPAL COURT FINES. A GOVERNMENTAL SUBDIVISION SHALL QUALIFY FOR THIS SPECIAL LEVY ONLY IF THE DECREASE IN AGGREGATE REVENUES AS COMPUTED HEREIN AND DIVIDED BY THE POPULATION OF THE GOVERNMENTAL SUBDIVISION IN THE PRECEDING LEVY YEAR IS EQUAL TO OR GREATER THAN TWO PERCENT OF THE PER CAPITA LEVY LIMITATION FOR THE PRECEDING LEVY YEAR;)

((O) PAY THE AMOUNTS REQUIRED TO COMPENSATE FOR A DECREASE IN MOBILE HOMES PROPERTY TAX RECEIPTS TO THE EXTENT THAT THE GOVERNMENTAL SUBDIVISION'S PORTION OF THE TOTAL LEVY IN THE CURRENT LEVY YEAR, PURSUANT TO SECTION 273.13, SUBDIVISION 3, AS AMENDED, IS LESS THAN THE DISTRIBUTION OF THE MOBILE HOMES TAX TO THE GOVERNMENTAL SUBDIVISION PURSUANT TO SECTION 273.13, SUBDIVISION 3, IN CALENDAR YEAR 1971;)

((Q) PAY THE AMOUNTS REQUIRED, IN ACCORDANCE WITH SECTION 275.075, TO CORRECT FOR A COUNTY AUDITOR'S ERROR OF OMISSION IN LEVY YEAR 1971 OR A SUBSEQUENT LEVY YEAR, BUT ONLY TO THE EXTENT THAT WHEN ADDED TO THE PRECEDING YEAR'S LEVY IT IS NOT IN EXCESS OF AN APPLICABLE STATUTORY, SPECIAL LAW OR CHARTER LIMITATION, OR THE LIMITATION IMPOSED ON THE GOVERNMENTAL SUBDIVISION BY SECTIONS 275.50 TO 275.56 IN THE PRECEDING LEVY YEAR;)

((R) PAY AMOUNTS REQUIRED TO CORRECT FOR AN ERROR OF OMISSION IN THE LEVY CERTIFIED TO THE APPROPRIATE COUNTY AUDITOR OR AUDITORS BY THE GOVERNING BODY OF A CITY OR TOWN WITH STATUTORY CITY POWERS IN LEVY YEAR 1971 OR A SUBSEQUENT LEVY YEAR, BUT ONLY TO THE EXTENT THAT WHEN ADDED TO THE PRECEDING YEAR'S LEVY IT IS NOT IN EXCESS OF AN APPLICABLE STATUTORY, SPECIAL LAW OR CHARTER LIMITATION, OR THE LIMITATION IMPOSED ON THE GOVERNMENTAL SUBDIVISION;

SION BY SECTIONS 275.50 TO 275.56 IN THE PRECEDING LEVY YEAR;)

((S) PAY THE INCREASED COST OF MUNICIPAL SERVICES AS THE RESULT OF AN ANNEXATION OR CONSOLIDATION ORDERED BY THE MINNESOTA MUNICIPAL BOARD IN LEVY YEAR 1971 OR A SUBSEQUENT LEVY YEAR, BUT ONLY TO THE EXTENT AND FOR THE LEVY YEARS AS PROVIDED BY THE BOARD IN ITS ORDER PURSUANT TO SECTION 414.01, SUBDIVISION 15. SPECIAL LEVIES AUTHORIZED BY THE BOARD SHALL NOT EXCEED 50 PERCENT OF THE LEVY LIMIT BASE OF THE GOVERNMENTAL SUBDIVISION AND MAY NOT BE IN EFFECT FOR MORE THAN THREE YEARS AFTER THE BOARD'S ORDER;)

((T) PAY THE INCREASED COSTS OF MUNICIPAL SERVICES PROVIDED TO NEW PRIVATE INDUSTRIAL AND NONRESIDENTIAL COMMERCIAL DEVELOPMENT, TO THE EXTENT THAT THE EXTENSION OF SUCH SERVICES ARE NOT PAID FOR THROUGH BONDED INDEBTEDNESS OR SPECIAL ASSESSMENTS, AND NOT TO EXCEED THE AMOUNT DETERMINED AS FOLLOWS. THE GOVERNMENTAL SUBDIVISION MAY CALCULATE THE AGGREGATE OF:)

((1) THE INCREASED EXPENDITURES NECESSARY IN PREPARATION FOR THE DELIVERING OF MUNICIPAL SERVICES TO NEW PRIVATE INDUSTRIAL AND NONRESIDENTIAL COMMERCIAL DEVELOPMENT, BUT LIMITED TO ONE YEAR'S EXPENDITURES ONE TIME FOR EACH SUCH DEVELOPMENT;)

((2) THE AMOUNT DETERMINED BY DIVIDING THE OVERALL LEVY LIMITATION ESTABLISHED PURSUANT TO SECTIONS 275.50 TO 275.56, AND EXCLUSIVE OF SPECIAL LEVIES AND SPECIAL ASSESSMENTS, BY THE TOTAL TAXABLE VALUE OF THE GOVERNMENTAL SUBDIVISION, AND THEN MULTIPLYING THIS QUOTIENT TIMES THE TOTAL INCREASE IN ASSESSED VALUE OF PRIVATE INDUSTRIAL AND NONRESIDENTIAL COMMERCIAL DEVELOPMENT WITHIN THE GOVERNMENTAL SUBDIVISION. FOR THE PURPOSE OF THIS CLAUSE, THE INCREASE IN THE ASSESSED VALUE OF PRIVATE INDUSTRIAL AND NONRESIDENTIAL COMMERCIAL DEVELOPMENT IS CALCULATED AS THE INCREASE IN ASSESSED VALUE OVER THE ASSESSED VALUE OF THE REAL ESTATE PARCELS SUBJECT TO SUCH PRIVATE DEVELOPMENT AS MOST RECENTLY DETERMINED BEFORE THE BUILDING PERMIT WAS ISSUED. IN THE FOURTH LEVY YEAR SUBSEQUENT TO THE LEVY YEAR IN WHICH THE BUILDING PERMIT WAS ISSUED, THE INCREASE IN ASSESSED

VALUE OF THE REAL ESTATE PARCELS SUBJECT TO SUCH PRIVATE DEVELOPMENT SHALL NO LONGER BE INCLUDED IN DETERMINING THE SPECIAL LEVY.)

(THE AGGREGATE OF THE FOREGOING AMOUNTS, LESS ANY COSTS OF EXTENDING MUNICIPAL SERVICES TO NEW PRIVATE INDUSTRIAL AND NONRESIDENTIAL COMMERCIAL DEVELOPMENT WHICH ARE PAID BY BONDED INDEBTEDNESS OR SPECIAL ASSESSMENTS, EQUALS THE MAXIMUM AMOUNT THAT MAY BE LEVIED AS A "SPECIAL LEVY" FOR THE INCREASED COSTS OF MUNICIPAL SERVICES PROVIDED TO NEW PRIVATE INDUSTRIAL AND NONRESIDENTIAL COMMERCIAL DEVELOPMENT;)

((U) RECOVER A LOSS OR REFUNDS IN TAX RECEIPTS INCURRED IN NON-SPECIAL LEVY FUNDS RESULTING FROM ABATEMENTS OR COURT ACTION IN THE PREVIOUS YEAR PURSUANT TO SECTION 275.48.)

Sec. 2. Minnesota Statutes 1976, Section 275.51, is amended by adding a subdivision to read:

Subd. 3d. The property tax levy limitation for governmental subdivisions in 1977 payable in 1978 and subsequent years shall be calculated as follows:

The sum of the following amounts shall be computed: (1) the property tax permitted to be levied in 1976 payable 1977 computed pursuant to Minnesota Statutes 1976, Section 275.51, Subdivision 3c, plus

(2) the amount of any state aids the governmental subdivision was entitled to receive in calendar year 1977 pursuant to sections 477A.01; 298.26; 298.28, subdivisions 1 and 1a; 298.281, subdivision 1; 298.282; and 294.26, plus

(3) the amount levied in 1976 payable 1977 pursuant to Minnesota Statutes 1976, Section 275.50, Subdivision 5, clauses (a), (b), (c), (d), (e), (f), (g), (h), (n), (o), (q), (r), (s), (t) and (u)

(b) The sum computed in clause (a) shall be increased in the manner provided in section 275.52 to derive the levy limit base for 1977 payable 1978.

(c) For taxes levied in 1978 payable 1979 and subsequent years, the levy limit base is the levy limit base which was computed for the immediately preceding year under the provisions of this section increased according to the provisions of section 275.52. Any amount levied in 1976 payable 1977 under the provisions of section 275.50, subdivision 5, clauses (a), (b), (c), (d),

(e), (f), (g), (h), (n), (o), (q), (r), (s), (t) or (u) to meet the costs of programs, services or legal requirements which cease to exist in a subsequent year shall be subtracted from the levy limit base in the year in which the programs, services or legal requirements for which the levy was made cease to exist.

(d) *The levy limit base shall be reduced by the total amount of state formula aids pursuant to section 477A.01 and taconite taxes and aids pursuant to sections 294.26; 298.26; 298.28, subdivisions 1 and 1a; 298.281, subdivision 1; and 298.282, to be paid in the calendar year in which property taxes are payable. The resulting figure is the amount of property taxes which a governmental subdivision may levy for all purposes other than those for which special levies and special assessments are made.*

Sec. 3. Minnesota Statutes 1976, Section 275.52, Subdivision 2, is amended to read:

Subd. 2. The levy limit base (PER CAPITA), as adjusted for previous increases pursuant to this section, may be increased each year by the governing body of the governmental subdivision affected thereby in the amount not to exceed (OF) six percent the previous year's levy limit base (PER CAPITA).

Sec. 4. Minnesota Statutes 1976, Section 275.52, Subdivision 3, is amended to read:

Subd. 3. If the population of any governmental subdivision (DECREASES) *increases* from one year to the next, the current (LEVY) year's (POPULATION) *levy limit base* shall, for purposes of sections 275.50 to 275.56, be increased by an amount equal to (ONE-HALF OF THE DECREASE IN POPULATION FROM THE PRIOR LEVY YEAR, SUCH INCREASE TO BE EFFECTIVE FOR THE SAID ONE LEVY YEAR ONLY) *the levy limit base per capita for the previous year increased pursuant to subdivision 2 times the current year's population.*

Sec. 5. Minnesota Statutes 1976, Section 275.52, Subdivision 4, is amended to read:

Subd. 4. (FOR TAXES LEVIED IN 1975 PAYABLE IN 1976 AND SUBSEQUENT YEARS) The levy limit base of a governmental subdivision may be increased upon approval by the levy limit review board established in section 275.551, for the following reasons:

(a) Any governmental subdivision which spent money from its surplus funds for nonspecial levy purposes in calendar year 1971 may have its levy limit base increased by an amount not to exceed the amount of revenue it used from surplus funds for nonspecial levy purposes in calendar year 1971.

(b) Any governmental subdivision which has been required to provide new services because of changes in state law, whether or not the changed law directly mandates new services, may have its levy limit base increased by an amount not to exceed the amount required to finance the services, provided that the services may not be financed by special levies or special assessments.

(c) Any governmental subdivision which has been required to provide new or expanded services because of annexations, consolidations, mergers or new incorporations since 1970 may have its levy limit base increased by an amount not to exceed the amount required to finance the general operating costs involved in such services.

(d) *Any city or township having statutory city powers which has a levy limit base per capita that is below 80 percent of the arithmetic average of the levy limit bases per capita for cities and townships having statutory city powers in the same county may have its levy limit base increased by an amount not to exceed the amount required to bring its levy limit base per capita up to 80 percent of the arithmetic average of levy limit bases per capita for all cities and townships having statutory city powers in the county which are governed by the provisions of sections 275.50 to 275.59.*

Any governmental subdivision which desires to have its levy limit base adjusted under the provisions of this subdivision shall apply to the commissioner of revenue, who shall submit all applications to the levy limit review board established in section 275.551. Applications shall be in the form and accompanied by the data required by the levy limit review board. Adjustments authorized by the levy limit review board shall become a permanent part of the levy limit base for the governmental subdivision. The levy limit review board may authorize only one levy limit base adjustment for any governmental subdivision under this subdivision.

Sec. 6. [REPEALER.] *Minnesota Statutes 1976, Section 275.51, Subdivisions 3b and 3c are hereby repealed.*

ARTICLE V

Section 1. Minnesota Statutes 1976, Chapter 290, is amended by adding a section to read:

[290.091] *In addition to all other taxes imposed by this chapter there is hereby imposed for each taxable year beginning after December 31, 1976 a tax which, in the case of a resident individual or estate of a resident decedent, shall be equal to 40 percent of the amount of the minimum tax for tax preferences which the individual owes the federal government under the provisions*

of sections 56 to 58 and 443(d) of the Internal Revenue Code of 1954 as amended through December 31, 1976.

In the case of any other taxpayer, the tax shall equal 40 percent of the taxpayer's federal liability multiplied by a fraction, the numerator of which is the amount of the taxpayer's preference item income allocated to this state pursuant to the provisions of sections 290.17 to 290.20, and the denominator of which is the taxpayer's total preference item income for federal purposes.

Sec. 2. Minnesota Statutes 1976, Section 290.012, Subdivision 2, is amended to read:

Subd. 2. "Claimant" means the individual taxpayer whose income, together with that of his spouse, if any, brings him within the provisions of this section and section 290.06, subdivision 3d. *No claimant and spouse whose federal adjusted gross income, including the modifications increasing federal adjusted gross income as computed under section 290.01, subdivision 20, clause (a), exceed \$20,000 may qualify under this section or section 290.06, subdivision 3d.*

Sec. 3. Minnesota Statutes 1976, Chapter 290, is amended by adding a section to read:

[290.067] [DEPENDENT CARE CREDIT.] *Subdivision 1. [DEFINITIONS.] For purposes of this section, the terms defined herein shall have the meanings given them unless the context clearly indicates another meaning.*

"Claimant" means an individual who has filed a claim under this subdivision. To be eligible to file, the individual shall have been domiciled in this state during the entire taxable year for which he files a claim for relief. Only one spouse in a married couple may be a claimant.

"Qualifying individual" means (1) an individual dependent upon and receiving his chief support from the claimant, if the dependent has not attained the age of 15 years, or is physically or mentally incapable of caring for himself; or (2) a spouse of the claimant who is physically or mentally incapable of caring for himself.

"Income" means gross income as defined in Minnesota Statutes, Section 290.01, Subdivision 20. If the claimant is married, income shall be the combined income of both spouses, and the spouses shall file their income tax return for the year for which the credit is claimed, either jointly or separately, on one form. A claimant shall not be considered as married if,

(1) he is legally separated from his spouse under a decree of divorce or of separate maintenance at the close of the taxable year, or

(2) he has been deserted by his spouse and has not known the whereabouts of his spouse at any time during the last six months of the taxable year.

“Qualifying dependent care expenses” means the amount actually paid by a claimant for the cost of care for a qualifying individual but only if the care is obtained for the purpose of enabling the claimant to be gainfully employed. In the case of a married claimant, no expenses shall be included as qualifying dependent care expenses if the expenses were incurred during any period in which the claimant's spouse was neither gainfully employed nor eligible as a qualifying individual; if both spouses are gainfully employed, the amount of qualifying dependent care expenses for which a credit will be given pursuant to this subdivision shall not exceed the lesser of the income of the claimant alone or that of his spouse alone during the taxable year for which the claim was made. No payment made by a claimant for care given to a qualifying individual shall be considered a qualifying dependent care expense if the care is given by and the payment made to an individual who is dependent upon and receiving his chief support from the claimant or the spouse of the claimant. No expense for which a deduction is claimed pursuant to Minnesota Statutes, Section 290.09, Subdivision 10 shall be included as a qualifying dependent care expense.

Subd. 2. [CLAIM FOR CREDIT.] A credit shall be given to each eligible claimant in an amount determined according to subdivision 3. A claimant under this section shall file with the commissioner of revenue a Minnesota income tax return or any other form the commissioner prescribes to claim the credit. The claimant shall include in support of his claim reasonable proof of expenses paid and the names and addresses of payees.

Subd. 3. [AMOUNT OF CREDIT.] The credit given shall equal ten percent of the total amount actually paid by a claimant as qualifying dependent care expenses, subject to the limitations provided herein. The credit for each dependent shall not exceed \$150 in any taxable year, and the total credit for all dependents of a claimant shall not exceed \$300 in the taxable year. The credit shall be reduced by an amount equal to five percent of the income of the claimant which is over \$12,000. Only those expenses incurred on behalf of a qualifying individual during the time when that person was a qualifying individual shall qualify for the credit.

Subd. 4. [CREDIT TO BE REFUNDABLE.] If the amount of credit which a claimant would be eligible to receive pursuant to this subdivision exceeds his tax liability under Minnesota Stat-

utes, Chapter 290, the excess amount of the credit shall be refunded to the claimant by the commissioner of revenue.

Subd. 5. [RIGHT TO FILE CLAIM.] The right to file a claim under this section shall exist according to the terms of Minnesota Statutes, Section 290.984.

Subd. 6. [APPROPRIATION.] A sum sufficient to pay the claims for credit to be given pursuant to section 1 shall be appropriated annually to the commissioner of revenue from the general fund in the state treasury.

Sec. 4. [REPEALER.] Minnesota Statutes 1976, Section 290.09, Subdivision 26, is repealed.

Sec. 5. [EFFECTIVE DATE.] This article is effective for taxable years beginning after December 31, 1976.

ARTICLE VI

Section 1. Minnesota Statutes 1976, Section 290A.03, Subdivision 3, is amended to read:

Subd. 3. [INCOME.] "Income" means the sum of the following:

(a) federal adjusted gross income as defined in the Internal Revenue Code of 1954 as amended through December 31, (1974,) 1976; and

(b) the sum of the following amounts to the extent not included in clause (a):

(i) additions to federal adjusted gross income as provided in Minnesota Statutes, Section 290.01, Subdivision 20, Clause (a)(1), (a)(2), (a)(3), ((A)(4), (A)(8),) and (a)(10) (, AND);

(ii) all nontaxable income (, INCLUDING BUT NOT LIMITED TO THE AMOUNT OF);

(iii) recognized net long term capital gains (EXCLUDED FROM ADJUSTED GROSS INCOME,);

(iv) dividends excluded from federal adjusted gross income under section 116 of the Internal Revenue Code of 1954;

(v) cash public assistance and relief (, THE GROSS AMOUNT OF);

(vi) any pension or annuity (including railroad retirement benefits, all payments received under the federal social security act, *supplemental security income*, and veterans disability pensions), *which was not exclusively funded by the claimant or spouse, or which was funded exclusively by the claimant or spouse and which funding payments were excluded from federal adjusted gross income in the years when the payments were made;*

(vii) nontaxable interest received from the state or federal government or any instrumentality or *political subdivision* thereof (,);

(viii) worker's compensation (,);

(ix) unemployment benefits (,);

(x) nontaxable strike benefits (,); and

(xi) the gross (AMOUNT) amounts of ("LOSS OF TIME" INSURANCE) *payments received in the nature of disability income or sick pay as a result of accident, sickness, or other disability, whether funded through insurance or otherwise.* In the case of an individual who files an income tax return on a fiscal year basis, the term "federal adjusted gross income" shall mean federal adjusted gross income reflected in the fiscal year ending in the calendar year. "Income" does not include

(a) *amounts excluded pursuant to the Internal Revenue Code, Sections 101(a), 102, 117, and 121;*

(b) *amounts of any pension or annuity which was exclusively funded by the claimant or spouse and which funding payments were not excluded from federal adjusted gross income in the years when the payments were made;*

(c) gifts from nongovernmental sources (,);

(d) surplus food or other relief in kind supplied by a governmental agency (,); or

(e) relief granted under sections 273.012, subdivision 2 or 290A.01 to 290A.21.

Sec. 2. Minnesota Statutes 1976, Section 290A.03, Subdivision 11, is amended to read:

Subd. 11. [RENT CONSTITUTING PROPERTY TAXES.] "Rent constituting property taxes" means (20) 22 percent of the gross rent actually paid in cash, or its equivalent, in (1975) 1977 or any subsequent calendar year by a claimant solely for the

right of occupancy of his Minnesota homestead in the calendar year, and which rent constitutes the basis, in the succeeding calendar year of a claim for relief under sections 290A.01 to 290A.21 by the claimant.

Sec. 3. Minnesota Statutes 1976, Section 290A.03, Subdivision 13, is amended to read:

Subd. 13. [PROPERTY TAXES PAYABLE.] "Property taxes payable" means the property tax exclusive of special assessments, penalties, and interest payable on a claimant's homestead before reductions made pursuant to section 273.13, subdivisions 6 and 7, but after deductions made pursuant to sections 273.132 and 273.135, in (1976) 1977 or any calendar year thereafter. For homesteads which are mobile homes as defined in section 168.011, subdivision 8, "property taxes payable" shall also include (20) 22 percent of gross rent paid in the preceding year for the site on which the homestead is located, exclusive of charges for utilities or services. When a homestead is owned by two or more persons as joint tenants or tenants in common, "property taxes payable" is that part of the property taxes payable on the homestead as reflects the percentage of ownership of the claimant and spouse. Property taxes are considered payable in the year prescribed by law for payment of the taxes.

In the case of a claim relating to "property taxes payable", the claimant must have owned and occupied the homestead on January 2 of the year in which the tax is payable.

Sec. 4. Minnesota Statutes 1976, Section 290A.04, Subdivision 2, is amended to read:

Subd. 2. The credit shall be paid to claimants whose property taxes payable exceed the following percentages of their income, up to the designated maximum credit amounts:

For claimants earning:

\$ 0 to (\$2,499) \$2,999, (1.0) 0.5 percent, up to \$475;

3,000 to 3,999, 0.6 percent, up to \$475;

4,000 to 4,999, 0.7 percent, up to \$475;

5,000 to 5,999, 0.8 percent, up to \$475;

6,000 to 6,999, 0.9 percent, up to \$475;

7,000 to 7,999, 1.0 percent, up to \$475;

8,000 to 8,999, 1.1 percent, up to \$475;

- 9,000 to 9,999, 1.2 percent, up to \$475;
10,000 to 10,999, 1.3 percent, up to \$475;
11,000 to 11,999, 1.4 percent, up to \$475;
(2,500) 12,000 to 19,999, 1.5 percent, up to \$475;
20,000 to 22,999, 1.6 percent, up to \$475;
23,000 to 25,999, 1.8 percent, up to \$425;
26,000 to 30,999, 2.0 percent, up to \$375;
31,000 to 35,999, 2.2 percent, up to \$350;
36,000 to 40,999, 2.4 percent, up to \$325;
41,000 to 44,999, 2.6 percent, up to \$325;
45,000 to 52,999, 2.8 percent, up to \$325;
53,000 to 65,999, 3.0 percent, up to \$325;
66,000 to 81,999, 3.2 percent, up to \$325;
82,000 to 99,999, 3.5 percent, up to \$325;
100,000 and over, 4.0 percent, up to \$325;

provided that maximum credits for incomes above \$20,000 decline according to the following schedule:

between \$20,000 and \$26,000 decline \$16.67 per \$1,000; between \$26,000 and \$36,000 decline \$5 per \$1,000.

In the case of a claimant who was disabled on June 1 or who attained the age of 65 on the date specified in subdivision 1, the credit shall not be less than the credit which the claimant's household income as defined in section 290A.03 and property tax or rent constituting property tax would have entitled him to receive under Minnesota Statutes 1974, Section 290.0618.

The credit shall be the amount calculated pursuant to this subdivision, but not exceeding \$675, less the homestead credit given pursuant to section 273.13, subdivisions 6 and 7.

Sec. 5. Minnesota Statutes 1976, Section 290A.04, is amended by adding a subdivision to read:

Subd. 2a. An additional credit shall be allowed each claimant in an amount equal to 40 percent of the amount by which property taxes payable or rent constituting property taxes exceed the sum of (a) the credit calculated pursuant to subdivision 2 and (b) the percentage of the claimant's household income specified in subdivision 2. The sum of the credits provided in subdivision 2 and this subdivision shall not exceed the maximum amounts provided below.

For claimants earning:

\$ 0 to 19,999, up to \$700;
20,000 to 22,999, up to \$700;
23,000 to 25,999, up to \$650;
26,000 to 30,999, up to \$600;
31,000 to 35,999, up to \$462;
36,000 and over, up to \$325;

provided that maximum credits for incomes above \$20,000 decline according to the following schedule:

between \$20,000 and \$26,000 decline \$16.67 per \$1,000; between \$26,000 and \$36,000 decline \$27.50 per \$1,000.

For claimants, who are disabled or have attained the age of 65 by June 1 of the year in which the taxes were payable, earning:

\$ 0 to 19,999, up to \$750;
20,000 to 22,999, up to \$750;
23,000 to 25,999, up to \$700;
26,000 to 30,999, up to \$650;
31,000 to 35,999, up to \$587;
36,000 and over, up to \$525;

provided that maximum credits for incomes above \$20,000 decline according to the following schedule:

between \$20,000 and \$26,000 decline \$16.67 per \$1,000; between \$26,000 and \$36,000 decline \$12.50 per \$1,000.

Sec. 6. Minnesota Statutes 1976, Chapter 290A, is amended by adding a section to read:

[290A.23] [APPROPRIATION.] *There is appropriated from the general fund in the state treasury to the commissioner of revenue the amount necessary to make the payments required by chapter 290A.*

Sec. 7. [EFFECTIVE DATE.] *Sections 1 to 5 are effective for claims filed after January 1, 1978 for property taxes payable in 1978 or rent constituting property taxes in 1977 and subsequent years.*

ARTICLE VII

Section 1. Minnesota Statutes 1976, Section 290.09, Subdivision 4, is amended to read:

Subd. 4. [TAXES.] Taxes paid or accrued within the taxable year, except (a) income or franchise taxes imposed by this chapter; (b) taxes assessed against local benefits of a kind deemed in law to increase the value of the property assessed; (c) inheritance, gift and estate taxes except as provided in section 290.077, subdivision 4; (d) cigarette and tobacco products excise tax imposed on the consumer; (e) that part of Minnesota property taxes for which a credit or refund is claimed and allowed under section 290.0603 or 290.066; (f) federal income taxes, by corporations, national and state banks except as provided in section 290.18; (AND) (g) tax paid by any corporation or national or state bank to any foreign country or possession of the United States to the extent that a credit against federal income taxes is allowed under the provisions of the Internal Revenue Code of 1954, as amended through December 31, (1974) 1976; (h) mortgage registry tax; (i) real estate transfer tax; (j) federal telephone tax; and (k) federal transportation tax. If the taxpayer's foreign tax credit consists of both foreign taxes deemed paid and foreign taxes actually paid or withheld, it will be conclusively presumed that foreign taxes deemed paid were first used by the taxpayer in its foreign tax credit. Minnesota gross income shall include the amount of foreign tax paid which had been allowed as a deduction in a previous year, provided such foreign tax is later allowed as a credit against federal income tax. Income taxes permitted to be deducted hereunder shall, regardless of the methods of accounting employed, be deductible only in the taxable year in which paid. Taxes imposed upon a shareholder's interest in a corporation which are paid by the corporation without reimbursement from the shareholder shall be deductible only by such corporation.

Sec. 2. [EFFECTIVE DATE.] *Section 1 shall be effective for taxable years beginning December 31, 1976.*

ARTICLE VIII

Section 1. Minnesota Statutes 1976, Chapter 3, is amended by adding a section to read:

[3.86] [TAX STUDY COMMITTEE.] *Subdivision 1. [CREATION; PURPOSE.] A tax study committee is hereby created to examine the total tax structure and the revenue needs and the sources of revenue of this state and its political subdivisions.*

Subd. 2. [DUTIES.] Together with its examination of the existing tax system, the committee shall:

(a) study and make recommendations regarding long range tax policy;

(b) analyze proposed tax legislation, with particular reference to analysis of revenue and distribution impact, local government financing and adherence to sound tax policy, and report its findings to the legislature; and

(c) file a report at least biennially with the legislature.

Subd. 3. [MEMBERSHIP.] The committee shall consist of seven members of the senate tax committee, including the committee chairman, to be appointed by the committee on committees and seven members of the house of representatives tax committee, including the committee chairman, to be appointed by the speaker. Each of these people shall be a member of the committee only while that person is a member of the body from which that person was appointed. The first members of this committee shall be selected to serve for a term expiring on January 15 of the next biennial session of the legislature and until their successors are appointed. Subsequent members of the committee shall be appointed at the commencement of each biennial session of the legislature for a two year term beginning on January 16 of that year. Vacancies shall be filled in the same manner as the original appointment.

Subd. 4. [OFFICE; MEETINGS; OFFICERS.] The committee shall maintain an office in the capitol group of buildings in space which the commissioner of administration shall provide. The committee shall hold meetings at the times and places it may designate. It shall select a chairman, a vice chairman and other officers from its membership as it deems necessary.

Subd. 5. [STAFF.] The committee may employ the professional, clerical, and technical assistants it deems necessary in order to perform its duties.

Subd. 6. [ASSISTANCE OF OTHER AGENCIES.] The committee may request information from any state officer or agency in order to assist in carrying out the terms of this section and the officer or agency shall promptly furnish any data requested to the extent permitted by law.

Subd. 7. [RECORDS AND INFORMATION OF PREVIOUS TAX STUDY COMMITTEE.] The records, information and other material in the possession of the tax study commission created pursuant to Extra Session Laws 1971, Chapter 31, Article 13, Section 1, shall be conveyed to the tax study committee created pursuant to this section.

Subd. 8. [EXPENSES AND REIMBURSEMENT OF MEMBERS AND STAFF.] The members of the committee and its assistants shall be reimbursed for all expenses actually and necessarily incurred in the performance of their duties. Reimbursement shall be made pursuant to the rules governing legislators and legislative employees.

Subd. 9. [COMMITTEE EXPENSES AND REPORTS.] Expenses of the committee shall be approved by the chairman or other member as the rules of the committee may provide and the expenses shall then be paid in the same manner as other state expenses are paid. A general summary or statement of expenses incurred by the committee and paid shall be made to the legislature by November 15 of each even numbered year.

Subd. 10. [APPROPRIATION.] There is hereby appropriated for the biennium ending June 30, 1979, from the general fund, the sum of \$250,000 to pay the expenses incurred by the committee.

Sec. 2. [REPEALER.] Extra Session Laws 1971, Chapter 31, Article XIII; Laws 1973, Chapter 601; Laws 1975, Chapter 437, Article VII; and Laws 1976, Chapter 149, Section 58, are hereby repealed.

Sec. 3. [EFFECTIVE DATE.] This article is effective on July 1, 1977.

ARTICLE IX

Section 1. Minnesota Statutes 1976, Section 273.134, is amended to read:

273.134 [TACONITE AND IRON ORE AREAS; TAX RELIEF AREA; DEFINITIONS.] For purposes of this section and section 273.135, "municipality" means (A) any city, however organized, or town, and the applicable assessment date is the date as of which property is listed and assessed for the tax in question.

For the purposes of section 273.135 "tax relief area" means the geographic area contained, within the boundaries of a school district which contains a municipality which meets the following qualifications:

(1) it is a municipality in which the assessed valuation of unmined iron ore on May 1, 1941, was not less than 40 percent of the assessed valuation of all real property and in which, as of the applicable assessment date, the assessed valuation of unmined iron ore is not more than 60 percent of the assessed valuation of all real property; or

(2) it is a municipality in which, (AS OF) *on January 1, 1977* or the applicable assessment date, there is a taconite concentrating plant or where taconite is mined or quarried or where there is located an electric generating plant which qualifies as a taconite facility.

Sec. 2. Minnesota Statutes 1976, Section 294.26, is amended to read:

294.26 [DIVISION OF PROCEEDS OF TAX.] The proceeds of the taxes collected under sections 294.21 to 294.27 shall be (DISTRIBUTED IN ACCORDANCE WITH THE DETERMINATION MADE BY THE COMMISSIONER OF REVENUE, TO) *deposited in* the general fund of the state (AND TO THE VARIOUS TAXING DISTRICTS IN WHICH SUCH RAILWAY OPERATIONS ARE CONDUCTED, IN THE FOLLOWING PROPORTIONS: 22 PERCENT THEREOF TO THE CITY OR TOWN; 50 PERCENT THEREOF TO THE SCHOOL DISTRICT; 22 PERCENT THEREOF TO THE COUNTY; SIX PERCENT THEREOF TO THE STATE. IF SUCH RAILROAD OPERATION, OR DIFFERENT STEPS THEREIN, ARE CARRIED ON IN MORE THAN ONE TAXING DISTRICT, THE COMMISSIONER SHALL APPORTION EQUITABLY THE PROCEEDS OF THE PART OF THE TAX GOING TO CITIES OR TOWNS AMONG SUCH SUBDIVISIONS, AND THE PART GOING TO SCHOOL DISTRICTS AMONG SUCH DISTRICTS, AND THE PART GOING TO COUNTIES AMONG SUCH COUNTIES, UPON THE BASIS OF ATTRIBUTING 40 PERCENT OF THE PROCEEDS OF THE TAX TO THE TERMINAL FACILITIES AT EACH END OF THE RAILWAY LINE OF A TACONITE RAILROAD COMPANY, AND THE REMAINING 20 PERCENT THEREOF TO THE RAILWAY TRACKAGE CONNECTING SUCH TERMINALS, AND WITH RESPECT TO EACH SUCH PORTION GIVING DUE CONSIDERATION TO THE RELATIVE EXTENT OF SUCH PORTION OF THE OPERATION PERFORMED IN EACH SUCH TAXING DISTRICT. IF ANY PART OF SUCH FACILITIES ARE LOCATED OUTSIDE THE LIMITS OF ANY ORGANIZED CITY OR TOWN, 70 PERCENT OF THE PORTION OF THE TAX WHICH WOULD BE DISTRIBUTED TO ANY SUCH GOVERNMENT-

TAL UNIT, IF IT EXISTED AND THE FACILITIES WERE LOCATED THEREIN, SHALL BE ADDED TO THE PORTION DISTRIBUTED TO THE SCHOOL DISTRICT, AND 30 PERCENT THEREOF SHALL BE ADDED TO THE PORTION DISTRIBUTED TO THE COUNTY IN WHICH SUCH FACILITIES ARE LOCATED; ALSO, IF THE AMOUNT OTHERWISE DISTRIBUTABLE TO ANY CITY OR TOWN HEREUNDER WOULD EXCEED \$75 PER CAPITA OF THE POPULATION THEREOF, THE AMOUNT OF SUCH EXCESS SHALL BE ADDED TO THE PORTIONS DISTRIBUTED TO THE SCHOOL DISTRICT AND COUNTY IN WHICH SUCH FACILITIES ARE LOCATED IN THE PROPORTIONS ABOVE SET FORTH. THE COMMISSIONER'S ORDER MAKING SUCH APPORTIONMENT SHALL BE SUBJECT TO REVIEW BY THE TAX COURT OF APPEALS AT THE INSTANCE OF ANY OF THE INTERESTED TAXING DISTRICTS, IN THE SAME MANNER AS OTHER ORDERS OF THE COMMISSIONER. THE AMOUNT SO DISTRIBUTED SHALL BE DIVIDED AMONG THE VARIOUS FUNDS OF THE TAXING DISTRICT IN THE SAME PROPORTION AS THE GENERAL AD VALOREM PROPERTY TAX THEREOF.)

(THERE IS HEREBY APPROPRIATED TO SUCH PERSONS, CITY, TOWN, SCHOOL DISTRICT, OR COUNTY AS ARE ENTITLED TO SUCH PAYMENT, FROM THE FUND OR ACCOUNT IN THE STATE TREASURY TO WHICH THE MONEY WAS CREDITED, AN AMOUNT SUFFICIENT TO MAKE THE PAYMENT AUTHORIZED HEREIN. THE COMMISSIONER OF REVENUE SHALL MAKE SUCH PAYMENTS ON MARCH 15 AND SEPTEMBER 15 ANNUALLY).

Sec. 3. Minnesota Statutes 1976, Chapter 298, is amended by adding a section to read:

[298.012] *For purposes of chapter 298, the word "city" includes any home rule charter city, statutory city, or any city however organized.*

Sec. 4. Minnesota Statutes 1976, Section 298.03, is amended to read:

298.03 [VALUE OF ORE; HOW ASCERTAINED.] The valuation of iron or other ores for the purposes of determining the amount of tax to be paid under the provisions of section 298.01 shall be ascertained by subtracting from the value of such ore, at the place where the same is brought to the surface of the earth, such value to be determined by the commissioner of revenue:

(1) The reasonable cost of supplies used and labor performed at the mine in separating the ore from the ore body, including

hoisting, elevating, or conveying the same to the surface of the earth;

(2) If the ore is taken from an open pit mine, an amount for each ton of ore mined or produced during the year equal to the cost of removing the overburden, divided by the number of tons of ore uncovered, the number of tons of ore uncovered in each case to be determined by the commissioner of revenue;

(3) If the ore is taken from an underground mine, an amount for each ton of ore mined or produced during the year equal to the cost of sinking and constructing shafts and running drifts, divided by the number of tons of ore that can be advantageously taken out through such shafts and drifts, the number of tons of ore that can be advantageously taken out in each case to be determined by the commissioner of revenue;

(4) The amount of royalties paid on the ore mined or produced during the year;

(5) A percentage of the ad valorem taxes levied for such year against the realty in which the ore is deposited equal to the percentage that the tons mined or produced during such year bears to the total tonnage in the mine;

(6) In the case of taconite, semi-taconite and iron sulphide operations, the tax payable under (SECTIONS) *section 298.24 (AND)*, but not exceeding 25 cents per taxable ton, and that payable under *section 298.35*, on the concentrates produced in said year and any taxes paid under Laws 1955, Chapters 391, 429, 514, 576 or 540, or any other law imposing on such taconite operations a specific tax for school or other governmental purposes;

(7) The amount or amounts of all the foregoing subtractions shall be ascertained and determined by the commissioner of revenue. Deductions for interest on plant investment shall not exceed the greater of (a) four percent of book value, or (b) the amount actually paid but not exceeding six percent of book value. No subtraction shall be allowed for shrinkage of iron ore, except that which can be measured in a manner determined by the commissioner of revenue. In no case shall the shrinkage subtraction exceed one-fourth of one percent of the value of the ore.

Sec. 5. Minnesota Statutes 1976, Section 298.22, Subdivision 1, is amended to read:

298.22 [IRON RANGE RESOURCES AND REHABILITATION.] Subdivision 1. (ON AND AFTER JULY 1, 1969, THERE IS HEREBY APPROPRIATED FROM THE GENERAL FUND FOR THE PURPOSES HEREINAFTER SET FORTH, FIVE PERCENT OF ALL AMOUNTS PAID AND

CREDITED TO SAID FUND FROM THE PROCEEDS OF TAXES PAID UNDER THE PROVISIONS OF SECTIONS 298.01 TO 298.21.) The office of commissioner of iron range resources and rehabilitation is hereby created. The commissioner shall be appointed by the governor, with the advice and consent of the senate for a four year term which shall coincide with the term of the governor until his successor is duly appointed and has qualified. The governor may remove the commissioner at any time for cause after notice and hearing. In case of a vacancy, the governor may appoint a commissioner, who shall take office immediately and shall carry on the duties of the office until the next session of the legislature, when his appointment shall be submitted to the senate for approval. The (SALARY OF THE) commissioner (, WHO) shall be in *the* unclassified service (, SHALL BE PAID FROM THE AMOUNTS APPROPRIATED BY THIS SECTION; PROVIDED, THAT SUCH SALARY SHALL BE REDUCED BY SUCH AMOUNT AS HE MAY RECEIVE FROM OTHER FUNDS) , and the commissioner may hold such other positions or appointments as are not incompatible with his duties as commissioner of iron range resources and rehabilitation. The commissioner may appoint a deputy commissioner who shall serve in the unclassified service at the pleasure of the commissioner. All expenses of the commissioner, including the payment of such assistance as may be necessary, shall be paid out of the amounts appropriated by (THIS) section 298.28.

When the commissioner shall determine that distress and unemployment exists or may exist in the future in any county by reason of the removal of natural resources or a possibly limited use thereof in the future and the decrease in employment resulting therefrom, now or hereafter, he may use such amounts of the appropriation made to him in this section as he may determine to be necessary and proper in the development of the remaining resources of said county and in the vocational training and rehabilitation of its residents. For the purposes of this section, "development of remaining resources" includes, but is not limited to, the promotion of tourism.

Sec. 6. Minnesota Statutes 1976, Section 298.24, Subdivision 1, is amended to read:

298.24 [TAX ON TACONITE AND IRON SULPHIDES.] Subdivision 1. (a) There is hereby imposed upon taconite and iron sulphides, and upon the mining and quarrying thereof, and upon the production of iron ore concentrate therefrom, and upon the concentrate so produced, a tax of (11.5 CENTS) \$1.25 per gross ton of merchantable iron ore concentrate (AS) produced therefrom (, PLUS ONE-TENTH OF ONE CENT). *The tax on concentrates produced in 1978 and subsequent years shall be equal to \$1.25 multiplied by the steel mill products index during the production year, divided by the steel mill products index in 1977. The index stated in code number 1013, or any subsequent*

equivalent, as published by the United States Department of Labor, Bureau of Labor Statistics Wholesale Prices and Price Indexes for the month of January of the year in which the concentrate is produced shall be the index used in calculating the tax imposed herein. In no event shall the tax be less than \$1.25 per gross ton of merchantable iron ore concentrate.

(b) An additional tax is hereby imposed equal to 1.6 percent of the total tax imposed by clause (a) per gross ton for each one percent that the iron content of such product exceeds (55) 62 percent, when dried at 212 degrees Fahrenheit.

(c) The tax imposed by this subdivision shall be computed on the production for the current year or the average of the production for the current year and the previous two years, whichever is higher. This clause shall not apply in the case of the closing of a taconite facility if the property taxes on the facility would be higher if this clause and section 298.25 were not applicable.

(d) If the tax or any part of the tax imposed by this subdivision is held to be unconstitutional, a tax of \$1.25 per gross ton of merchantable iron ore concentrate produced shall be imposed.

Sec. 7. Minnesota Statutes 1976, Section 298.24, Subdivision 2, is amended to read:

Subd. 2. (IF THE INDEX OF WHOLESALE PRICES FOR ALL COMMODITIES PREPARED FOR THE JOINT ECONOMIC COMMITTEE BY THE COUNCIL OF ECONOMIC ADVISERS AND DISTRIBUTED BY THE SUPERINTENDENT OF DOCUMENTS, GOVERNMENT PRINTING OFFICE, AS OF JANUARY OF ANY YEAR SHALL BE ABOVE 110, USING THE AVERAGE FOR THE YEARS 1957-1959 AS THE BASE OF 100, THE AMOUNT OF THE TAX PRESCRIBED BY SUBDIVISION 1 FOR SUCH YEAR SHALL BE INCREASED BY ONE-TENTH OF ONE CENT PER GROSS TON FOR EACH POINT INCREASE IN SAID INDEX ABOVE 110. FOR ALL PURPOSES OF THIS COMPUTATION, A FRACTIONAL POINT INCREASE SHALL BE DISREGARDED IF LESS THAN ONE-HALF POINT AND TREATED AS ONE FULL POINT, IF ONE-HALF POINT OR MORE.) *There is hereby imposed upon taconite and iron sulphides, and upon the mining and quarrying thereof, and upon the production of iron ore concentrate therefrom, and upon the tailings so produced an additional tax of 25 cents per ton of tailings produced.*

The tax imposed by this subdivision shall only apply to those tailings from a taconite facility which are not deposited on land in accordance with permits issued by the pollution control agency and the department of natural resources.

The proceeds of the tax imposed by this subdivision shall be deposited in the general fund of the state.

Sec. 8. Minnesota Statutes 1976, Section 298.244, Subdivision 2, is amended to read:

Subd. 2. (a) For the purposes of this subdivision, the following terms shall have the meanings given them.

(1) "Agency" means the state board of health.

(2) "Municipality" means any city or any other governmental subdivision having the power or duty to provide drinking water and using Lake Superior as the source of the drinking water.

(3) "Eligible cost" includes all costs incurred by a municipality including acquisition of necessary real and personal property, engineering, system cleaning, construction, alteration, improvements, inspection, supervision of construction and all other costs related to the construction and establishment of a permanent water filtration or purification system. Such costs shall be eligible even if incurred prior to June 7, 1975.

(4) "Municipal water purification system" includes all properties, real or personal, determined by a municipality and the state to be necessary for the elimination of polluting or potentially injurious substances from water used for municipal water supply purposes.

(b) There is hereby appropriated from the general fund to the state board of health the sum of \$2,500,000 and an additional \$1,750,000 for a grant program for the construction of water filtration and purification systems for those communities using Lake Superior as a drinking water source. The board of health shall establish a grant program to implement the provisions of this subdivision. This program shall include the disbursement of funds hereinafter described for the construction of the facilities, the creation of guidelines designed to assure that the funds will be disbursed in accord with the purposes of this subdivision, the continued surveillance of the effectiveness of constructed facilities in cooperation with other related state agencies, and other duties of administration necessary to accomplish the purpose of this subdivision. Grants shall be made in accordance with the guidelines created under authority of this subdivision and shall not exceed 33 percent of the eligible project cost.

(c) A Lake Superior water filtration and purification fund is created as a separate bookkeeping account in the general books of account of the state, to record receipts of the proceeds of moneys appropriated to the fund and disbursements of money appropriated from the fund to municipalities for the acquisition

and betterment of public land, buildings, and improvements of a capital nature needed for the construction of water filtration and purification systems, in accordance with the purpose of this subdivision. It is determined that state financial assistance for the construction of water filtration and purification facilities needed to fulfill the purposes of this subdivision is a public purpose and a proper function of state government.

(d) No recipient of financial assistance may receive more than 80 percent of the total amount of funds appropriated in this subdivision. Any recipient of financial assistance shall pursue its remedies under the permits granted to the discharges or subrogate to the state those remedies for purposes of obtaining reimbursement of the state funds expended for the purposes of this subdivision. The board of health shall at the time of any disbursement of funds under this subdivision enter into necessary agreements for reimbursement. Any amounts recovered pursuant to this subdivision shall be credited to and disbursed as provided in *section 298.28*, subdivision 1, clause ((1)) (4), part (a).

(e) Prior to July 1, (1977, \$2,500,000) 1978, \$1,750,000 of the proceeds of the tax collected under section (298.243) 298.24, subdivision 1, shall be paid to the general fund of the state treasury from those funds distributed (TO THE COUNTIES, EXCEPT FROM THE PORTION DISTRIBUTED TO ITASCA COUNTY,) pursuant to *section 298.28*, subdivision 1, clause ((1)) (8), part (c).

(f) This subdivision is effective on June 7, 1975. The \$2,500,000 in funds appropriated pursuant to this subdivision are available as of July 1, 1975. The additional \$1,750,000 appropriated pursuant to this subdivision shall be available as of July 1, 1977.

Sec. 9. Minnesota Statutes 1976, Section 298.25, is amended to read:

298.25 [TAXES ADDITIONAL TO OTHER TAXES.] The taxes imposed under (SECTIONS) *section 298.24* (AND 298.-241) shall be in addition to the occupation tax imposed upon the business of mining and producing iron ore and in addition to the royalty tax imposed upon royalties received for permission to mine and produce iron ore. Except as herein otherwise provided, such taxes shall be in lieu of all other taxes upon such taconite and iron sulphides, or the lands in which they are contained, or upon the mining or quarrying thereof, or the production of concentrate therefrom, or upon the concentrate produced, or upon the machinery, equipment, tools, supplies and buildings used in such mining, quarrying or production, or upon the lands occupied by, or used in connection with, such mining, quarrying or production facilities. If electric or steam power for the mining, transportation or concentration of such taconite or the concentrates produced therefrom is generated in plants principally devoted

to the generation of power for such purposes, the plants in which such power is generated and all machinery, equipment, tools, supplies, transmission and distribution lines used in the generation and distribution of such power, shall be considered to be machinery, equipment, tools, supplies and buildings used in the mining, quarrying or production of taconite and taconite concentrates within the meaning of this section. If part of the power generated in such a plant is used for purposes other than the mining or concentration of taconite or the transportation or loading of taconite or the concentrates thereof, a proportionate share of the value of such generating facilities, equal to the proportion that the power used for such other purpose bears to the generating capacity of the plant, shall be subject to the general property tax in the same manner as other property; provided, power generated in such a plant and exchanged for an equivalent amount of power which is used for the mining, transportation or concentration of such taconite or concentrates produced therefrom, shall be considered as used for such purposes within the meaning of this section. Nothing herein shall prevent the assessment and taxation of the surface of reserve land containing taconite and not occupied by such facilities or used in connection therewith at the value thereof without regard to the taconite or iron sulphides therein, nor the assessment and taxation of merchantable iron ore or other minerals, or iron-bearing materials other than taconite or iron sulphides in such lands in the manner provided by law, nor the assessment and taxation of facilities used in producing sulphur or sulphur products from iron sulphide concentrates, or in refining such sulphur products, under the general property tax laws. Nothing herein shall except from general taxation or from taxation as provided by other laws any property used for residential or townsite purposes, including utility services thereto.

Sec. 10. Minnesota Statutes 1976, Section 298.26, is amended to read:

298.26 [TAX ON UNMINED IRON ORE OR IRON SULPHIDES.] In any year in which at least 1,000 tons of iron ore concentrate is not produced from any 40-acre tract or governmental lot containing taconite or iron sulphides, a tax may be assessed upon the taconite or iron sulphides therein at the mill rate prevailing in the taxing district and spread against the assessed value of the taconite or iron sulphides, such assessed value to be determined in accordance with existing laws. The amount of the tax spread under authority of this section by reason of the taconite and iron sulphides in any tract of land shall not exceed (\$1) \$10 per acre.

Sec. 11. Minnesota Statutes 1976, Section 298.27, is amended to read:

298.27 [COLLECTION AND PAYMENT OF TAX.] The taxes provided by (SECTIONS) *section* 298.24(, 298.241, AND

298.243) shall be collected and paid in the same manner as provided by law for the payment of the occupation tax, except that the report required by section 298.05 shall be filed on or before February 15 together with a remittance equal to 90 percent of the estimated tax required to be paid hereunder on or before April 15. On or before February 25, the commissioner of revenue shall make distribution of such estimated payment in the manner provided by (SECTIONS) *section* 298.28 (AND 298.244). The commissioner of revenue shall determine the amount of tax due on or before March 15. The tax found to be due shall be paid on or before April 15 following the production year. Reports shall be made and hearings held upon the determination of the tax in accordance with procedures established by the commissioner of revenue. The commissioner of revenue shall have authority to make reasonable regulations as to the form and manner of filing reports necessary for the determination of the tax hereunder, and by such regulations may require the production of such information as may be reasonably necessary or convenient for the determination and apportionment of the tax. All the provisions of the occupation tax law with reference to the assessment, determination, and collection of the occupation tax, including all provisions for appeals from or review of the orders of the commissioner of revenue relative thereto, are hereby made applicable to the taxes imposed by (SECTIONS) *section* 298.24(, 298.241, AND 298.243,) except in so far as inconsistent herewith. If any person subject to (SECTIONS) *section* 298.24(, 298.241, AND 298.243) shall fail to make the report provided for in this section at the time and in the manner herein provided, the commissioner of revenue shall in such case, upon such information as he may possess or obtain, ascertain the kind and amount of ore mined or produced and thereon find and determine the amount of the tax due from such person. There shall be added to the amount of tax due a penalty for failure to report on or before February 15, which penalty shall equal ten percent of the tax imposed and be treated as a part thereof.

If any person required to make an estimated tax payment at the time and in the manner herein provided, and fails to do so, there shall be imposed a penalty equal to ten percent of the amount so due, which penalty shall be treated as part of the tax due.

In the case of any underpayment of the estimated tax payment required herein, there may be added and be treated as part of the tax due a penalty equal to ten percent of the amount so underpaid.

If any portion of the (TAX) *taxes* provided for in (SECTIONS) *section* 298.24(, 298.241, AND 298.243) is not paid before the fifteenth day of April of the year in which due and payable, a penalty of ten percent of such unpaid portion shall immediately accrue, and thereafter one percent per month shall be added to such tax and penalty while such tax remains unpaid.

Sec. 12. Minnesota Statutes 1976, Section 298.28, Subdivision 1, is amended to read:

298.28 [DIVISION OF PROCEEDS.] Subdivision 1. The proceeds of the (TAX) taxes collected under section 298.24, *except the tax collected under section 298.24, subdivision 2*, shall, upon certificate of the commissioner of revenue to the general fund of the state, be paid by the commissioner of revenue *as follows*:

(1) *2.5 cents per gross ton of merchantable iron ore concentrate, hereinafter referred to as "taxable ton", to the city or town (TO THE VARIOUS TAXING DISTRICTS) in which the lands from which taconite was mined or quarried were located (IN THE FOLLOWING MANNER AND PROPORTIONS: 11 1/2 PERCENT THEREOF TO THE CITY OR TOWN; 27 PERCENT THEREOF TO THE SCHOOL DISTRICT; 11 1/2 PERCENT THEREOF TO THE COUNTY; THREE PERCENT THEREOF TO THE STATE AND 47 PERCENT THEREOF, LESS ANY AMOUNT REQUIRED TO BE DISTRIBUTED UNDER SUBDIVISION 1A TO THE TACONITE PROPERTY TAX RELIEF ACCOUNT IN THE APPORTIONMENT FUND IN THE STATE TREASURY) or within which the concentrate was produced.* If the mining, quarrying, and concentration, or different steps in either thereof are carried on in more than one taxing district, the commissioner shall apportion equitably the proceeds of the part of the tax going to cities and towns among such subdivisions (AS PROVIDED ABOVE, AND THE PART GOING TO SCHOOL DISTRICTS AMONG SUCH DISTRICTS, AND THE PART GOING TO COUNTIES AMONG SUCH COUNTIES,) upon the basis of attributing 40 percent of the proceeds of the tax to the operation of mining or quarrying the taconite, and the remainder to the concentrating plant and to the processes of concentration, and with respect to each thereof giving due consideration to the relative extent of such operations performed in each such taxing district. His order making such apportionment shall be subject to review by the tax court of appeals at the instance of any of the interested taxing districts, in the same manner as other orders of the commissioner.

(2) *To the taconite municipal aid account in the apportionment fund of the state treasury, the following respective amounts: (i) in the year 1978, 12.5 cents per taxable ton; (ii) in the year 1980 and thereafter, 12.5 cents per taxable ton, to be distributed as provided in section 298.282.*

(3) *26 cents per taxable ton to school districts to be distributed as follows:*

(a) *6 cents per taxable ton to the school districts in which the lands from which taconite was mined or quarried were locat-*

ed or within which the concentrate was produced. The commissioner shall follow the apportionment formula prescribed in clause (1).

(b) Twenty cents per taxable ton, less any amount distributed under part (c), shall be distributed to a group of school districts comprised of those school districts wherein the taconite was mined or quarried or the concentrate produced or in which there is a qualifying municipality as defined by section 273.134 or in which is located property which is entitled to the reduction of tax pursuant to section 273.135. The 20 cents, less any amount distributed under part (c), shall be distributed in direct proportion to school district tax levies as follows: each district shall receive that portion of the total distribution which its permitted levy for the prior year, computed pursuant to section 275.125, comprises of the sum of permitted levies for the prior year for all qualifying districts, computed pursuant to section 275.125. That portion of the amount so distributed to a school district which is not deducted from state aids in section 124.212, subdivision 8a, shall be included in computing the permissible levies under section 275.125. For purposes of distributions pursuant to this part, permitted levies for the prior year computed pursuant to section 275.125 shall not include the amount of any increased levy authorized by referendum pursuant to section 275.125, subdivision 2a, clause (4).

(c) There shall be distributed to any school district the amount which the school district was entitled to receive under section 298.32 in 1975.

(4) 14.5 cents per taxable ton to counties to be distributed as follows:

(a) 12.5 cents per taxable ton shall be distributed to the county in which the taconite is mined or quarried or in which the concentrate is produced, less any amount which is to be distributed pursuant to part (b). The commissioner shall follow the apportionment formula prescribed in clause (1).

(b) If an electric power plant owned by and providing the primary source of power for a taxpayer mining and concentrating taconite is located in a county other than the county in which the mining and the concentrating processes are conducted, one cent per taxable ton of the tax distributed to the counties pursuant to part (a) and imposed on and collected from such taxpayer shall be distributed by the commissioner of revenue to the county in which the power plant is located.

(c) 2 cents per taxable ton shall be paid to the county from which the taconite was mined, quarried or concentrated to be deposited in the county road and bridge fund. If the mining, quarrying and concentrating, or separate steps in any of those processes are carried on in more than one county, the commis-

sioner shall follow the apportionment formula prescribed in clause (1).

(5) (a) 23 cents per taxable ton, less any amount required to be distributed under part (b), to the taconite property tax relief account in the apportionment fund in the state treasury, to be distributed as provided in sections 273.134 to 273.136. In the year 1980 and thereafter, 24 cents per taxable ton shall be paid to the taconite property tax relief account.

(b) If an electric power plant owned by and providing the primary source of power for a taxpayer mining and concentrating taconite is located in a county other than the county in which the mining and the concentrating processes are conducted, .75 cent per taxable ton of the tax imposed and collected from such taxpayer shall be distributed by the commissioner of revenue to the county and school district in which the power plant is located as follows: 25 percent to the county and 75 percent to the school district.

(6) 1 cent per taxable ton to the state.

(7) 3 cents per taxable ton shall be deposited in the state treasury to the credit of the iron range resources and rehabilitation board account in the special revenue fund for the purposes of section 298.22. Of this amount, one cent per taxable ton is to be used to provide environmental development grants to local governments located within any county in region 3 as defined in governor's executive order number 60 issued on June 12, 1970, which does not contain a municipality qualifying pursuant to section 273.134.

(8) The proceeds of the tax imposed by section 298.24 which remain after the distributions in clauses 1 to 7 and parts (a), (b), (c), (d), and (e) of this clause have been made, shall be divided equally between the taconite area environmental protection and economic development fund created in section 16 and the northeast Minnesota economic protection fund created in section 24 and the proceeds shall be placed in the respective special accounts in the general fund to the credit of the taconite area environmental protection and economic development fund and to the credit of the northeast Minnesota economic protection fund.

(a) In 1978 and each year thereafter, there shall be distributed to each city, town, school district, and county the amount that they received under section 294.26 in calendar year 1977.

(b) In 1978 and each year thereafter, there shall be distributed to the iron range resources and rehabilitation board the amounts it received in 1977 under section 298.22.

(c) *In 1978, \$1,750,000 shall be paid to the state general fund under the provisions of Minnesota Statutes, Section 298.244, Subdivision 2, clause (e).*

(d) *In 1978 and each year thereafter, \$50,000 shall be distributed to the department of revenue for auditing and enforcing the production tax imposed by this article.*

(e) *In 1978 and 1979, \$150,000 shall be distributed to the department of revenue for the purpose of administering section 27. In 1980 and each year thereafter, \$100,000 shall be distributed to the department of revenue. (THE AMOUNT SO DISTRIBUTED SHALL BE DIVIDED AMONG THE VARIOUS FUNDS OF THE STATE, OR OF THE TAXING DISTRICTS IN THE SAME PROPORTION AS THE GENERAL AD VALOREM TAX THEREOF. IF IN ANY YEAR THE STATE SHALL NOT SPREAD ANY GENERAL AD VALOREM TAX LEVY AGAINST REAL PROPERTY, THE STATE'S PROPORTION OF THE TAX SHALL BE PAID INTO THE GENERAL FUND. THE AMOUNT DISTRIBUTED TO ANY CITY AND ONE-THIRD IN 1971 AND THAT PORTION NOT DEDUCTED FROM STATE AIDS IN SECTION 124.212, SUBDIVISION 8, THEREAFTER OF THE AMOUNT DISTRIBUTED TO ANY SCHOOL DISTRICT UNDER THE PROVISIONS HEREOF SHALL BE INCLUDED IN COMPUTING THE PERMISSIBLE LEVIES OF SUCH CITY OR SCHOOL DISTRICT UNDER SECTIONS 275.11 OR 275.125, PROVIDED, IN COMPUTING THE DEDUCTION FROM PERMISSIBLE LEVIES OF CITIES BY REASON HEREOF EFFECT SHALL BE GIVEN TO THE COST OF LIVING ADJUSTMENT ALLOWED BY SECTION 275.11, SUBDIVISION 2, REGARDLESS OF WHETHER OR NOT MORE THAN 25 PERCENT OF THE ASSESSED VALUATION CONSISTS OF IRON ORE.) On or before October 10 of each calendar year each producer of taconite or iron sulphides subject to taxation under section 298.24 (hereinafter called "taxpayer") shall file with the commissioner of revenue and with the county auditor of each county in which such taxpayer operates, and with the chief clerical officer of each school district (OR), city or town which is entitled to participate in the distribution of the tax, an estimate of the amount of tax which would be payable by such taxpayer under said law for such calendar year; provided such estimate shall be in an amount not less than the amount due on the mining and production of concentrates up to September 30 of said year plus the amount becoming due because of probable production between September 30 and December 31 of said year, less any credit allowable as hereinafter provided. Such estimate shall list the taxing districts entitled to participate in the distribution of such tax, and the amount of the estimated tax which would be distributable to each such district in (SUCH) the next ensuing calendar year on the basis of the last percentage distribution certified by the commis-*

sioner of revenue. If there be no such prior certification, the taxpayer shall set forth its estimate of the proper distribution of such tax under the law, which estimate may be corrected by the commissioner if he deems it improper, notice of such correction being given by him to the taxpayer and the public officers receiving such estimate. The officers with whom such report is so filed shall use the amount so indicated as being distributable to each taxing district (EXCEPT IN THE CASE OF SCHOOL DISTRICTS ONE-THIRD IN 1971 AND THAT PORTION NOT DEDUCTED FROM STATE AIDS IN SECTION 124.212, SUBDIVISION 8, THEREAFTER OF THE INDICATED AMOUNT IS TO BE USED) in computing (, PURSUANT TO SECTIONS 275.11 OR 275.125,) the permissible tax levy of such *county*, city or school district in the year in which such estimate is made, and payable in the next ensuing calendar year. Such taxpayer shall then pay, at the times payments are required to be made pursuant to section 298.27, as the amount of tax payable under section 298.24, the greater of (a) the amount shown by such estimate, or (b) the amount due under said section as finally determined by the commissioner of revenue pursuant to law. If, as a result of the payment of the amount of such estimate, the taxpayer has paid in any calendar year an amount of tax in excess of the amount due in such year under section 298.24, after application of credits for any excess payments made in previous years, all as determined by the commissioner of revenue, the taxpayer shall be given credit for such excess amount against any taxes which, under said section, may become due from the taxpayer in subsequent years. In any calendar year in which a general property tax levy subject to sections (275.11) 275.50 to 275.59 or 275.125 has been made, if the taxes distributable to any such *county*, city or school district are greater than the amount estimated to be paid to any such *county*, city or school district in such year, the excess of such distribution shall be held in a special fund by the *county*, city or school district and shall not be expended until the succeeding calendar year, and shall be included in computing the permissible levies under sections (275.11) 275.50 to 275.59 or 275.125, of such *county*, city or school district payable in such year. If the amounts distributable to any such *county*, city or school district, after final determination by the commissioner of revenue under this section are less than the amounts indicated by such estimates, such *county*, city or school district may issue certificates of indebtedness in the amount of the shortage, and may include in its next tax levy, in excess of the limitations of sections (275.11) 275.50 to 275.59 or 275.125 an amount sufficient to pay such certificates of indebtedness and interest thereon, or, if no certificates were issued, an amount equal to such shortage.

There is hereby *annually* appropriated to such taxing districts as are stated herein (AND), to the taconite property tax relief account *and to the taconite municipal aid account* in the apportionment fund in the state treasury, *to the department of revenue, to the iron range resources and rehabilitation board, to the taconite area environmental protection and economic de-*

velopment fund, and to the northeast Minnesota economic protection fund, from any fund or account in the state treasury to which the money was credited, an amount sufficient to make the payment or transfer. The payment of the amount appropriated to such taxing districts shall be made by the commissioner of revenue on or before May 15 annually.

Sec. 13. Minnesota Statutes 1976, Section 298.282, Subdivision 1, is amended to read:

298.282 [DISTRIBUTION OF TACONITE MUNICIPAL AID ACCOUNT; TACONITE MUNICIPAL AID; PAYMENT.] Subdivision 1. The amount deposited to the credit of the taconite municipal aid account in the apportionment fund of the state treasury as provided in section (298.281, SUBDIVISION 4) 298.28, subdivision 1, clause (2) shall be distributed as provided by this section, among the municipalities comprising a tax relief area under section 273.134, as amended hereby, each being herein referred to as a qualifying municipality.

Sec. 14. Minnesota Statutes 1976, Section 298.282, Subdivision 2, is amended to read:

Subd. 2. Each year commencing in 1977, and (THE) following *the* final determination of the amount of taxes payable under section (298.241) 298.24, the commissioner of revenue shall determine the amount in the taconite municipal aid account as of July 1 of such year and the amount to be distributed to each qualifying municipality during such year. The amount to be distributed to each qualifying municipality shall be determined by dividing the total amount in said account, after a reduction equal to the amount of the distribution in subdivision 5, as of July 1 by the total population according to the latest federal census of all qualifying municipalities to determine the per capita distributive share for such year and by multiplying the per capita distributive share by the population of such municipality. *If the distribution under this section, sections 273.138, 298.26 and 298.28, and chapter 477A, to any municipality would exceed that municipality's permissible levy for the prior year, computed pursuant to sections 275.50 to 275.59, the amount in excess of the permissible levy for the prior year shall reduce the amount distributed to the municipality under this section and this excess amount shall be distributed to the other qualifying municipalities on a per capita basis.* Upon completion of such determination, the commissioner of revenue shall certify to the chief clerical officer of each qualifying municipality the amount which will be distributed to such municipality from the taconite municipal aid account that year.

Sec. 15. [CITATION.] *Sections 15 to 22 shall be known as the taconite area environmental protection and economic development fund act of 1977.*

Sec. 16. [TACONITE AREA ENVIRONMENTAL PROTECTION FUND.] *A fund called the taconite area environmental protection and economic development fund is created for the purpose of reclaiming, restoring and enhancing those areas of northeast Minnesota adversely affected by the environmental-damaging operations involved in mining taconite and iron ore and producing iron ore concentrate and for the purpose of promoting the economic development of northeast Minnesota.*

Sec. 17. Minnesota Statutes 1976, Section 298.22, Subdivision 2, is amended to read:

Subd. 2. There is hereby created the iron range resources and rehabilitation board, consisting of (SEVEN) *11* members, (THREE) *five* of whom shall be state senators appointed by the committee on committees of the senate, and (THREE) *five* of whom shall be representatives, appointed by the speaker of the house of representatives, their terms of office to commence on May 1, 1943, and continue until January 3rd, 1945, or until their successors are appointed and qualified. Their successors shall be appointed each two years in the same manner as the original members were appointed, in January of every second year, commencing in January, 1945. The (SEVENTH) *11th* member of said board shall be the commissioner of natural resources of the state of Minnesota. Vacancies on the board shall be filled in the same manner as the original members were chosen. All expenditures and projects made by the commissioner of iron range resources and rehabilitation shall first be submitted to said iron range resources and rehabilitation board which shall recommend approval or disapproval or modification of expenditures and projects for rehabilitation purposes as provided by this section, and the method, manner, and time of payment of all said funds proposed to be disbursed shall be first approved or disapproved by said board. The board shall biennially make its report to the governor and the legislature on or before November 15 of each even numbered year. The expenses of said board shall be paid by the state of Minnesota from the funds raised pursuant to this section.

Sec. 18. Minnesota Statutes 1976, Section 298.22, is amended by adding a subdivision to read:

Subd. 6. The amounts appropriated to the iron range resources and rehabilitation board from the taconite area environmental protection and economic development fund shall be used for the following purposes:

(a) *to initiate investigations into matters it determines are in need of study and which will determine the environmental problems requiring remedial action;*

(b) *reclamation, restoration or reforestation of minelands not otherwise provided for by state law;*

(c) local economic development projects including construction of industrial parks, sewer and water systems and other public works;

(d) monitoring of mineral industry related health problems.

The board shall prepare by September 1 of each year a list of projects which it proposes to undertake the following fiscal year with the funds estimated to be available in the taconite area environmental protection and economic development fund. This list of projects, with such supporting documentation as may be required, shall be submitted to the governor for review by October 1 and to the finance committee of the senate and the appropriations committee of the house of representatives by November 15. These committees shall prepare bills appropriating to the board funds from the taconite area environmental protection and economic development fund in the amount necessary for the proposed projects which the committees recommend. No funds shall be expended by the board from the taconite area environmental protection and economic development fund for projects until the necessary funds are appropriated by the legislature.

Sec. 19. [SOURCE OF FUNDS.] Funds for the purposes of sections 15 to 22 are provided by Minnesota Statutes, Section 298.28, Subdivision 1, Clause (8) relating to the taconite area environmental protection and economic development fund.

Sec. 20. [INVESTMENT OF FUNDS; INCOME.] The fund established by section 16 shall be invested pursuant to law and the net interest and dividends arising from the investment shall be included and become part of the fund.

Sec. 21. [APPROPRIATION.] After the effective date of sections 15 to 22, if a taconite producer ceases beneficiation operations, either temporarily or permanently, and if the recipients of the taconite production tax as provided in section 298.28, subdivision 1, clauses (1) to (7), would receive decreased distributions as a result thereof, then the distribution to these recipients in each of the two years immediately following the year in which operations ceased shall be equal to the amount they received in the last full year before operations ceased. There is hereby appropriated from the taconite area environmental protection and economic development fund the amount needed to make the above payments. If a taconite producer, which ceases beneficiation operations either temporarily or permanently, is required by a special law to make bond payments for a school district, the taconite area environmental protection and economic development fund shall assume the payments of the taconite producer if the producer ceases to make the needed payments. There is hereby appropriated from the taconite area environmental protection and economic development fund the amounts needed to make these school bond payments.

Sec. 22. [APPROPRIATION.] *There is hereby appropriated from the general fund to the taconite area environmental protection and economic development fund the amount needed to pay the payments authorized under section 21. The commissioner of finance shall transfer the funds only if the taconite area environmental protection and economic development fund does not have a sufficient balance to pay the payments. Any amount transferred to the taconite area environmental protection and economic development fund shall be repaid to the general fund without interest as soon as practicable.*

Sec. 23. [CITATION.] *Sections 23 to 26 shall be known as the "northeast Minnesota economic protection fund act of 1977."*

Sec. 24. [POLICY.] *The legislature is cognizant of the severe economic dislocations and widespread unemployment that result when a single industry on which an area is largely dependent, experiences a drastic reduction in activity. The Northeast Minnesota economic protection fund is created to be devoted to economic rehabilitation and diversification of industrial enterprises where these conditions ensue as the result of the decline of such a single industry.*

Sec. 25. *The funds provided by Minnesota Statutes, Section 298.28, Subdivision 1, Clause (8), relating to the northeast Minnesota economic protection fund shall not be expended prior to (a) a declaration by the governor to the effect that the economic situation of northeast Minnesota requires remedial action by the legislature as a result of a decline in mineral-related activities, and (b) an appropriation of the funds by the legislature. The governor shall recommend to the legislature those measures that he believes will be appropriate in order to accomplish the purpose of his declaration. The funds provided by this fund may be spent only in those areas that are tax relief areas as defined in Minnesota Statutes, Section 273.134. The funds provided by Minnesota Statutes, Section 298.28, Subdivision 1, Clause (8), for this fund shall not be expended for this purpose prior to January 1, 2002. If during any year the taconite property tax account under sections 273.134 to 273.136 does not contain sufficient funds to pay the property tax relief specified, there is appropriated from this fund to the relief account sufficient funds to pay the relief specified in sections 273.134 to 273.136.*

Sec. 26. *The fund established by section 24 shall be invested pursuant to law and the net interest and dividends arising from the investment shall be included and become part of the fund; provided that the governor may authorize the state treasurer to borrow an amount not exceeding 50 percent of the amount in the fund for a period terminating no later than December 31, 2001. The state treasurer, pursuant to the authorization, shall issue notes pledging the full faith and credit of the state for the*

purpose of repayment, and the notes shall bear interest at five percent per annum until paid.

Sec. 27. Minnesota Statutes 1976, Chapter 298, is amended by adding a section to read:

[298.48] [MINERAL RIGHTS; EXPLORATION DATA; FILING REQUIREMENTS.] *Subdivision 1. [ANNUAL FILING.] Every owner or lessee of mineral rights who, in respect thereto, has engaged in any exploration for or mining of taconite, semi-taconite, or iron-sulphide shall, within six months of the effective date of this section, file with the commissioner of revenue all data of the following kinds in the possession or under the control of the owner or lessee which was acquired prior to January 1, 1977:*

(a) Maps and other records indicating the location, character and extent of exploration for taconite, semi-taconite, or iron-sulphides;

(b) Logs, notes and other records indicating the nature of minerals encountered during the course of exploration;

(c) The results of any analyses of metallurgical tests or samples taken in connection with exploration;

(d) The ultimate pit layout and the supporting cross sections; and

(e) Any other data which the commissioner of revenue may determine to be relevant to the determination of the location, nature, extent, quality or quantity of unmined ores of said minerals. The commissioner of revenue shall have the power to compel submission of the data. The clerk of any court of record, upon demand of the commissioner, shall issue a subpoena for the production of any data before the commissioner. Disobedience of subpoenas issued under this section shall be punished by the district court of the district in which the subpoena is issued as for a contempt of the district court. By April 1 of each succeeding year every owner or lessee of mineral rights shall file with the commissioner of revenue all such data acquired during the preceding calendar year.

Subd. 2. [USE OF DATA.] Notwithstanding any other law to the contrary, the commissioner of revenue may use any data filed pursuant to subdivision 1 and any similar data otherwise obtained to the extent and in the manner he deems necessary to project the future availability, value, and utilization of the metallic mineral resources of this state. In making such projections the commissioner of revenue may consult with the commissioner of natural resources and may provide him with data as he deems appropriate.

Subd. 3. [PENALTIES.] Any owner or lessee of mineral rights who fails, neglects or refuses to make any filing required by this section is guilty of a gross misdemeanor.

Subd. 4. [CONFIDENTIAL NATURE OF INFORMATION.] The data filed pursuant to subdivision 1 shall be considered confidential for three years from the date it is filed with the commissioner. Nothing herein contained shall be construed to prohibit the commissioner from disclosing information or publishing statistics so classified as not to disclose the identity of particular data.

Notwithstanding the other provisions of this subdivision, the commissioner, at his discretion, may furnish any information supplied under this section to the commissioner of natural resources or the director of the state planning agency. Any person violating the provisions of this section shall be guilty of a gross misdemeanor.

Sec. 28. [REPEALER.] Minnesota Statutes 1976, Sections 294.27; 294.28; 298.244, Subdivision 1; 298.28, Subdivision 1a; and 298.281, are repealed.

Sec. 29. [REPEALER.] Minnesota Statutes 1976, Sections 298.241; and 298.243, are repealed.

Sec. 30. [EFFECTIVE DATE.] Sections 4, 6, 7, 9, and 29 are effective for iron ore concentrate and tailings produced in any year beginning after December 31, 1976. Sections 2, 5, 11, 12, 13, 14, and 28 are effective for distributions made in any year after December 31, 1977. Sections 1, 3, 8, and 15 to 27 are effective the day after final enactment. Section 10 is effective for property taxes levied in 1977 and thereafter, payable in 1978 and thereafter.

ARTICLE X

Section 1. Minnesota Statutes 1976, Chapter 298, is amended by adding a section to read:

[298.045] [DECLARATION OF ESTIMATED OCCUPATION TAX.] Subdivision 1. [REQUIREMENTS OF DECLARATION.] Every person subject to the taxes imposed by section 298.01, subdivision 1, if that person produced more than 2,500,000 tons of ore in the previous calendar year, and section 298.01, subdivision 2, shall file with the commissioner of revenue a declaration of estimated tax for the calendar year based on the estimate of the mining and production of ores that will occur in that year. The declaration shall contain any pertinent information the commissioner of revenue may by rule or form prescribe.

Subd. 2. [FILING REQUIREMENT FOR DECLARATION.] The declaration of estimated tax for that year shall be filed on March 15 of that year, except that the declaration for 1977 shall be filed in accordance with subdivision 3.

Subd. 3. [TIME FOR FILING DECLARATIONS FOR 1977.] The declaration of estimated tax required by this section for 1977 shall be filed on or before July 15, 1977. The amount of the estimated tax shall be paid in four equal installments on the following dates: July 15, September 15, and December 15, of 1977, and March 15, 1978.

Subd. 4. [EXTENSION OF TIME FOR FILING DECLARATIONS.] The commissioner may grant a reasonable extension of time for filing the declaration required by this section. No extension shall be for more than six months.

Subd. 5. [AMENDMENT.] An amendment of a declaration may be filed in any interval between installment dates prescribed for the year, but only one amendment may be filed in an interval.

Sec. 2. Minnesota Statutes 1976, Chapter 298, is amended by adding a section to read:

[298.046] [INSTALLMENT PAYMENTS OF ESTIMATED OCCUPATION TAX.] *Subdivision 1. [AMOUNT AND TIME FOR PAYMENT OF EACH INSTALLMENT.] The amount of estimated tax with respect to which a declaration is required shall be paid in four equal installments on the 15th day of March, June, September, and December of the calendar year for which the declaration is required.*

Subd. 2. [AMENDMENT OF DECLARATION.] If an amendment of a declaration is filed, the amount of any remaining installments shall be the amount which would have been payable if the new estimate had been made when the first estimate for the calendar year was made, increased or decreased by any amount computed by dividing:

(a) *the difference between (i) the amount of estimated tax required to be paid before the date on which the amendment is made, and (ii) the amount of estimated tax which would have been required to be paid before that date if the new estimate had been made when the first estimate was made, by*

(b) *the number of installments remaining to be paid on or after the date on which the amendment is made.*

Subd. 3. [INSTALLMENTS PAID IN ADVANCE.] At the election of the taxpayer, an installment of the estimated tax may be paid before the date prescribed for its payment.

Sec. 3. Minnesota Statutes 1976, Chapter 298, is amended by adding a section to read:

[298.047] [FAILURE TO PAY ESTIMATED OCCUPATION TAX.] *Subdivision 1. [ADDITION TO THE TAX.] In the case of an underpayment of estimated tax by a taxpayer, except as provided in subdivision 4, there shall be added to the estimated tax for the calendar year a penalty of ten percent and interest at the rate specified in section 270.75 upon the amount of the underpayment determined under subdivision 2 for the period of the underpayment determined under subdivision 3.*

Subd. 2. [AMOUNT OF UNDERPAYMENT.] For purposes of subdivision 1, the amount of the underpayment shall be the excess of:

- (a) the amount of the installment that was due, over*
- (b) the amount, if any, of the installment paid on or before the last date prescribed for payment.*

Subd. 3. [PERIOD OF UNDERPAYMENT.] The period of the underpayment shall run from the date the installment was required to be paid to whichever of the following dates is the earlier:

- (a) March 1 of the following calendar year; or*
- (b) with respect to any portion of the underpayment, the date on which the portion is paid. For purposes of this paragraph, a payment of estimated tax on an installment date shall be considered a payment of a previous underpayment only to the extent the payment exceeds the amount of the installment for that installment date.*

Subd. 4. [EXCEPTION.] Notwithstanding the provisions of subdivisions 1 to 3, penalty and interest with respect to an underpayment of an installment shall not be imposed if the total amount of all payments of estimated tax made on or before the last date prescribed for the payment of the installment equals or exceeds the amount which would have been required to be paid on or before that date if the estimated tax were the lesser of:

- (a) the tax as finally determined by the commissioner for the preceding calendar year if a tax liability existed for the preceding calendar year; or*
- (b) an amount equal to the tax computed at the rates applicable to the calendar year but otherwise on the basis of the facts shown on the report of the taxpayer for, and the law applicable to, the preceding calendar year.*

Subd. 5. [FAILURE TO FILE AN ESTIMATE.] In the case of a taxpayer who fails to file a declaration of estimated tax for a calendar year when one is required, the period of the underpayment shall run from the four installment dates as set forth in section 2, subdivision 1, to whichever of the periods set forth in subdivision 3, clauses (a) and (b), is the earlier.

Sec. 4. Minnesota Statutes 1976, Chapter 298, is amended by adding a section to read:

[298.048] [OVERPAYMENT OF ESTIMATED TAX.] *Where the amount of an installment payment of estimated tax exceeds the amount determined to be the correct amount of the installment payment, the overpayment shall be credited against any unpaid installments. Where the total amount of the estimated tax payments and other payments, if any, exceeds by \$1 or more the taxes and any added penalties and interest as finally determined by the commissioner, the commissioner shall make and file an order determining the amount of the overpayment and credit it against occupation taxes otherwise payable by the person who has overpaid the amount so determined.*

Sec. 5. [EFFECTIVE DATE.] *This article is effective for any ores mined or produced in any year beginning after December 31, 1976."*

Further, delete the title in its entirety and insert:

"A bill for an act relating to taxation; providing changes in classification ratios and assessment procedures; increasing local government aids and certain tax credits; altering levy limits; imposing a minimum tax on certain types of income; establishing tax study committee; increasing the tax on taconite production and providing for the distribution of its proceeds; establishing a taconite area environmental protection and economic development fund; establishing a Northeast Minnesota economic protection fund; imposing a tailings tax; increasing the tax on unmined taconite; requiring owners and lessees of mineral rights to file exploration data with the commissioner of revenue; providing penalties; appropriating money; amending Minnesota Statutes 1976, Sections 124.212, Subdivisions 10 and 11; 273.11, Subdivisions 1 and 2; 273.12; 273.13, Subdivisions 6, 7 and 14a; 273.132; 273.134; 274.01, Subdivision 1; 275.50, Subdivision 5; 275.51, by adding a subdivision; 275.52, Subdivisions 2, 3 and 4; 275.53, Subdivisions 1 and 3; 278.01; 278.05; 287.241, Subdivision 2; 290.012, Subdivision 2; 290.09, Subdivision 4; 290A.03, Subdivisions 3, 11 and 13; 290A.04, Subdivision 2, and by adding a subdivision; 294.26; 298.03; 298.22, Subdivisions 1 and 2, and by adding a subdivision; 298.24, Subdivisions 1 and 2; 298.244, Subdivision 2; 298.25; 298.26; 298.27; 298.28, Subdivi-

sion 1; 298.282, Subdivisions 1 and 2; 375.192, by adding a subdivision; 477A.01, Subdivisions 1, 2, 4, 4a, 4b, and by adding a subdivision; 477A.03; and Chapters 3, 272, 287, 290, 298 and 477A, by adding sections; repealing Minnesota Statutes 1976, Sections 275.51, Subdivisions 3b and 3c; 287.241, Subdivisions 3 and 4; 290.09, Subdivision 26; 294.27; 294.28; 298.241; 298.243; 298.244, Subdivision 1; 298.28, Subdivision 1a; 298.281; Extra Session Laws 1971, Chapter 31, Article XIII; Laws 1973, Chapter 601; Laws 1975, Chapter 437, Article VII; and Laws 1976, Chapter 149, Section 58.”.

With the recommendation that when so amended the bill pass.

The report was adopted.

Johnson from the Committee on Education to which was referred:

H. F. No. 757, A bill for an act relating to health; establishing a health program for pre-school children; providing for reimbursement to school districts; appropriating money.

Reported the same back with the following amendments:

Page 1, line 19, after “kindergarten” insert “; provided, this section of this act shall not be construed to require school boards to screen children who enter kindergarten during fiscal year 1978”.

Page 3, line 11, delete “success” and insert “results”.

Page 3, line 19, after “appropriate” insert “health”.

Page 3, line 20, delete “appropriate health”.

Page 3, line 21, delete “education programs for the district” and insert “their families”.

Page 3, delete line 32.

Page 4, delete lines 1 to 21 and insert:

“Sec. 6. [APPROPRIATION.] Subdivision 1. The sums set forth in this section are appropriated from the general fund to the agencies and for the purposes indicated, to be available for the fiscal year ending June 30 in the years indicated. Any unencumbered balance remaining in fiscal year 1978 shall not cancel but is available for fiscal year 1979.

1978 1979

Subd. 2. Department of Education

(a) For consultation with school districts and evaluation of screening programs established pursuant to section 3, subdivision 1

\$ 50,000 \$ 50,000

The approved complement of the department of education is increased by 2.5 persons.

(b) For payments to school districts pursuant to section 5

650,000 1,200,000

Subd. 3. Department of Health

97,395 106,895

For training staff to provide screening services, providing technical assistance to screening programs, and monitoring and evaluation of screening programs, all pursuant to this act.

The approved complement of the department of health is increased by 3 persons."

With the recommendation that when so amended the bill pass and be re-referred to the Committee on Appropriations.

The report was adopted.

Sieben, H., from the Committee on Governmental Operations to which was referred:

H. F. No. 1236, A bill for an act relating to water; requiring that new domestic wells be registered with the local soil and water conservation district; requiring that the commissioner of natural resources be notified of the appropriation of water for domestic use; requiring pumping tests and monitoring on large wells, and providing for exceptions; changing criteria for issuance of groundwater appropriation permits; creating a water planning board in the executive branch; appropriating money; amending Minnesota Statutes 1976, Sections 105.41, Subdivisions 1 and 1a; 105.44, Subdivision 8, and by adding subdivisions; and 105.45.

Reported the same back with the recommendation that the bill pass and be re-referred to the Committee on Appropriations.

The report was adopted.

Sieben, H., from the Committee on Governmental Operations to which was referred:

H. F. No. 1457, A bill for an act relating to state lands; authorizing the conveyance of certain lands in Aitkin county.

Reported the same back with the recommendation that the bill pass and be placed on the Consent Calendar.

The report was adopted.

Sieben, H., from the Committee on Governmental Operations to which was referred:

S. F. No. 13, A bill for an act relating to jurisdiction over federal lands; permitting acceptance by the state of retrocession of jurisdiction over federal lands by federal agencies; amending Minnesota Statutes 1976, Section 1.043; and Chapter 1, by adding a section.

Reported the same back with the recommendation that the bill pass and be placed on the Consent Calendar.

The report was adopted.

Sieben, H., from the Committee on Governmental Operations to which was referred:

S. F. No. 499, A bill for an act relating to the operation of state government; providing for a study on improving public access to state services and facilities; requiring a report.

Reported the same back with the recommendation that the bill pass and be placed on the Consent Calendar.

The report was adopted.

Sieben, H., from the Committee on Governmental Operations to which was referred:

S. F. No. 721, A bill for an act relating to veterinarians; license filing fee; amending Minnesota Statutes 1976, Section 156.09.

Reported the same back with the recommendation that the bill pass and be placed on the Consent Calendar.

The report was adopted.

Sieben, H., from the Committee on Governmental Operations to which was referred:

S. F. No. 964, A bill for an act relating to labor relations; providing for the exclusion of certain positions and classes of positions in the classified and unclassified civil service of the executive branch from bargaining units; amending Minnesota Statutes 1976, Section 179.74, Subdivision 4.

Reported the same back with the recommendation that the bill pass.

The report was adopted.

SECOND READING OF HOUSE BILLS

H. F. Nos. 1475 and 1457 were read for the second time.

SECOND READING OF SENATE BILLS

S. F. Nos. 13, 499, 721 and 964 were read for the second time.

GENERAL ORDERS

Pursuant to rules of the House, the House resolved itself into the Committee of the Whole, with Sabo in the Chair, for the consideration of bills pending on General Orders of the Day. After some time spent therein the Committee arose.

REPORT OF COMMITTEE OF THE WHOLE

The Speaker resumed the Chair, whereupon the following proceedings of the Committee as kept by the Chief Clerk were reported to the House:

S. F. Nos. 616, 963 and 833 which it recommended to pass.

H. F. No. 790 which it recommended progress.

S. F. No. 895 which it recommended progress.

H. F. No. 749 which it recommended be returned to its author.

On the motion of Anderson, I., the report of the Committee of the Whole was adopted.

MOTIONS AND RESOLUTIONS

Hanson moved that the name of Kahn be added as an author on H. F. No. 1215. The motion prevailed.

Skoglund introduced:

House Resolution No. 14, A house resolution congratulating Marjorie Parker and the Morris Park Elementary School on their national recognition for the school's bicentennial newspaper.

The resolution was referred to the Committee on Rules and Legislative Administration.

Skoglund introduced:

House Resolution No. 15, A house resolution congratulating Marjorie Deef and the Morris Park Elementary School on their national recognition for the school's bicentennial newspaper.

The resolution was referred to the Committee on Rules and Legislative Administration.

ADJOURNMENT

Anderson, I., moved that the House adjourn. The motion prevailed, and the Speaker declared the House stands adjourned until 2:00 p.m., Thursday, May 5, 1977.

EDWARD A. BURDICK, Chief Clerk, House of Representatives

